



CPZ2020-00010 Promenade North

Applicant's Submittal

Click on the text to quickly access that section of the document. Please note that there is no back button in the PDF to return to this page. You will need to scroll back to return or hit the **Home** button on your keyboard.

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For other formats, contact the Clark County ADA Office
Voice 564.397.2322 / Relay 711 or 800.833.6388
Fax 360.397.6165 / Email ADA@clark.wa.gov

CLARK COUNTY

COMPREHENSIVE PLAN AND ZONE CHANGE ANNUAL
REVIEW

PROMENADE NORTH

BILL MAITLAND

JANUARY 2020

PRINCIPAL-IN-CHARGE:
KURT STONEX

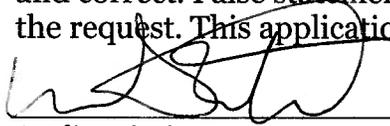
PROJECT MANAGER:
MIKE ODREN

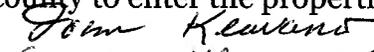
Development Application

Project name: Promenade North		
Type(s) of application (see reverse side): Annual Review		
Description of proposal: The Applicant proposes an Annual Review for a Comprehensive Plan Zone Change of a portion of parcel #200200-000 from a Commercial Comprehensive Plan designation and GC zoning to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning.		
Applicant name: Bill Maitland	Address: 13511 SE Rivercrest Dr. Vancouver, WA 98683	
E-mail address: micheleme@comcast.net	Phone and fax: (360) 609-1110 Fax Unavailable	
Property owner name (list multiple owners on a separate sheet): John & Sandra Klavano	Address: 7305 NE 154th Street Vancouver, WA 98662	
E-mail address:	Phone and fax: (360) 253-3728 Fax Unavailable	
Contact person name (list if not same as applicant): Olson Engineering, Inc. Attn: Mike Odren	Address: 222 E. Evergreen Blvd. Vancouver, WA 98660	
E-mail address: mikeo@olsonengr.com	Phone and fax: (360) 695-1385 Fax (360) 695-8117	
Project site information: NE 116th Street and SR 503 (NE 117th Avenue)	Comp plan designation: Commercial and Urban High Density Residential	
Cross street:	Zoning: CC and R-30	Parcel numbers: 200200-000
Overlay zones: N/A	Legal: #144 NW 1/4 Sec. 34 T3N R2E W.M.	Acreage of original parcels: 3.45 ac.
Township: 3N	Range: 2E	1/4 of section: SW 1/4 Sec. 34

Authorization

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the county to enter the properties listed above.


 Applicant's signature _____ Date 1-9-2020

 1-10-2020
 1-10-2020
 Property owner or authorized representative's signature _____ Date

For staff use only	Case number:	Work order number:
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Revised 6/14/12



Community Development
 1300 Franklin Street, Vancouver, Washington
 Phone: (360) 397-2375 Fax: (360) 397-2011
 www.clark.wa.gov/development



For an alternate format, contact the Clark County ADA Compliance Office.
 Phone: (360) 397-2322
 Relay: 711 or (800) 833-6384
 E-mail: ADA@clark.wa.gov

Application types

If you have any questions regarding the type of application being requested, our Permit Technicians will be happy to assist you.

- Annual Review
- Appeal
- Boundary Line Adjustment and Lot Reconfiguration
- Conditional Use

Environmental/Critical Areas

- Critical Aquifer Recharge Area (CARA)
- Columbia River Gorge
- Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- Floodplain
- Geological
- Habitat
- Habitat Monitoring
- Historic
- SEPA
- Shoreline
- Wetland
- Wetland Monitoring

Land Division

- Binding Site Plan
- Final Plat
- Plat Alteration
- Short Plat (___ Infill)
- Subdivision (___ Infill)

Miscellaneous

- Addressing
- Accessory Dwelling
- Covenant Release
- Home Business
- Legal Lot Determination and Innocent Purchasers Determination
- Non-Conforming Use Determination
- Sewer Waiver
- Shooting Range
- Sign

Planning Director Review

- Post Decision
- Pre-Application Conference
- Pre-Application Waiver
- Public Interest Exception
- Similar Use
- Temporary Use
- Planned Unit Develop/Master Plan
- Road Modification
- Site Plan
- Variance
- Zone Change

ANNUAL REVIEW SUBMITTAL REQUIREMENTS CHECKLIST

The following is a checklist of the required information for submitting an Annual Review application. Applications cannot be accepted unless ALL of the following information is submitted. Applications cannot be processed until ALL of the following information is determined to be fully complete.

1. **Cover Sheet and Table of Contents**
2. **APPLICATION FORM** completed and signed by owner(s) of record.
3. **ALL FILING FEES:** The required fee shall accompany the application. The check is to be made payable to "Clark County Community Planning."
4. A full and complete **LEGAL DESCRIPTION** of the property (*available from a title company or surveyor*).
5. A copy of the **PRE-APPLICATION CONFERENCE REPORT**.
6. **A copy of the DEVELOPER'S GIS PACKET INFORMATION.**
 - A copy of the "Developer's GIS Packet" obtained for the pre-application submittal shall be included with the Annual Review application submittal.
7. **ENVIRONMENTAL (SEPA) CHECKLIST**
 - A State Environmental Policy Act (SEPA) ENVIRONMENTAL CHECKLIST must be completed, original signed in ink and submitted (*available at the Permit Services Center*).
8. **WRITTEN NARRATIVE**, including:
 - Description of the request
 - Area of the site (acres or square feet)
 - Related or previous permit activity
 - Applicant's interest in the property (whether owner, buyer, lessee, contractor, engineer, consultant, or legal representative)
 - Statements which fully analyze how the plan/zone request is consistent with the applicable goals, policies, key growth indicators, and criteria in the Comprehensive Growth Management Plan, Community Framework Plan, the Growth Management Act (GMA), applicable local city Comprehensive Plan(s), applicable capital facility plan(s), and official population growth forecasts (see the section that addresses *What is the process for applying for an Annual Review?* for greater detail).
9. **SPECIAL STUDIES**

For properties requesting a Comprehensive Plan Change to any Commercial designation:

 - One copy of a **MARKET ANALYSIS (Form 21-B)** which identifies the need for the new commercial center/area.

- One copy of a **TRANSPORTATION ANALYSIS** if requested during the pre-application conference.
- One copy of a **LAND USE ANALYSIS** of available commercially zoned land in the market area of the proposed site and a determination of why the existing commercial land is inadequate.
- One copy of additional information requested.

10. ✓ Any **ADDITIONAL INFORMATION** the applicant believes is necessary to justify the requested plan amendment.

11. ✓ **SUBMITTAL COPIES:**

- One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures;

Once the application is deemed fully complete, the applicant will be directed to submit a CD in PDF format, with a copy of the fully complete application, including any revisions or additional information required in the Fully Complete review. Any special studies shall also be included on the CD. The CD application shall be organized as follows:

- The application submittal shall be organized in the same order as the fully complete application table of contents, with a separate PDF document for each separate item.
- The PDF document must be organized into separate files. Each PDF file must be labeled with a number followed by a name (example):

1. Cover Sheet and Table of Contents
2. Application Fee
3. Pre-Application Conference report
4. etc.

**Public Service Center
Community Planning
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (564) 397-2280; Fax: (564) 397-2011**



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Fax 360.397.6165 / Email ADA@clark.wa.gov

VACANT LAND PURCHASE AND SALES AGREEMENT

1. **Effective Date.** January 10, 2020.
2. **Parties.**
John Klavano & Sandra Klavano
7305 NE 154th St.
Vancouver, Washington 98662

("Seller")

William A. & Michele M. Maitland
13511 SE Rivercrest Dr.
Vancouver, Washington 98683

("Purchaser")
3. **Property Sold.** The Purchaser hereby agrees to purchase, and the Seller hereby agrees to sell 3.45 acres zoned CC (Community Commercial) described as Tax Lot 144, tax assessor's serial number 200200-000, located in the Northwest ¼ of Section 34, T3N, R2E, E.M, North of NE 116th Street and East of SR 503 (NE 117th Avenue) (the "Property").
4. **Purchase Price.** Upon approval of the rezone the purchase price will be established on the number of apartment units allowed to be built on the Property by the Clark County Building Department. Purchaser is hoping of obtaining approve to build a minimum of 100 apartment units on the Property. Purchase price of the Property is to be \$13,000.00 per unit but in no circumstance, any amount less than \$1,250,000.00 (One Million Two Hundred Fifty Thousand and 00/100 Dollars).
5. **Earnest Money.** Upon execution of this Agreement, a down payment of \$50,000.00 (Fifty Thousand and 00/100) will be released to Seller through escrow and will be non-refundable but will apply towards the unpaid purchase price (once established) at closing.
6. **Title.** Title shall be conveyed by Statutory Warranty Deed free of encumbrances or defects, except those approved by Purchaser in writing prior to closing, and subject to existing boundary lines and encroachments.

Rights reserved in federal patents or state deeds, building or use restrictions general to the area, existing easements not inconsistent with Purchaser's intended use, and building or zoning regulations or provisions to the extent disclosed in the preliminary commitment (issued pursuant to Paragraph 7. below) and accepted by Purchaser shall not be deemed encumbrances or defects. Encumbrances required to be discharged by Seller must be paid out of purchase money at date of closing.

7. **Title Insurance.** An ALTA standard form policy of title insurance shall be obtained by the Seller from Cascade Title Company, and provided to Purchaser as soon as possible after closing and a preliminary commitment therefor shall be given to both parties within fourteen (14) days of the execution of this Agreement by Purchaser and Seller; Purchaser may choose to seek an extended policy of title insurance to delete the preprinted exceptions in the policy and provide "gap" coverage at its own cost. The title policy to be issued shall contain no exceptions other than those provided in said standard form plus encumbrances or matters identified in Paragraph 6 above. If title is not so insurable as above provided and cannot be made so insurable within thirty (30) days from the date of the preliminary commitment; all rights of Purchaser shall terminate; provided however, that Purchaser may waive defects and elect to purchase.

8. **Rezone, Feasibility Period and Due Diligence.**

8.1 **Rezone Period.** The property is presently zoned CC (Community Commercial) the Purchaser has agreed to pay all costs for the 2020 applications to rezone the property to R-30 (Urban High Density Residential). The rezone procedure with Clark County is: Pre-Application Conference (which was complete on December 18, 2019), application for Comprehensive Plan Zone Change Annual Review to be submitted by January 31, 2020, commissioner's hearings October, November 2020. If approved, application for site and building plans can be submitted in February 2021.

8.2 **Approval of Rezone.** At such time that the Clark County Commissioners approve the rezone from CC to R-30 the Purchaser will immediately work with his engineering, architect and the Clark County Building Department to establish the number of units that can be built on the property. If the rezone is not approved, this Agreement shall terminate.

8.3 **Feasibility Period.** Within 180 days of mutual execution of this agreement, Purchaser shall satisfy itself in its sole discretion regarding the property, including but not limited to the suitability of the property, the Due Diligence set out below and:

A) Preliminary Title Report, including dull copies of any covenants, conditions, and restrictions and all easements: and

B) Wetland Delineation Report, to be paid for by Purchaser.

8.4 **Purchaser's Due Diligence.** The following is a specific condition to the closing of this Agreement which may be waived by Purchaser alone.

8.4.1. Except for the rezone of the Property, Purchaser shall have until

the end of the Feasibility Period within which to satisfy itself as to any matter whatsoever concerning the Property, including but not limited to, title, survey, the physical inspection thereof and intended use and future development.

- 8.4.2. Purchaser, its agents and independent contractors shall, from and after the execution hereof by Seller, have the right of ingress and egress to go in, on, or over the Property for the purpose of making such tests and examinations as required to determine the suitability of the Property for its purposes. Purchaser, its agents and independent contractors, shall repair damage, if any, caused by Purchaser's testing or studies and shall indemnify and hold Seller harmless from any claims made for damages as the result of Purchaser exercising its Due Diligence activity.
 - 8.4.3. If, prior to the expiration of the Feasibility Period, Purchaser determines that it is dissatisfied with any aspect of the results of the Due Diligence investigations, Purchaser shall have the option to terminate this Agreement by delivering written notice. Thereafter, this Agreement shall be null, void and of no further force or effect, and the parties hereto shall be relieved of any further duties of performance hereunder. Upon termination, Seller shall be entitled to copies of all tests, studies, reports, or other data generated during the Due Diligence period.
 - 8.4.4. Should Purchaser fail to notify Seller of its dissatisfaction with the Feasibility Period, this contingency shall be conclusively being deemed waived by Purchaser.
9. **Closing Date.** The closing of this sell will be with Tracy Hendrickson at Cascade Title Company, 404 E. 15th St. Suit #12, Vancouver, Washington 98663. For purposes of this Agreement, "Date of Closing" shall be construed as the date upon which all appropriate documents are recorded, and proceeds of this sale are available for disbursement to Seller. Funds held in reserve accounts pursuant to escrow instructions shall be deemed, for purposes of this definition, as available for disbursement to Seller, subject to the terms and conditions of this Agreement.
10. **Representations.**
- 10.1 Seller has good and merchantable title to the Property free and clear of liens (except those to be discharged or released at or before Closing) and there exists no restrictions to the right of Seller to transfer and assign the Property and convey good title thereto to Purchaser.
 - 10.2 Seller has no actual knowledge of any patent or latent defects, soil deficiencies or subsurface anomalies existing on the Property.

- 10.3 Seller has not received any notice, written or otherwise, from any governmental or quasi-governmental agency requiring the correction of any condition with respect to the Property, or any part thereof.
- 10.4 Seller is not now a party to any litigation, and Seller knows of no litigation or threatened litigation, proceeding, or investigation affecting the Property, and Seller shall give Purchaser prompt notice of the institution of any such actions.
- 10.5 The foregoing representations and warranties are true and correct as of the date of this Agreement, shall be deemed to be restated and republished as of Closing without any further action of Seller, shall survive closing of this Agreement, and shall not be merged into any document of conveyance.
11. **Condition of Property.** Other than as stated above, Seller makes no representations or warranties regarding the condition of the subject real property, the acreage, boundary lines encroachments or Wetlands. Purchaser has made full inspection of the real property and performed all tests it deems necessary to determine the condition and suitability of the property. Purchaser assumes the responsibility and risks of all defects and conditions, including such defects and conditions, if any, that cannot be observed by casual inspection. Seller shall not be required to make any improvements to the property. The Property is being sold "AS IS" with no warranties, promises or guarantees.
12. **Purchaser's Representations.** Purchaser represents that Purchaser has sufficient funds available to close this sale in accordance with this Agreement, and purchaser has had no conversations of any kind with any agents at MAJ Commercial Real Estate Company regarding this property.
13. **Closing Costs and Prorated Items.** Seller shall pay the real estate excise tax on this transaction and the cost of title insurance. Seller and Purchaser shall each pay one-half (1/2) of the escrow fees for closing the transaction. The real estate property taxes, assessments, interest, water, utility charges, association dues or rent, if any, on the Property shall be prorated as of the date of closing, and Purchaser assumes and agrees to pay all real property taxes from and after the date of closing.

All or a portion of this Property has been specifically classified by Clark County for real property tax purposes due to its current use. Notwithstanding the foregoing, Purchaser shall be responsible for any taxes, penalties and interest payable for any change in the tax classification of the Property and shall hold Seller harmless from the same.

14. **Possession.** Seller shall deliver possession to Purchaser immediately after closing.

Property for surveying, studies, testing and other information needed to proceed with the rezone and/or development of the Property.

- 18.6 In the event litigation arises out of this Agreement, the substantially prevailing party will be entitled to attorney's fees incident to said litigation, together with all costs and expenses incurred in connection with such action, including costs of searching records to determine the condition of title, and whether or not incurred in the arbitration or trial or on appeal.
- 18.7 All agreements, warranties, disclaimers of warranties, and disclaimers contained herein shall continue to be binding after the closing of this transaction.
- 18.8 Time is of the essence in this Agreement
- 18.9 Paragraph headings are included solely for the convenience of the reader and are not intended to be a part of this Agreement.
- 18.10 This is the final agreement of the parties. There are no other verbal or other agreements which modify' or affect this Agreement, or which affect this transaction.
- 18.11 This Agreement may be signed in counter parts and shall be binding upon execution by all parties. Electronic signatures shall be deemed original signatures for all purposes hereunder.
- 18.12 If any time period referred to in this Agreement shall end on a Saturday, Sunday or legal holiday, such time period shall automatically be extended to 5:00 pm, PT, on the first regular business day thereafter.
19. **Disclosure of Representation.** It is understood that this Agreement has been prepared by The Schlotfeldt Law Firm PLLC, for the benefit of the Seller hereunder, and that the Purchaser has been advised to seek the independent advice of counsel if it so chooses in regard to the negotiation and execution of the document. The parties have had full opportunity to review this Agreement and the provisions herein and agree that the drafting of this Agreement shall not cause it to be construed against the drafter.
20. **Offer.** Purchaser offers to purchase the Property on the above terms and conditions. Only Seller's signature below shall constitute acceptance of this Offer.

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20. **Offer.** Purchaser offers to purchase the Property on the above terms and conditions. Only Seller's signature below shall constitute acceptance of this Offer.

[Signature Pages to Follow]

Purchaser:

[Signature]
William A. Maitland

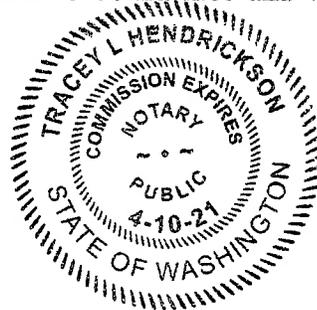
DATED: 1-10-2020

[Signature]
Michele M. Maitland

DATED: 1-10-2020

STATE OF WASHINGTON)
) ss.
County of Clark)

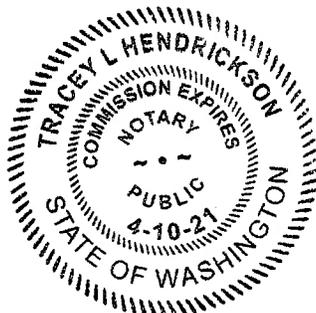
I certify that I know or have satisfactory evidence that William A. Maitland is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



[Signature]
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 4.10.2021

STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that Michele M. Maitland is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



[Signature]
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 4.10.2021

Seller:

Seller's Acceptance: On this date, _____, 2020, I hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller.

John Klavano
John Klavano

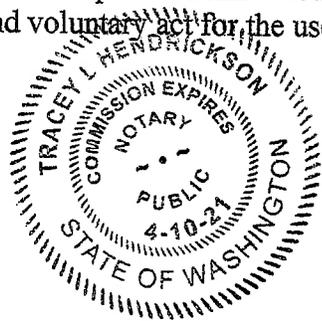
DATED: 1-13-2020

Sandra Klavano
Sandra Klavano

DATED: 1-13-2020

STATE OF WASHINGTON)
) ss.
County of Clark)

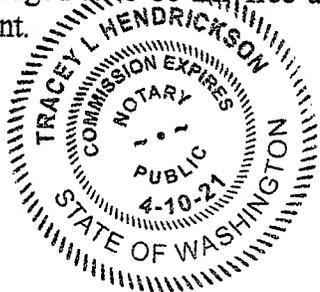
I certify that I know or have satisfactory evidence that John Klavano is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



[Signature]
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 4.10.2021

STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that Sandra Klavano is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



[Signature]
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 4.10.2021

When recorded return to:
John C. Klavano and Sandra K. Klavano
7305 NE 154th Street
Vancouver, WA 98662

Filed for record at the request of:



CHICAGO TITLE
COUNTY OF WASHINGTON

1111 Main Street, Suite 200
Vancouver, WA 98660

Escrow No.: 622-72304

QUIT CLAIM DEED

THE GRANTOR(S)

Highland Crossing, LLC, a Washington limited liability company
for and in consideration of WAC#458-61A-201 (2, b, i) in hand paid, conveys and quit claims to
John C. Klavano and Sandra K. Klavano, husband and wife

the following described real estate, situated in the County of Clark, State of Washington, together with
all after acquired title of the grantor(s) herein:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: (Required if full legal not inserted above.)

APTN of the NE 1/4 of the NW 1/4 of S34, T3N, R2E

Tax Parcel Number(s): *PTN 200200-000*

Dated: August 17, 2016

Highland Crossing, LLC

BY: *Otto E. Galther, Jr.*
Otto E. Galther, Jr.
Member

QUIT CLAIM DEED
(continued)

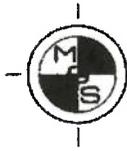
State of WASHINGTON
County of CLARK

I certify that I know or have satisfactory evidence that Otto E. Geither, Jr. is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as Member of Highland Crossing, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 8-18-16
Sheri N. Nordwell

Notary Public in and for the State of Washington
Residing at: COMLITZ, WA
My appointment expires: 12-13-18

Notary Public
State of Washington
Sheri N. Nordwell
MY COMMISSION EXPIRES
December 13, 2018



**MINISTER-GLAESER
SURVEYING INC.**

Tacoma Office - 2200 E. Evergreen Blvd., Tacoma, Washington 98404
(253) 894-3322 (fax) 894-8188 FAX
Pierce Office - 4802 Burdett Blvd., Suite E, Puyallup, Washington 99301
(253) 249-1982 (fax) 249-1982 FAX

August 11, 2016

EXHIBIT "A"

QUIT CLAIM - HIGHLAND CROSSING LLC TO KLAVANO

That portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

Beginning at a point on the West line of said Northeast quarter of the Northwest quarter that is 464.64 feet South of the Northwest corner thereof, thence East parallel with the North line of said section 238.71 feet to the true point of beginning of the following described tract; thence east parallel with the north line of said section 34, 523 feet, more or less, to the Northwest corner of the tract of land conveyed to Kenneth V. Storey per document recorded under Auditor's File No. 7910170043, said point being 565 feet West of the East line of said Northwest quarter; thence South along the West line of said Storey tract 400 feet, more or less, to the Southwest corner thereof; thence West parallel with the north line of said section to the East line of the NE 117th Ave., thence North along said East line 180 feet, more or less, to the Southwest corner of that tract of land conveyed to Lester W. Knopp per document recorded under Auditor's File No. G 766160; thence East along South line of the Knopp tract 208.71 feet to the Southeast corner thereof; thence north 208.71 feet to the point of beginning.

EXCEPT, any portion thereof conveyed to the State of Washington for highway purposes by Deed recorded under Auditor's File No. 8709090055 and re-recorded under Auditor's File No. 8710190133.

ALSO EXCEPT, that portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

BEGINNING at a found 1/2" iron rod with plastic cap stamped "Tandy 21581" at the Northwest corner of the tract of land conveyed to Kenneth V. Storey per Statutory Warranty Deed recorded under Auditor's File No. 7910170043;

Thence South 01°41'33" West, along the West line of said Storey tract, for a distance of 403.43 feet to a found 1/2" iron rod with plastic cap stamped "Tandy 21581" at the Southwest corner thereof;

Thence North 89°47'51" West, parallel the North line of said Section, for a distance of 245.72 feet;

Thence North 01°43'15" East, for a distance of 403.44 feet to the North line of that certain tract of land conveyed to John C. Klavano and Sandra K. Klavano per Statutory Warranty Deed recorded under Auditor's File No. 7910170043;

Thence South 89°47'51" East, along the North line of said Klavano tract, being parallel to the North line of said Section, for a distance of 245.52 feet to the **POINT OF BEGINNING;**

Together with and subject to easements, reservations, covenants and restrictions apparent or of record.



8-12-16

COMMITMENT FOR TITLE INSURANCE



404 E. 15TH ST., STE. 12
Vancouver, WA 98663
Phone: 360-695-1301 Fax: 360-695-2358



COMMITMENT FOR TITLE INSURANCE
Issued by
TITLE RESOURCES GUARANTY COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, TITLE RESOURCES GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Handwritten signature of Mark D. Smith

An Authorized Signature



Title Resources Guaranty Company

By: [Signature]
President/CEO

Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Title Resources Guaranty Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

TRGC Form: Comm16 ALTA Commitment Form Adopted 6-17-2006 Revised 08-01-2016 WA Modified

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Title Resources Guaranty Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Title Resources Guaranty Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.





404 E. 15TH ST., STE. 12, VANCOUVER, WA 98663
PHONE: 360-695-1301 FAX: 360-695-2358

AGENT FOR
TITLE RESOURCES GUARANTY COMPANY
ALTA COMMITMENT

SCHEDULE A

TITLE OFFICER: ERIC ZILM

ORDER NO.: CTV9434

ESCROW OFFICER: TRACEY L. HENDRICKSON

REF: KLAVANO/

1. EFFECTIVE DATE: **JANUARY 02, 2020 AT 8:00 A.M.**

2. POLICY OR POLICIES TO BE ISSUED:

- | | | |
|----|-------------------|---------------|
| A. | | AMOUNT |
| | PROPOSED INSURED: | |
| B. | | AMOUNT |
| | PROPOSED INSURED: | |
| C. | | AMOUNT |
| | PROPOSED INSURED: | |

PREMIUM INFORMATION:

A.		TAX:	TOTAL:
B.		TAX:	TOTAL:
C.		TAX:	TOTAL:

3. THE ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN AND WHICH IS COVERED BY THIS COMMITMENT IS:
FEE SIMPLE

4. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF COMMITMENT VESTED IN:

JOHN C. KLAVANO AND SANDRA K. KLAVANO, HUSBAND AND WIFE

5. THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF CLARK, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

SCHEDULE B - SECTION I

REQUIREMENTS:

1. INSTRUMENTS CREATING THE ESTATE OR INTEREST TO BE INSURED MUST BE APPROVED AND FILED OF RECORD.
2. PAYMENT OF CANCELLATION FEE IN ACCORDANCE WITH OUR FILED RATE SCHEDULE, TO BE IMPOSED IF THIS TRANSACTION IS CANCELED FOR ANY REASON.
3. THIS COMMITMENT SHALL NOT OBLIGATE THE COMPANY TO ISSUE ANY ENDORSEMENT. ALL ENDORSEMENTS TO BE ISSUED MUST BE AGREED TO BY THE COMPANY AND APPROPRIATE FOR THE ESTATE INSURED.
4. ANY SKETCH OR MAP ENCLOSED AS AN ATTACHMENT HERewith IS FURNISHED FOR INFORMATION PURPOSES ONLY TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO STREETS AND OTHER PARCELS. NO REPRESENTATION IS MADE AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON.

END OF SCHEDULE B - SECTION I REQUIREMENTS

SCHEDULE B - SECTION II

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

GENERAL EXCEPTIONS:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- K. DEFECTS, LIENS ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT

END OF SCHEDULE B SECTION II GENERAL EXCEPTIONS

SPECIAL EXCEPTIONS:

1. LIEN OF EXCISE TAX, IF UNPAID.

EFFECTIVE JANUARY 1, 2020, EXCISE TAX RATE IS A GRADUATED, MARGINAL RATE BASED ON SALES PRICE (PLUS \$5.00 STATE TECHNOLOGY FEE):

\$500,000 OR LESS	1.60%
\$500,000.01 - \$1,500,000.00	1.78%
\$1,500,000.01 - \$3,000,000.00	3.25%
\$3,000,000.01 OR MORE	3.50%

CALCULATION IS MARGINAL (FIRST \$500,000.00 IS AT LOWER RATE, PLUS AMOUNT OF PRICE ABOVE \$500,000.00 AT HIGHER RATE). EXAMPLE \$600,000.00 SALES PRICE: \$500,000.00 AT 1.6% PLUS \$100,000.00 AT 1.78% = \$9,780.00 PLUS \$5.00 AFFIDAVIT PROCESSING FEE = \$9,785.00.

EXCEPTIONS TO ABOVE RATES:

- **YACOLT SCHOOL DISTRICT NOS. 119050 AND 119051:**

\$500,000.00 OR LESS	1.35%
\$500,000.01 - \$1,500,000.00	1.53%
\$1,500,000.01 - \$3,000,000.00	3.00%
\$3,000,000.01 OR MORE	3.25%

- **AGRICULTURAL LAND/TIMBERLAND EXCISE TAX IS 1.78% REGARDLESS OF SALES PRICE.**

2. GENERAL TAXES FOR 2020, PAYABLE FEBRUARY 15, 2020, THE AMOUNT OF WHICH IS NOT NOW ASCERTAINABLE. TAX ACCOUNT NO. 200200-000. (AREA CODE 119085) FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.

NOTE: GENERAL TAXES FOR 2019 IN THE SUM OF \$3,437.56 ARE PAID IN FULL.

3. LIABILITY FOR FUTURE ASSESSMENTS FOR IMPROVEMENTS LOCATED ON SAID LAND WHICH MAY BE ASSESSED FOR THE YEAR 2020.

4. ANY UNPAID ASSESSMENTS OR CHARGES, AND LIABILITY FOR FURTHER ASSESSMENTS OR CHARGES BY CLARK REGIONAL WASTEWATER DISTRICT.

**5. MATTERS SET FORTH BY SURVEY:
BOOK/PAGE OF [67 / 180](#)
SURVEYS:**

**6. ORDINANCE 2019-02-02 AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: FEBRUARY 20, 2019
AUDITOR'S FILE NO.: [5586050](#)**

7. **AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**
REGARDING: LATECOMER REIMBURSEMENT AGREEMENT
RECORDED: AUGUST 09, 2019
AUDITOR'S FILE NO.: [5635175](#)

8. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: PACIFIC NORTHWEST BELL TELEPHONE COMPANY
PURPOSE: UNDERGROUND COMMUNICATION LINES
RECORDED: AUGUST 14, 1974
AUDITOR'S FILE NO.: [G 670438](#)
AREA AFFECTED: SAID PREMISES

9. **AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**
REGARDING: JOINT USE
RECORDED: JULY 10, 1981
AUDITOR'S FILE NO.: [8107100105](#)

10. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
PURPOSE: INGRESS, EGRESS AND UTILITIES
RECORDED: JANUARY 12, 1984
AUDITOR'S FILE NO.: [8401120104](#)
AREA AFFECTED: A PORTION OF SAID PREMISES

11. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: PUBLIC UTILITY DISTRICT NO. 1 OF CLARK COUNTY, INCLUDING
JOINT USERS
PURPOSE: ELECTRIC TRANSMISSION AND DISTRIBUTION
AREA AFFECTED: SAID PREMISES
RECORDED: FEBRUARY 15, 1984
AUDITOR'S FILE NO.: [8402150103](#)

12. **EASEMENT DELINEATED ON THE FACE OF THE PLAT OF SAID SUBDIVISION; FOR
INGRESS, EGRESS AND UTILITIES. (AFFECTS SAID PREMISES)**

13. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
PURPOSE: RIGHT TO ENTER UPON THE GRANTORS REMAINING LANDS
WHERE NECESSARY TO RECONSTRUCT APPROACH
RECORDED: OCTOBER 19, 1987
AUDITOR'S FILE NO.: [8710190133](#)
AREA AFFECTED: SAID PREMISES

14. **RESOLUTION 2008-07-14 AND THE TERMS AND CONDITIONS THEREOF:**
AUDITOR'S FILE NO.: [4479917](#)

END OF SCHEDULE B- SECTION II SPECIAL EXCEPTIONS

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

VACANT LAND
VANCOUVER, WA 98662

- b. ACCORDING TO THE RECORDS OF CLARK COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.:	200200-000
LAND:	\$394,790.00
IMPROVEMENTS:	\$0.00
TOTAL:	\$394,790.00

- c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

#144 SEC 34 T3N R2E WM

- d. THERE ARE NO CONVEYANCES AFFECTING SAID PREMISES RECORDED WITHIN THE LAST 24 MONTHS.
- e. THE COMPANY FINDS NO PERTINENT MATTERS OF RECORD AGAINST JOHN C. KLAVANO AND SANDRA K. KLAVANO, EXCEPT AS NOTED IN SCHEDULE B.
- f. TITLE IS TO VEST IN PERSON OR PERSONS NOT DISCLOSED AND WHEN SO VESTED WILL BE SUBJECT TO MATTERS DISCLOSED BY A SEARCH OF THE RECORDS AGAINST HIS, HER OR THEIR NAMES.

END OF SCHEDULE B- SECTION II NOTES



AUTHORIZED SIGNATURE

EXHIBIT "A"

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER THAT IS 464.64 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 238.71 FEET TO THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 34, 523 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE TRACT OF LAND CONVEYED TO KENNETH V. STOREY PER DOCUMENT RECORDED UNDER AUDITOR'S FILE NO. 7910170043, SAID POINT BEING 565 FEET WEST OF THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF SAID STOREY TRACT 400 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER THEREOF; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION TO THE EAST LINE OF N.E. 117TH AVE, THENCE NORTH ALONG SAID EAST LINE 180 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO LESTER W. KNOPP PER DOCUMENT RECORDED UNDER AUDITOR'S FILE NO. G 766160; THENCE EAST ALONG SOUTH LINE OF THE KNOPP TRACT 208.71 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 208.71 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION THEREOF CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY PURPOSES BY DEED RECORDED UNDER AUDITOR'S FILE NO. 8709090055 AND RE-RECORDED UNDER AUDITOR'S FILE NO. 8710190133.

ALSO EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" IRON ROD WITH PLASTIC CAP STAMPED "TANDY 21581" AT THE NORTHWEST CORNER OF THE TRACT OF LAND CONVEYED TO KENNETH V. STOREY PER STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 7910170043; THENCE SOUTH 01°41'33" WEST, ALONG THE WEST LINE OF SAID STOREY TRACT, FOR A DISTANCE OF 403.43 FEET TO A FOUND 1/2" IRON ROD WITH PLASTIC CAP STAMPED "TANDY 21581" AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 89°47'51" WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF 245.72 FEET; THENCE NORTH 01°43'15" EAST, FOR A DISTANCE OF 403.44 FEET TO THE NORTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOHN C. KLAVANO AND SANDRA K. KLAVANO PER STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 7910170043; THENCE SOUTH 89°47'51" EAST, ALONG THE NORTH LINE OF SAID KLAVANO TRACT, BEING PARALLEL TO THE NORTH LINE OF SAID SECTION, FOR A DISTANCE OF 245.52 FEET TO THE POINT OF BEGINNING.

FACTS	WHAT DOES TITLE RESOURCES GUARANTY COMPANY DO WITH YOUR PERSONAL INFORMATION?	
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.	
What?	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> • Social Security number and account balances • Payment history and credit card or other debt • Checking account information and wire transfer instructions <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>	
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons TITLE RESOURCES GUARANTY COMPANY chooses to share; and whether you can limit this sharing.	
Reasons we can share your personal information	Does TITLE RESOURCES GUARANTY COMPANY share?	Can you limit this sharing?
For our everyday business purposes – such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes- to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes- information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes- information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For nonaffiliates to market to you	No	We don't share
Questions?	www.titleresources.com	

Who we are	
Who is providing this notice?	TITLE RESOURCES GUARANTY COMPANY
What we do	
How does TITLE RESOURCES GUARANTY COMPANY protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.
How does TITLE RESOURCES GUARANTY COMPANY collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> • Apply for insurance or pay insurance premiums • Provide your mortgage information or show your driver’s license • Give us your contact information <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can’t I limit all sharing?	<p>Federal law gives you the right to limit only</p> <ul style="list-style-type: none"> • Sharing for affiliates’ everyday business purposes –information about your creditworthiness • Affiliates from using your information to market to you • Sharing for nonaffiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing.</p>
Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • <i>Our affiliates include companies that are owned in whole or in part by Realogy Holdings Corp., such as Better Homes and Gardens® Real Estate, CENTURY 21®, Coldwell Banker®, Coldwell Banker Commercial®, The Corcoran Group®, ERA®, Sotheby's International Realty®, ZipRealty®, NRT LLC, Cartus and Title Resource Group.</i>
Nonaffiliates	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • <i>TITLE RESOURCES GUARANTY COMPANY does not share with nonaffiliates so they can market to you.</i>
Joint Marketing	<p>A formal agreement between nonaffiliated financial companies that together market financial products or service to you.</p> <ul style="list-style-type: none"> • <i>TITLE RESOURCES GUARANTY COMPANY does not share with nonaffiliated financial companies for joint marketing purposes.</i>

A



This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property including, but not limited to, area, dimensions, easements, encroachments, or location of boundaries. It is not a part of, nor does it modify, the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch. Reference should be made to an accurate survey for further information.

24-3-0

54-5-2 NCMH

84-3-2
Rc. 376, Pg. 485

F44324

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION heretofore paid, GUST E. GIESE, a widower, formerly of Clark County, Washington, hereby quitclaims and conveys to MATT LAHY and HILDA LAHY, husband and wife, the following described real property situated in Clark County, Washington, to-wit:

GIESE
TO
LAHY
MAY 25, 1945

Beginning at the Southwest corner of Northeast Quarter of Northwest Quarter of Section 34, Township 3 North of Range 2 East of Willamette Meridian, and running thence North 52 rods; thence East 80 rods to the East line of said Northeast Quarter of Northwest Quarter; thence South 52 rods; thence West 80 rods to the place of beginning, excepting, however, a tract 209 feet square out of the Southwest corner thereof now used as a cemetery.

The within conveyance is made in lieu of warranty deed heretofore given by grantor to grantee, which deed has been destroyed, lost or inadvertently misplaced.

DATED THIS 25th day of ^{May} ~~April~~, 1945.

Gust E. Giese

STATE OF MINNESOTA)
County of Olsted) ss

On this day personally appeared before me Gust E. Giese, grantor, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

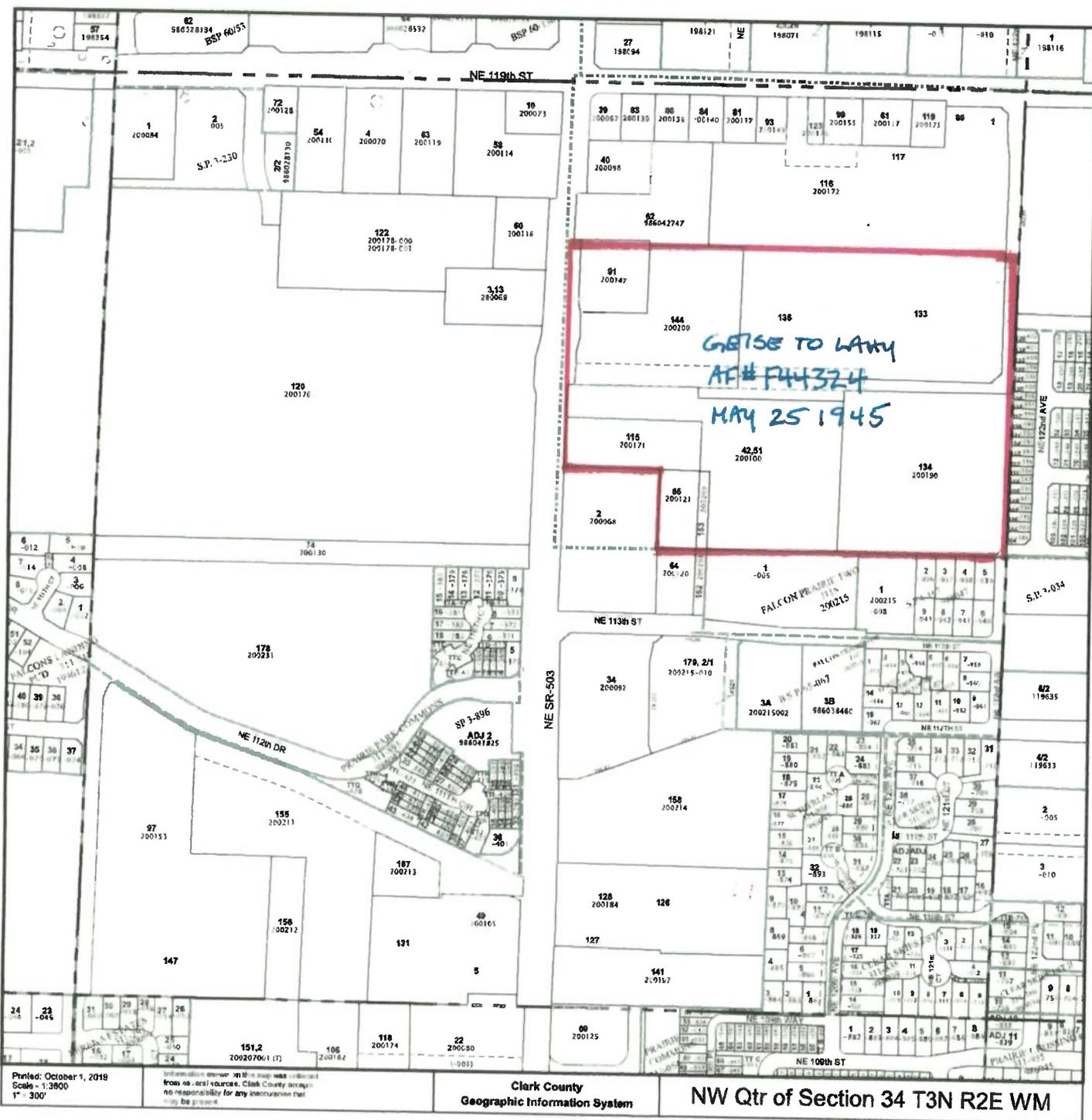
Given under my hand and official seal this 25th day of May, 1945.

XXXXXXXXXX



T. J. Scanlan
NOTARY PUBLIC in and for the State of Minnesota, residing at ~~XXXXXXXXXXXX~~ Rochester, therein.

T. J. SCANLAN
Notary Public, Olsted County, Minn.
My Commission Expires Oct. 25, 1949.
Recorded July 28, 1945 at 11:07 A.M. by Clark County Abat. & Title Co.,
J.W. Albinson, County Auditor



Printed: October 1, 2019
 Scale - 1:3000
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

F46062

Ex. 560, Pg. 49

WARRANTY DEED

FOR A VALUABLE CONSIDERATION heretofore paid, **HEIDA LAHY**, a widow, hereby conveys and warrants to **WILLIAM LAHY** and **HEIDA LAHY**, husband and wife, the following described real property situated in Clark County, Washington, to-wit:

LAHY
TO
LAHY
AUGUST 13 1945

beginning at the Southwest corner of Northeast Quarter of Northwest Quarter of Section 34, Township 3 North of Range 2 east of Willaette Meridian, and running thence north 52 rods; thence East 80 rods to the East line of said Northeast Quarter of Northwest Quarter; thence South 52 rods; thence West 80 rods to the place of beginning, excepting, however, a tract 200 feet square out of the Southwest corner thereof now used as a cemetery.

MADE THIS 13 day of August, 1945.

Heida Lahy

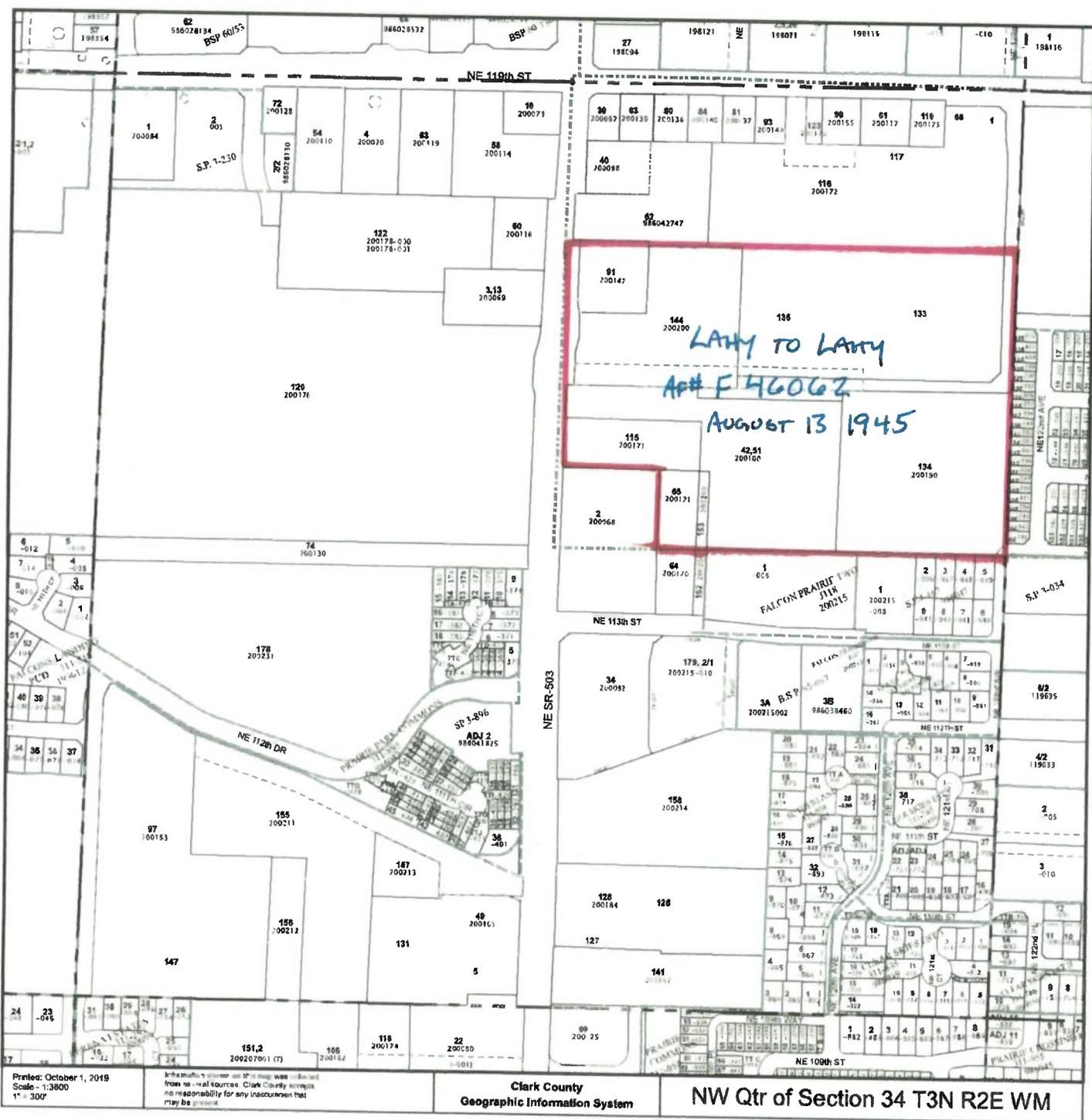
S.A.E. CHAS. I. ...
County of Clark

On this day personally appeared before me ...
me known to be the individual described in and who executed ...
and foregoing instrument, and acknowledged that she signed ...
her name and voluntary act and deed, for the uses and purposes therein
expressed.

Witness my hand and seal of office this 13 day of August, 1945.

South Higgins

Sept 1 1945 at 1:30 P.M. by Claude C. ...



Printed: October 1, 2019
 Scale - 1:3800
 1" = 300'

If the results shown on this map were obtained from an aerial source, Clark County accepts no responsibility for any inaccuracies that may be present.

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

Bk. 478, Pg. 578

C38611 Statutory Warranty Deed

THE GRANTOR s, WILLIAM LAHY and HELMA LAHY, husband and wife,

for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

in hand paid; conveys and warrants to HELEN M. ALTIZER, a widow,

the following described real estate, situated in the County of Clark
Washington:

That portion of the Northeast quarter of the Northwest
quarter of Section Thirty-four (34), Township Three
(3) North, Range Two (2) East of the Willamette
Meridian, described as follows:

Beginning at a point 28 rods South of the Northwest
corner of the Northeast quarter of the Northwest
quarter of said Section 34; thence East 792 feet;
thence South 165 feet; thence West 792 feet to the
West line of said Northeast quarter of the Northwest
quarter; thence North 165 feet to the point of
beginning.

EXCEPT COUNTY or public roads.

Grantors also covenant and agree to furnish all
water required by the grantee, from the well sit-
uated on the adjoining premises, through existing
facilities, for as long as grantee occupies said
premises.

Dated this 20th day of December, 1949.

William Lahey (SEAL)

Helma Lahey (SEAL)

STATE OF WASHINGTON,
County of Clark

On this day personally appeared before me William Lahey and Helma Lahey, husband and wife,
to me known to be the individual s described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed, for the
uses and purposes therein mentioned.



Under my hand and official seal this 20th day of December, 1949.

Helen M. Altizer
Notary Public in and for the State of Washington,
residing at Vancouver, therein

Recorded Dec. 21, 1949 at 2:55 P.M., by
Fletcher-Daniels Abst. Co., J.W. Albanson, County Auditor.



State of



LAHY
TO
ALTIZER
DEC. 20, 1949

347

37-5-2 NE NW

G536990

554895

WARRANTY DEED
JUL 13 4 10 PM '62

WARRANTY DEED

THE GRANTORS, WILLIAM LAHY and HILMA LAHY, husband and wife, for a valuable consideration, to them in hand paid, the receipt whereof is hereby acknowledged, do hereby convey and warrant unto G.K.W. INCORPORATED, a Washington Corporation, Route 5, -11718 Northeast 117th Avenue, Vancouver, Washington, that certain tract or parcel of real property, situate in the County of Clark, State of Washington, and particularly described as follows, to-wit:

LAHY
TO
GK W, INC.
July 9 1962



Beginning at a point on the West line of the Northeast Quarter of the Northwest Quarter of Section 34, Township 3 North, of Range 2 East, of the Willamette Meridian, 209 feet North from the Southwest corner thereof said point of beginning being the Northwest corner of the Cemetery tract described in that certain deed recorded in Book "N" at page 417, Clark County Deed records, and running thence East 209 feet to the Northeast corner of said Cemetery tract; thence South one foot; thence East 209 feet to the Northeast corner of that certain tract conveyed to Brush Prairie Cemetery Association by deed recorded under Auditor's file No. 308482; thence South 208 feet to the Southeast corner thereof; thence East 902 feet, more or less, to the Southeast corner of the Northeast Quarter of the Northwest Quarter of said section; thence North 858 feet; thence West 528 feet, more or less, to the Northeast corner of that certain tract conveyed to Ellen M. Altizer by deed recorded under Auditor's file No. G 38611; thence South 165 feet to the Southeast corner of said Altizer tract; thence West 792 feet to the Southwest corner thereof; and thence South 484 feet to the point of beginning.

Dated this 9th day of July, 1962.

William Lahey
Hilma Lahey

STATE OF WASHINGTON)
) SS.
COUNTY OF CLARK)

THIS IS TO CERTIFY That upon this 9th day of July, 1962, personally appeared before me, the undersigned authority, William Lahey and Hilma Lahey, husband and wife, known to me to be the identical persons named in and who executed the foregoing instrument, and they did acknowledge to me that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

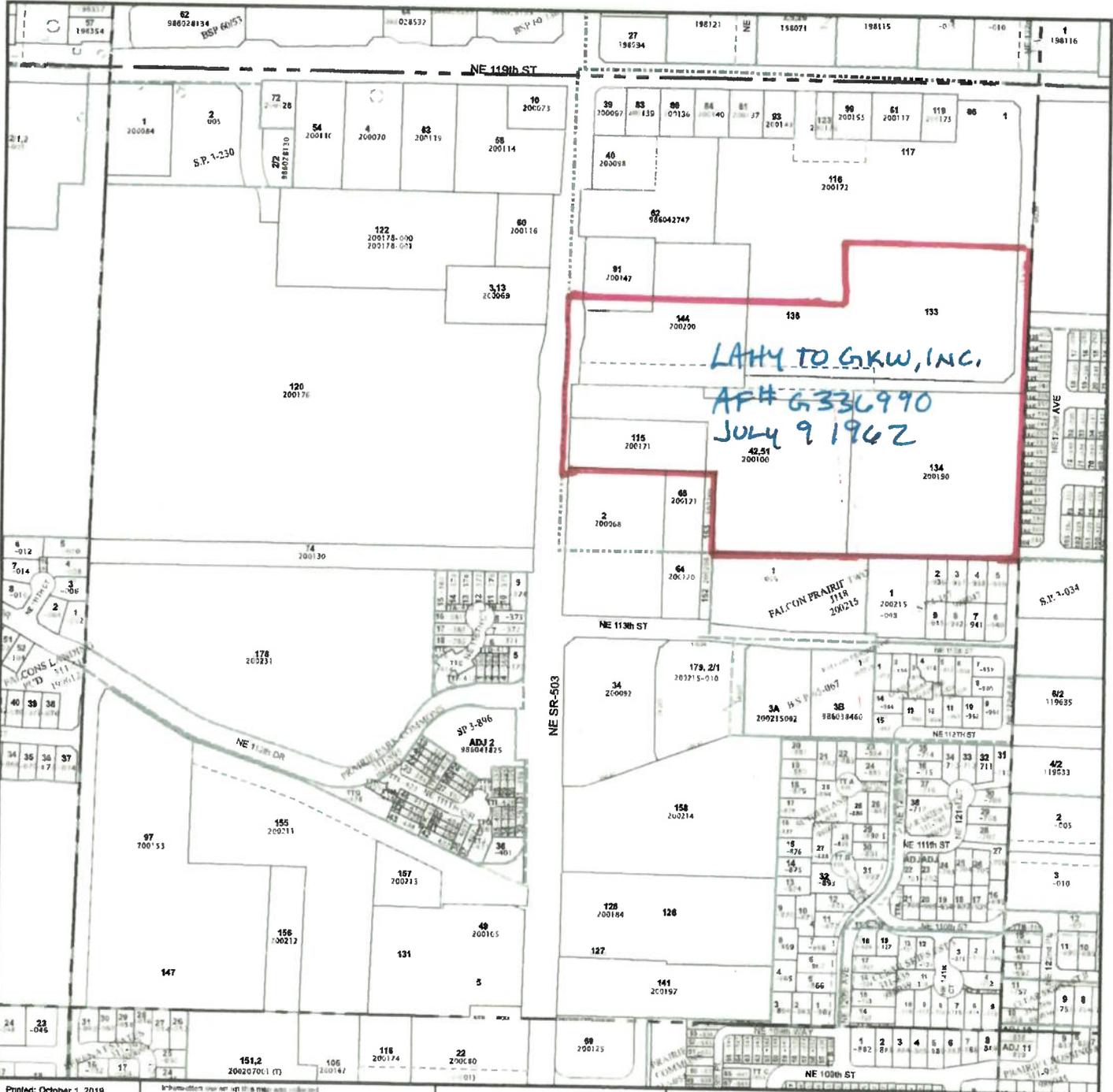


IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and date in this certificate first above written.

J. D. J. Hall
Notary Public in and for the State of Washington, residing at Vancouver, therein.

Said Estate Taxes in
Cl. II Sec. Laws 1961
\$100.00 has been paid
Rec'd # 4045 Date 7-16-62
F. K. Berg
Clark County Treasurer
by [Signature]
Deputy

7001



Printed: October 1, 2019
 Scale - 1:3800
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

6337032

DEED

554961

FOR A VALUABLE CONSIDERATION, HAROLD MARSH, guardian of Ellen Altizer, an incompetent person, hereby bargains, sells and conveys to G. K. W., INC., the following described real property situated in Clark County, Washington, to-wit:

That portion of the Northeast quarter of the Northwest quarter of Section 24, Township 3 North, Range 2 East of the Willamette Meridian described as follows:



Beginning at a point 2¹/₂ rods South of the Northwest corner of the Northeast quarter of the Northwest quarter of said Section 24; thence East 792 feet; thence South 165 feet; thence West 792 feet to the West line of said Northeast quarter of the Northwest quarter; thence North 165 feet to the point of beginning; EXCEPT county or public roads.



Said deed is in conformity to order of the Superior Court of Clark County heretofore entered herein wherein George Storey and Louise Storey purchased said real property and thereafter assigned their interest to the grantee herein.

DATED THIS 6th day of July, 1962.



Harold Marsh
Harold B. Marsh
Guardian of Ellen Altizer, an incompetent person.

STATE OF WASHINGTON)
County of Clark) ss.

On this day personally appeared before me Harold Marsh, guardian of Ellen Altizer, an incompetent person, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 6th day of July, 1962.



Charles W. Bailey
NOTARY PUBLIC in and for the State of Washington, residing at Vancouver, therein.

Real Estate Excise Tax
Ch. 11, Rev. Laws 1951

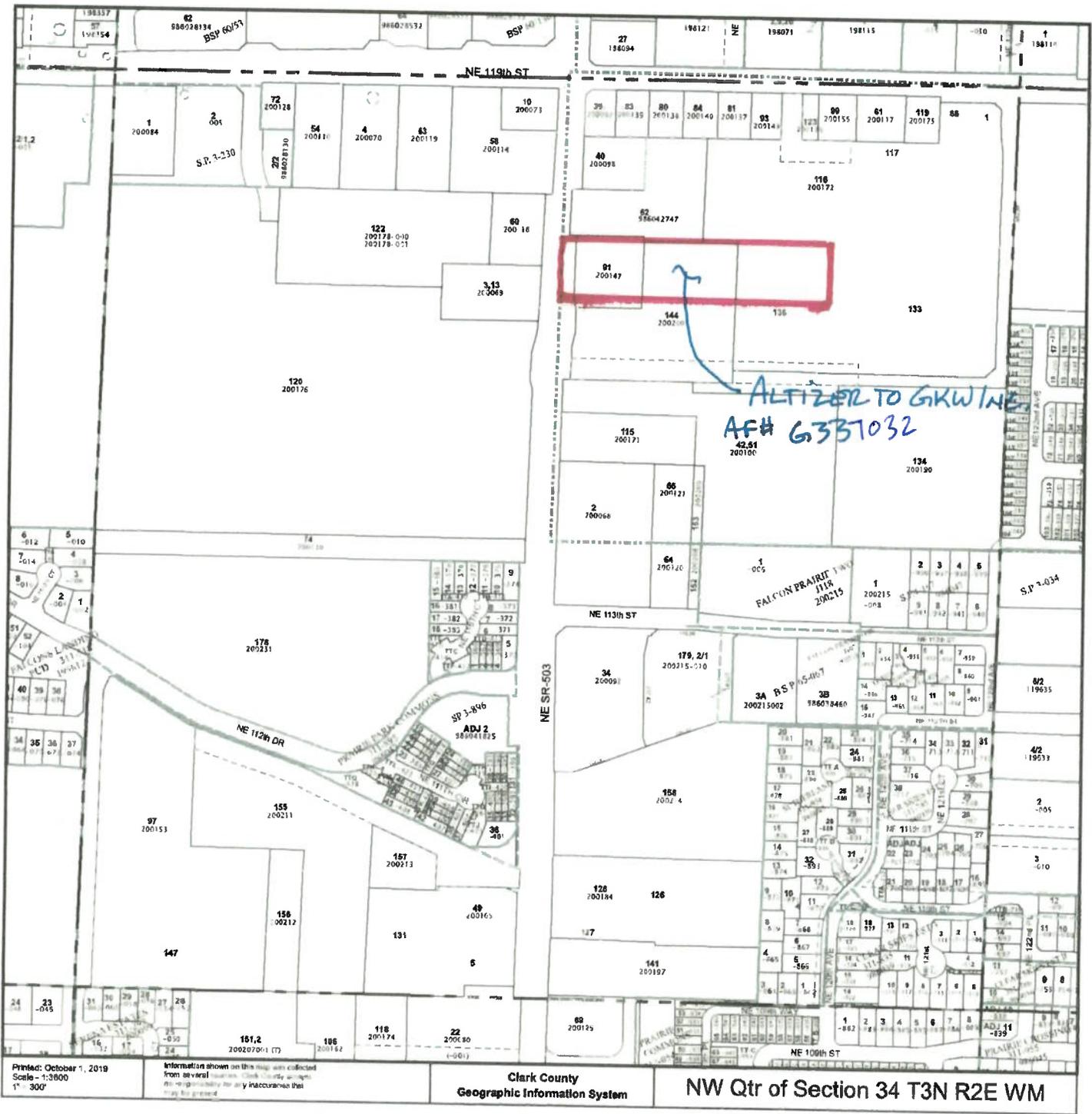
35.00 Tax Paid

46051-2-16-62

For King Burges
Clark County Treasurer
M. King Burges
County

FILED
BY
FLETCHER DANIELS TITLE CO. CLACK
JUL 16 4 55 PM '62
CLACK

ALTIZER
TO
GKW, INC.
JULY 6 1962



Printed: October 1, 2019
 Scale - 1:3000
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

County Center Escrow

FILED FOR RECORD AT REQUEST OF

WHEN RECORDED RETURN TO

Name _____

Address _____

City, State, Zip _____

THIS SPACE PROVIDED FOR RECORDER'S USE: 451

7910170044

Real Estate Excise Tax
Ch. 11 Rev. Laws 1951
\$257.50 has been paid
Rcpt. # 199984 Date 10-17-79

G.K.W., INC
TO
G. STOREY
OCT. 17, 1979

Statutory Warranty Deed

June S. Sparks
Clark County Treasurer
By _____ Deputy

THE GRANTOR G.K.W. INC., a Washington Corporation

for and in consideration of TEN AND NO/100 (\$10.00) Dollars and other good and valuable consideration in hand paid, conveys and warrants to GEORGE K. STOREY AND KAREEN STOREY, husband and wife

081

the following described real estate, situated in the County of Clark, State of Washington:

PARCEL III

Portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter 349 feet North of the Southwest corner thereof, said point being the Northwest corner of the Kenneth Storey tract as conveyed under Auditor's File No. G 725455; thence East along the North line of said Storey tract 396 feet to the Northeast corner thereof; thence South along the East line of said Storey tract 141 feet to the Southeast corner thereof; thence West along the South line of said Storey tract 82.5 feet to the Northeast corner of the Brush Prairie Cemetary Association tract as recorded under Auditor's File No. G 308482; thence South along the East line of said Cemetary tract 208 feet to the South line of said Northeast quarter of the Northwest quarter; thence East along the South line of said Northeast quarter of the Northwest quarter to the Southwest corner of the South 464.14 feet of the East 500 feet of said Northeast quarter of the Northwest quarter; thence North along the West line of said South 464.14 feet of the East 500 feet of said Northeast quarter of the Northwest quarter to the Northwest corner thereof; thence West along a Westerly extension of the North line of said South 464.14 feet of the East 500 feet of said Northeast quarter of the Northwest quarter to a point on the West line of the East 565 feet of said Northeast quarter of the Northwest quarter; thence North along the West line of the West 565 feet of said Northeast quarter of the Northwest quarter to the South line of the DeLyria tract as conveyed under Auditor's File No. G 375995; thence West along the South line of said DeLyria tract 523.79 feet, more or less, to the Northeast corner of the Knopp tract as conveyed under Auditor's File No. G 766160; thence South along the East line of said Knopp tract 208.71 feet to the Southeast corner thereof; thence West along the South line of said Knopp tract 238.71 feet to the West line of said Northeast quarter of the Northwest quarter; thence South along the West line of said Northeast quarter of the Northwest quarter 304.28 feet, more or less, to the true point of beginning.

EXCEPT portion lying within N.E. 117th Avenue.

TOGETHER WITH AND SUBJECT TO a 60 foot easement for ingress, egress and utilities the centerline of which is described as follows:

BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter 494 feet North of the Southwest corner thereof; thence East parallel to the South line of said Northeast quarter of the Northwest quarter centerline.

FILED FOR RECORD
CLARK CO. WASH.
CHICAGO TITLE AGENCY
OCT 17 9 55 AM '79
AUDITOR
RON BULLAUER



Date October 15, 1979

082

_____ GKW, Inc
_____ Kenneth V. Stoney Sec.

STATE OF WASHINGTON }
COUNTY OF _____ } ss.

On this day personally appeared before me

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 19____.

Notary Public in and for the State of Washington, residing at _____

Mace
CCE-18

CTA M-1069

STATE OF WASHINGTON }
COUNTY OF Clark } ss.

On this 15th day of October, 1979, before me, the undersigned, a Notary Public in and for the State of Washington, _____ and sworn, personally appeared

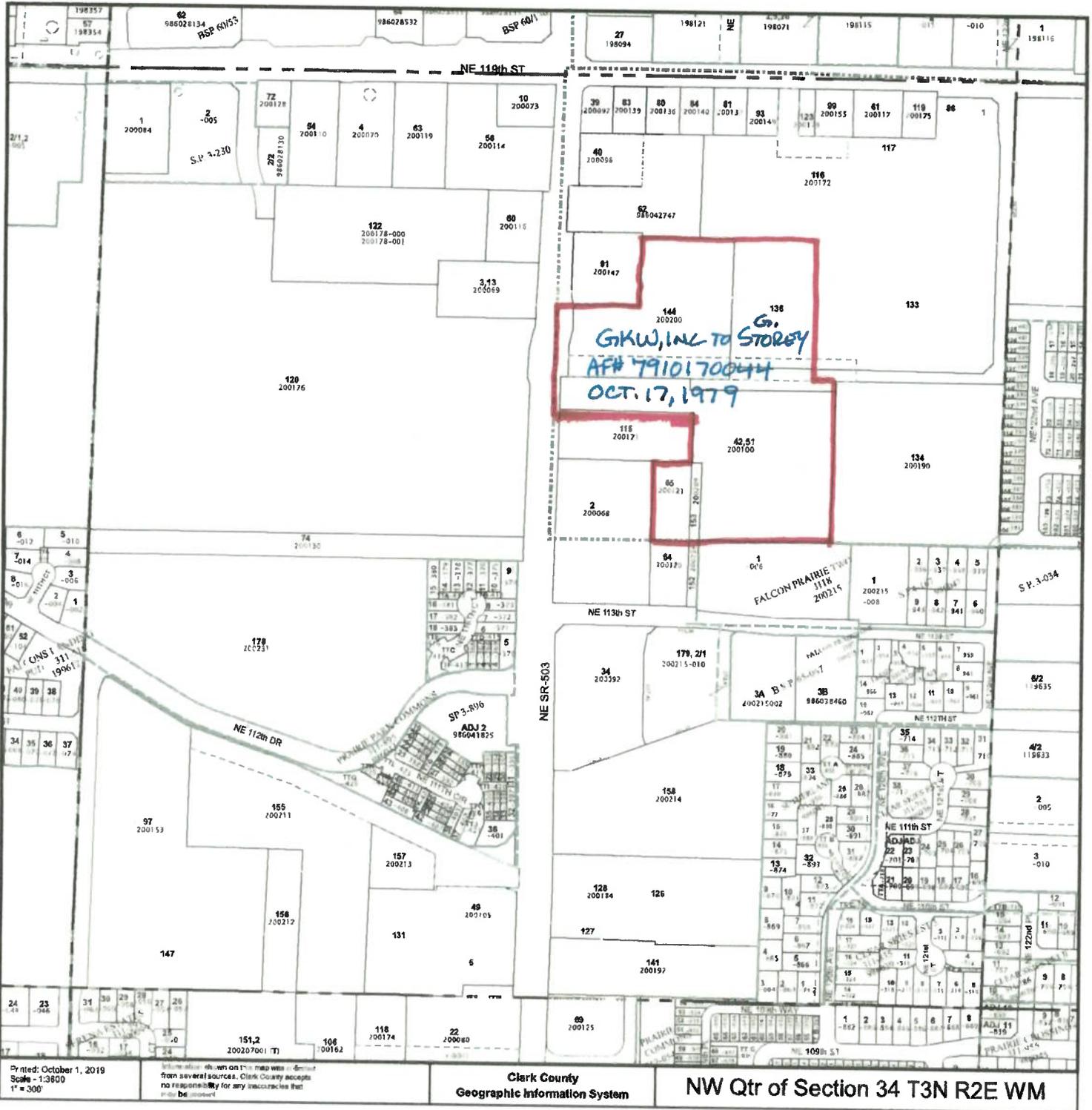
Kenneth V. Stoney
and _____

to me known to be the _____ President and _____ Secretary, respectively, of G. K. W. Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto this day and year first above written.

Notary Public in and for the State of Washington, residing at _____

Ernest Stoney
Butte Street



Printed: October 1, 2019
 Scale - 1:3600
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM



Chicago Title Insurance Company

FILED FOR RECORD AT REQUEST OF

THIS SPACE PROVIDED FOR RECORDER'S USE.

8311160013

500

WHEN RECORDED RETURN TO

Name: Kevin Storey
Address: 11001 NE 119th Street
City, State, Zip: Vancouver, WA 98662

G. STOREY TO K. STOREY NOV. 16, 1983

Quit Claim Deed

THE GRANTOR George K. Storey and Karen Storey, Husband and Wife. for and in consideration of Gift of Love and Affection conveys and quit claims to Kevin S. Storey and Lisa N. Storey, Husband and Wife. the following described real estate, situated in the County of Clark State of Washington, together with all after acquired title of the grantor(s) therein: See Attached.

Real Estate Excise Tax Ch. 11 Rev. Laws 1951 EXEMPT Affd. # 240835 Date 11-15-83 For details of tax paid see Affd. # [Signature] S. Sparks Clark County Treasurer Deputy

Dated 11-1 1983 Karen Storey (Individual) George K. Storey (Individual) By (President) By (Secretary)

STATE OF WASHINGTON COUNTY OF Clark ss. On this day personally appeared before me George K. and Karen Storey to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

STATE OF WASHINGTON COUNTY OF ss. On this day of 19 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared and to me known to be the President and Secretary, respectively, of the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation. Witness my hand and official seal hereto affixed the day and year first above written.

Under my hand and official seal this November 19 83 and for the State of Washington Vancouver

Notary Public in and for the State of Washington residing at 000 51

Notary Seal: Notary Public, Clark County, Washington, F. 9251, CTA M3113

LEGAL DESCRIPTION

That portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

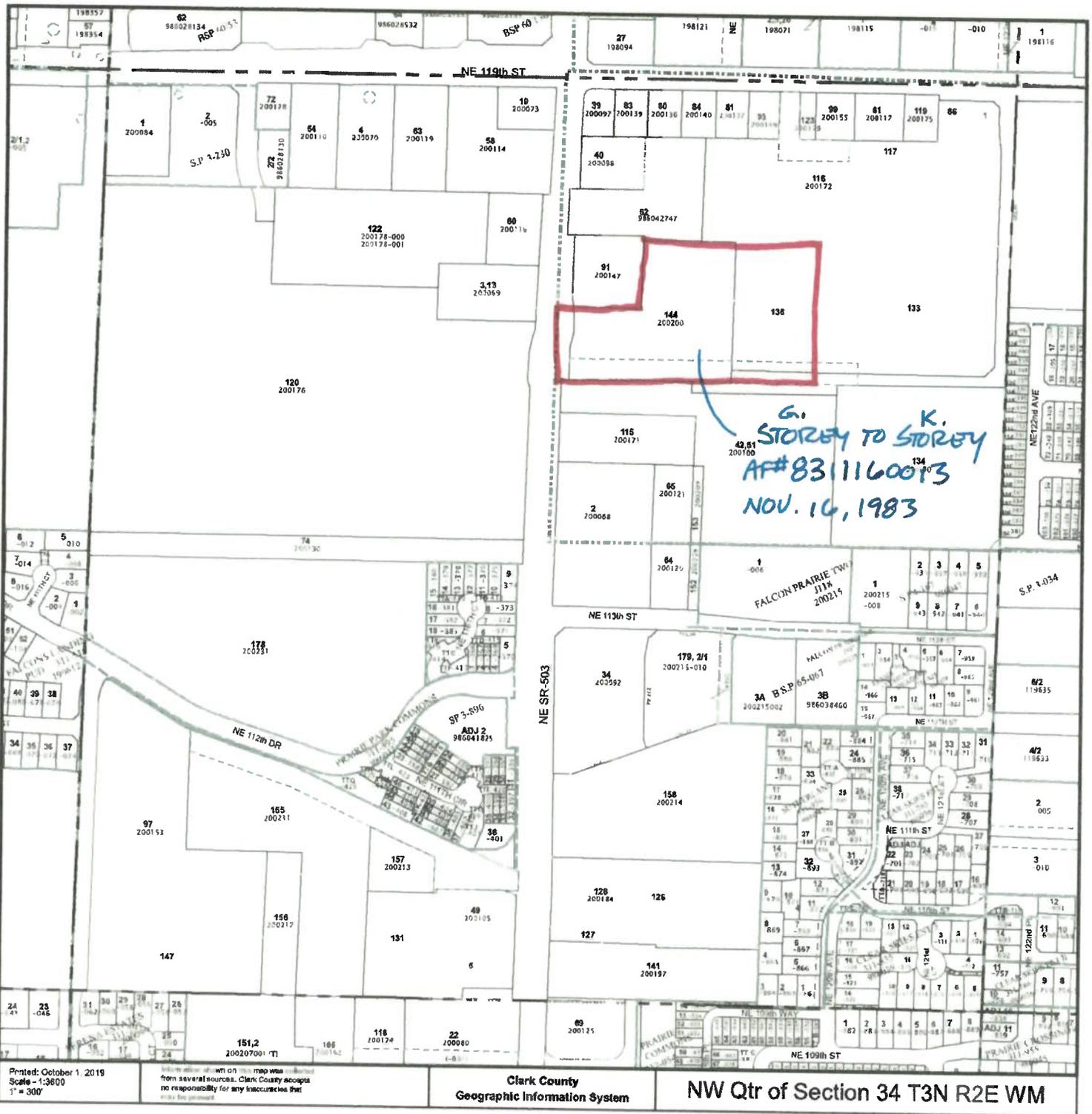
BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter that is 464.64 feet South of the Northwest corner thereof, thence East parallel with the North line of said Section 238.71 feet to the true point of beginning of the following described tract; thence East parallel with the North line of said Section 34, 523 feet, more or less, to the Northwest corner of the tract of land conveyed to Kenneth V. Storey per document recorded under Auditor's File No. 7910170043, said point being 565 feet West of the East line of said Northwest quarter; thence South along the West line of said Storey tract 400 feet, more or less, to the Southwest corner thereof; thence West parallel with the North line of said Section to the East line of the N. E. 117th Ave., thence North along said East line 180 feet, more or less, to the Southwest corner of that tract of land conveyed to Lester W. Knopp per document recorded under Auditor's File NO. G 766160; thence East along South line of the Knopp tract 208.71 feet to the Southeast corner thereof; thence North 208.71 feet to the point of beginning.

TOGETHER WITH AND SUBJECT TO a 60 foot easement for ingress, egress and utilities the centerline of which is described as follows:

BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter 494 feet North of the Southwest corner thereof; thence East parallel to the South line of said Northeast quarter of the Northwest quarter 887.5 feet to the terminus of said centerline..

FILED FOR RECORD
CLARK CO. WASH
CHICAGO TITLE AGENCY
Nov 16 10 07 AM '83
DAVID MICHENER

U 52



Printed: October 1, 2019
 Scale = 1:3000
 1" = 300'

This map was prepared from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM



STEWART TITLE COMPANY

"A Tradition of Excellence"

FILED FOR RECORD AT REQUEST OF

① CTC- 41054-GR

WHEN RECORDED RETURN TO

Name _____

Address _____

City, State, Zip _____

THIS SPACE PROVIDED FOR RECORDER'S USE

9008060021

K. STOREY TO KLAVANO Aug. 6, 1990

Statutory Warranty Deed

THE GRANTOR KEVIN S. STOREY and LISA N. STOREY, husband and wife

for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

in hand paid, conveys and warrants to JOHN C. KLAVANO and SANDRA K. KLAVANO, husband and wife

the following described real estate, situated in the County of Clark, State of Washington:

THE EXACT LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT 'A' AND BY REFERENCE THEREIN MADE A PART OF THIS DOCUMENT.

Real Estate Excise Tax Ch. 11 Rev. Laws 1951

3000.33 has been paid

Receipt # 313092 Date 8-6-90

Sec. 61, snc. 41d, 41e

Deputy Clark County Treasurer

SUBJECT TO EASEMENTS AS FOLLOWS:

PUD EASEMENT AS RECORDED UNDER AF#8402150103.

EASEMENT AS RECORDED UNDER AF# 8709090055 AND 8710190133.

EASEMENT FOR INGRESS, EGRESS AND UTILITIES AS RECORDED UNDER AF#8401120104.

EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE SOUTH 30 FEET AS RECORDED UNDER AF#8605130109.

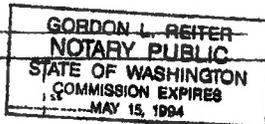
Dated AUGUST 3 1990

Signature of Kevin S. Storey

KEVIN S. STOREY

Signature of Lisa N. Storey

LISA N. STOREY



STATE OF WASHINGTON

County of CLARK

STATE OF WASHINGTON

County of _____

I hereby certify that I know or have satisfactory evidence that

KEVIN S. & LISA N. STOREY

is the person(s) who appeared before me, and said person(s) acknowledged that (he, she, they) signed this instrument and acknowledged it to be (his, her, their) free and voluntary act for the uses and purposes mentioned in this instrument

Dated AUGUST 3 1990

Signature of Notary Public

Notary Public in and for the State of Washington,

residing at VANCOUVER

My appointment expires 5-15-94

I certify that I know or have satisfactory evidence that

is the person(s) who appeared before

me, and said person(s) acknowledged that (he, she, they) signed this instrument, on oath stated that _____ authorized to execute the instrument and acknowledged it as the _____

of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

Dated _____

Notary Public in and for the State of Washington,

residing at _____

My appointment expires _____

34

LEGAL DESCRIPTION FOR CTA-18840

EXHIBIT "A"

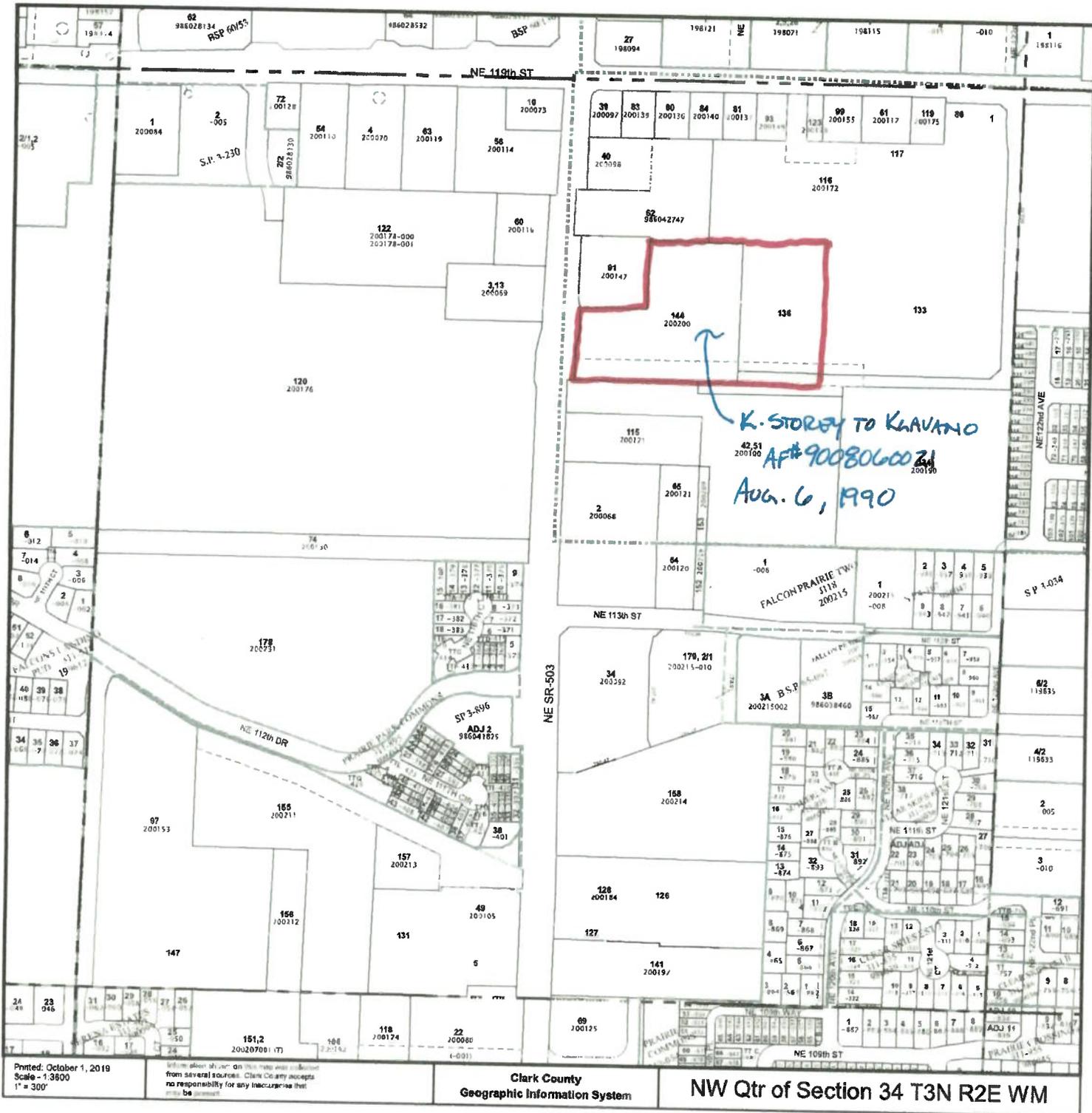
That portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter that is 464.64 feet South of the Northwest corner thereof, thence East parallel with the North line of said Section 238.71 feet to the true point of beginning of the following described tract; thence East parallel with the North line of said Section 34, 523 feet, more or less, to the Northwest corner of the tract of land conveyed to Kenneth V. Storey per document recorded under Auditor's File No. 7910170043, said point being 565 feet West of the East line of said Northwest quarter; thence South along the West line of said Storey tract 400 feet, more or less, to the Southwest corner thereof; thence West parallel with the North line of said Section to the East line of the N. E. 117th Ave., thence North along said East line 180 feet, more or less, to the Southwest corner of that tract of land conveyed to Lester W. Knopp per document recorded under Auditor's File NO. G 766160; thence East along South line of the Knopp tract 208.71 feet to the Southeast corner thereof; thence North 208.71 feet to the point of beginning.

EXCEPT any portion thereof conveyed to the State of Washington for Highway purposes by Deed recorded under Auditor's File No. 8709090055 and re-recorded under Auditor's File No. 8710190133.

FILED
CLARK COUNTY
CHARTER TITLE CORP.
AUG 6 10 04 AM '90

ELIZABETH A. LUCE



Printed: October 1, 2019
 Scale - 1:3600
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

745453 - \$10969.80 - Chicago Title DT Vancouver - Jenna Deans - 05/11/2016

5282522 D 05/11/2016 10:45 AM
Total Pages: 3 Rec Fee: \$75.00
CHICAGO TITLE DT VANCOUVER
SIMPLIFILE LC E-RECORDING
eRecorded in Clark County, WA

When recorded return to:
Highland Crossing, LLC, a Washington limited
liability company
11601 NE 117th Avenue
Vancouver, WA 98662

KLAVANO
TO
HIGHLAND
CROSSING LLC
MAY 11 2016

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

1111 Main Street, Suite 200
Vancouver, WA 98660

Escrow No.: 622-72304

STATUTORY WARRANTY DEED

THE GRANTOR(S) John C. Klavano and Sandra K. Klavano, husband and wife

for and in consideration of Ten And No/100 Dollars (\$10.00) and other good and valuable consideration

in hand paid, conveys, and warrants to Highland Crossing, LLC, a Washington limited liability company

the following described real estate, situated in the County of Clark, State of Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: (Required if full legal not inserted above.)

Tax lot #136 Section 34, Township 3 North, Range 2 East

Tax Parcel Number(s): 200192-000, 200200-000

Dated: May 10, 2016

John C. Klavano
John C. Klavano

Sandra K. Klavano
Sandra K. Klavano

STATUTORY WARRANTY DEED
(continued)

State of WASHINGTON
County of CLARK

I certify that I know or have satisfactory evidence that John C. Klavano and Sandra K. Klavano are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 5/10/16



Tiffany K. Johnson
Notary Public in and for the State of Washington
Residing at: Battle Ground, WA
My appointment expires: April 9, 2019

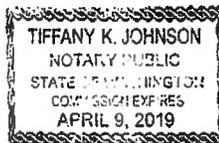


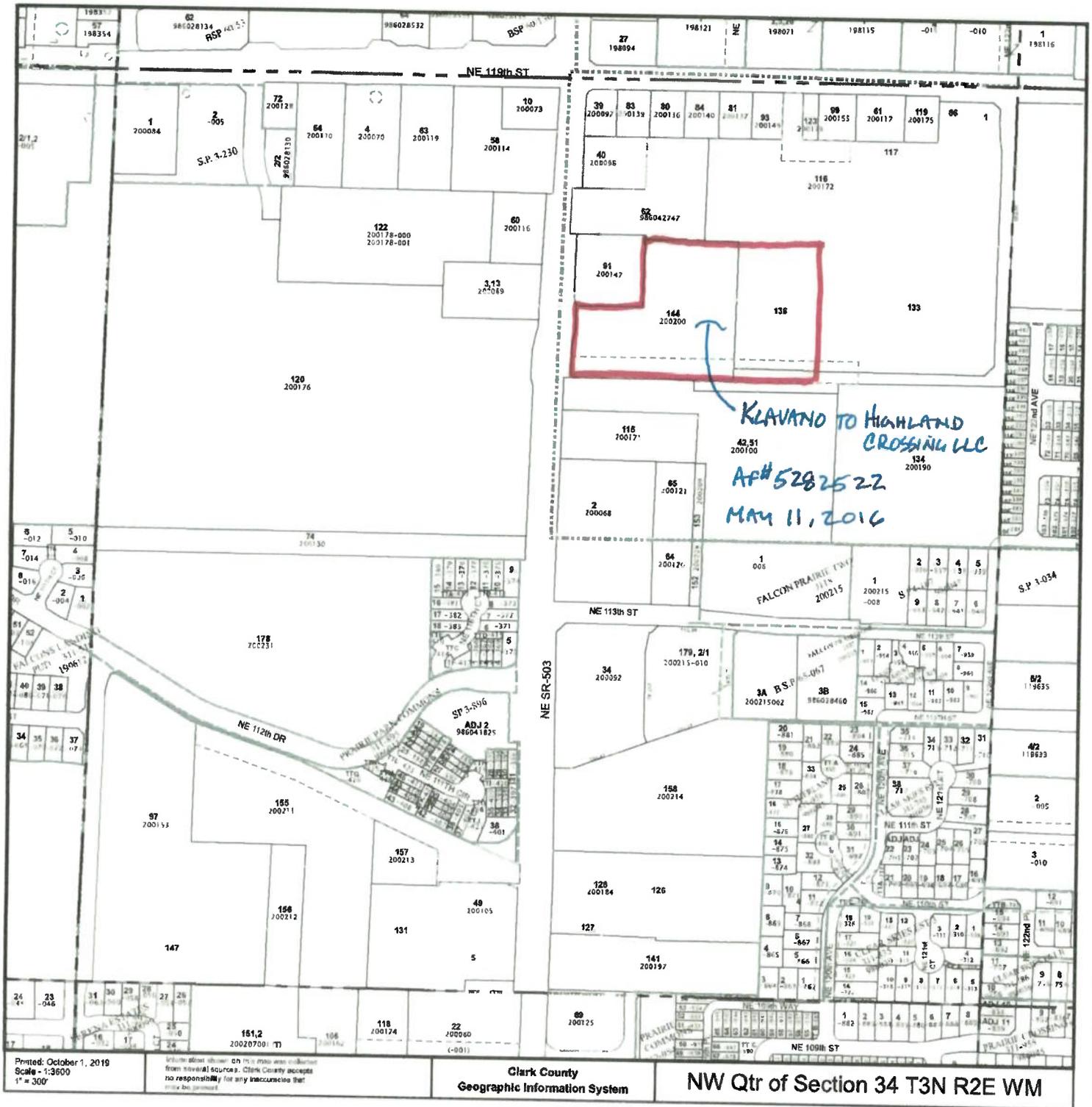
EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 200192-000 and 200200-000

That portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

BEGINNING at a point on the West line of said Northeast quarter of the Northwest quarter that is 464.64 feet South of the Northwest corner thereof, thence East parallel with the North line of said Section 238.71 feet to the true point of beginning of the following described tract; thence East parallel with the North line of said Section 34, 523 feet, more or less, to the Northwest corner of the tract of land conveyed to Kenneth V. Storey per document recorded under Auditor's File No. 7910170043, said point being 565 feet West of the East line of said Northwest quarter; thence South along the West line of said Storey tract 400 feet, more or less, to the Southwest corner thereof; thence West parallel with the North line of said Section to the East line of the NE 117th Ave, thence North along said East line 180 feet, more or less, to the Southwest corner of that tract of land conveyed to Lester W. Knopp per document recorded under Auditor's File No. G766160; thence East along South line of the Knopp tract 208.71 feet to the Southeast corner thereof; thence North 208.71 feet to the point of beginning.

EXCEPT any portion thereof conveyed to the State of Washington for Highway purposes by Deed recorded under Auditor's File No. 8709090055 and re-recorded under Auditor's File No. 8710190133.



Printed: October 1, 2019
 Scale - 1:3600
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM

752125 - \$10.00 - Chicago Title DT Vancouver - Nicole Antonacci - 08/30/2016

5320333 D 08/30/2016 02:38 PM

Total Pages: 4 Rec Fee: \$76.00

CHICAGO TITLE DT VANCOUVER

SIMPLIFILE LC E-RECORDING

eRecorded in Clark County, WA

When recorded return to:
John C. Klavano and Sandra K. Klavano
7305 NE 154th Street
Vancouver, WA 98662

HIGHLAND
CROSSING LLC
TO
KLAVANO
AUG 30 2016

Filed for record at the request of:



CHICAGO TITLE
COUNTY OF WASHINGTON

1111 Main Street, Suite 200
Vancouver, WA 98660

Escrow No: 622-72304

QUIT CLAIM DEED

THE GRANTOR(S)

Highland Crossing, LLC, a Washington limited liability company
for and in consideration of WAC#458-61A-201 (2, b, i) in hand paid, conveys and quit claims to
John C. Klavano and Sandra K. Klavano, husband and wife

the following described real estate, situated in the County of Clark, State of Washington, together with
all after acquired title of the grantor(s) herein:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: (Required if full legal not inserted above.)

APTN of the NE 1/4 of the NW 1/4 of S34, T3N, R2E

Tax Parcel Number(s): PTN 200200-000

Dated: August 17, 2016

Highland Crossing, LLC

BY: Otto E. Galtner, Jr.
Otto E. Galtner, Jr.
Member

QUIT CLAIM DEED
(continued)

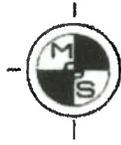
State of WASHINGTON
County of CLARK

I certify that I know or have satisfactory evidence that Otto E. Galther, Jr. is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as Member of Highland Crossing, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 8-18-16
Sheri N. Nordwell

Notary Public in and for the State of Washington
Residing at: COMLITZ, WA
My appointment expires: 12-13-18

Notary Public
State of Washington
Sheri N. Nordwell
MY COMMISSION EXPIRES
December 13, 2018



**MINISTER-GLAESER
SURVEYING INC.**

Leavenworth Office - 1200 E. Duane Blvd., Leavenworth, Washington 99044
(509) 684-3112 (TOLL FREE) 434-8119 FAX
Pasco Office - 400 Duane Blvd., Suite E, Pasco, Washington 99301
(509) 544-0907 (TOLL FREE) 544-0907 FAX

August 11, 2016

EXHIBIT "A"

QUIT CLAIM - HIGHLAND CROSSING LLC TO KLAVANO

That portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

Beginning at a point on the West line of said Northeast quarter of the Northwest quarter that is 464.64 feet South of the Northwest corner thereof, thence East parallel with the North line of said section 238.71 feet to the true point of beginning of the following described tract; thence east parallel with the north line of said section 34, 523 feet, more or less, to the Northwest corner of the tract of land conveyed to Kenneth V. Storey per document recorded under Auditor's File No. 7910170043, said point being 565 feet West of the East line of said Northwest quarter; thence South along the West line of said Storey tract 400 feet, more or less, to the Southwest corner thereof; thence West parallel with the north line of said section to the East line of the NE 117th Ave., thence North along said East line 180 feet, more or less, to the Southwest corner of that tract of land conveyed to Lester W. Knopp per document recorded under Auditor's File No. G 766160; thence East along South line of the Knopp tract 208.71 feet to the Southeast corner thereof; thence north 208.71 feet to the point of beginning.

EXCEPT, any portion thereof conveyed to the State of Washington for highway purposes by Deed recorded under Auditor's File No. 8709090055 and re-recorded under Auditor's File No. 8710190133.

ALSO EXCEPT, that portion of the Northeast quarter of the Northwest quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian, described as follows:

BEGINNING at a found 1/2" iron rod with plastic cap stamped "Tandy 21581" at the Northwest corner of the tract of land conveyed to Kenneth V. Storey per Statutory Warranty Deed recorded under Auditor's File No. 7910170043;

Thence South 01°41'33" West, along the West line of said Storey tract, for a distance of 403.43 feet to a found 1/2" iron rod with plastic cap stamped "Tandy 21581" at the Southwest corner thereof;

Thence North 89°47'51" West, parallel the North line of said Section, for a distance of 245.72 feet;

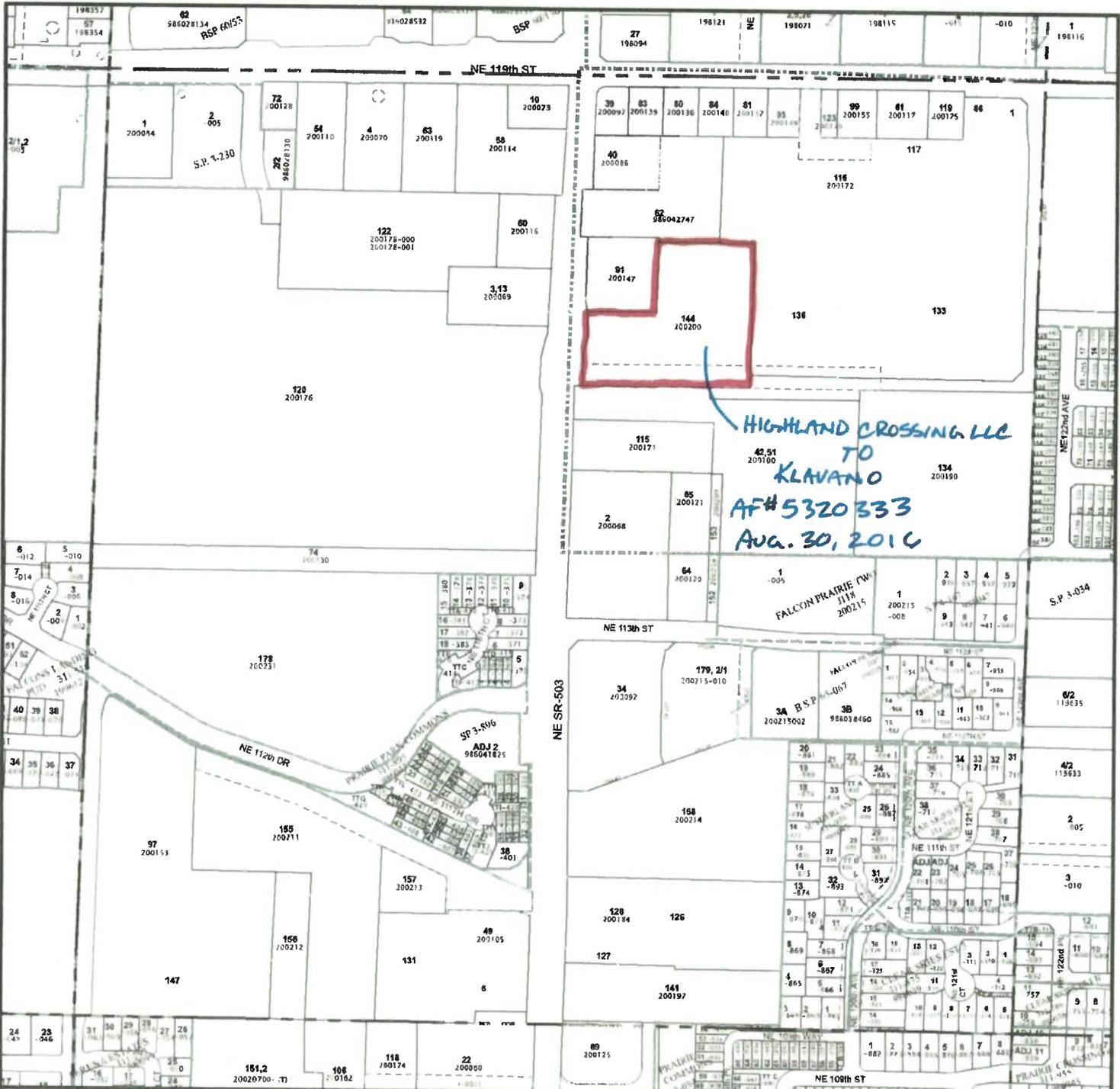
Thence North 01°43'15" East, for a distance of 403.44 feet to the North line of that certain tract of land conveyed to John C. Klavano and Sandra K. Klavano per Statutory Warranty Deed recorded under Auditor's File No. 7910170043;

Thence South 89°47'51" East, along the North line of said Klavano tract, being parallel to the North line of said Section, for a distance of 245.52 feet to the **POINT OF BEGINNING**;

Together with and subject to easements, reservations, covenants and restrictions apparent or of record.



8-12-16



Printed: October 1, 2019
 Scale = 1:3600
 1" = 300'

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

Clark County
 Geographic Information System

NW Qtr of Section 34 T3N R2E WM



Pre-Application Conference FINAL Report

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

DATE OF CONFERENCE: December 18, 2019

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

PRESENT AT CONFERENCE:

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

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

APPLICATIONS REQUIRED

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

Estimated fees:*

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

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

APPLICABLE POLICIES, CODES and CRITERIA

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

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

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

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

Comprehensive Plan Designation Map Change Criteria

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

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

Zone Change Criteria

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

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

SUBMITTED MATERIALS REVIEWED

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

- Application forms
- Narrative
- GIS Packet

BACKGROUND

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

SUMMARY

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

Land Use

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

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

CCC 40.560.040(B) Pre-application Review states:

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

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

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

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

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

00014).

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

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

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

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

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

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

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

Transportation

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

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

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

Annual review transportation analysis criteria

Transportation analysis

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

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

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

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

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

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

Access

The applicant needs to demonstrate access to the site.

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

NEIGHBORHOOD ASSOCIATION CONTACT

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

TIME FRAMES

January 1 through January 31 - Submit Final Annual Review Application

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

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

ADDITIONAL MATERIALS

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

DEVELOPER'S PACKET

Produced By:

Clark County Geographic Information System (GIS)



For:

Olson Engineering Inc.

Subject Property Account Number(s):

200200000

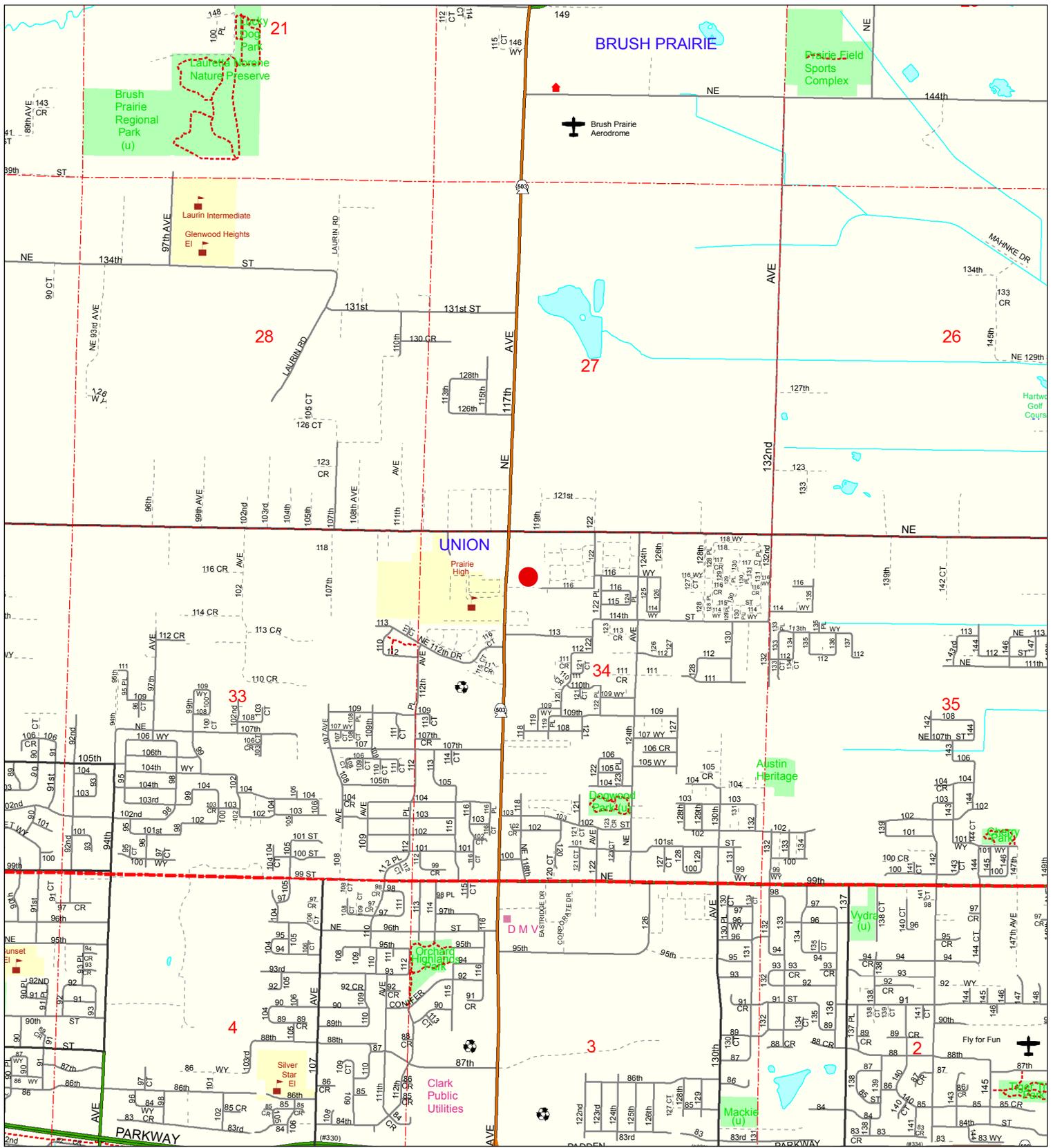
PDF # 237460

Printed: November 22, 2019

Expires: November 21, 2020

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General Location

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

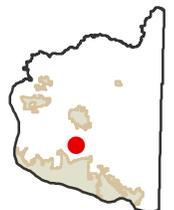
Printed on: November 22, 2019

CLARK COUNTY, WASHINGTON

Geographic Information System

0 1,000 2,000 Feet

 Location of Subject Property(s)



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

Property Information Fact Sheet

Mailing Information:

Account No.: 200200000
Owner: KLAVANO JOHN & KLAVANO SANDRA
Address: 7305 NE 154TH ST
C/S/Z: VANCOUVER, WA 98662

Assessed Parcel Size: 3.45 Ac

Property Type: UNUSED OR VACANT LAND - NO IMPROVEMENTS

PARCEL LOCATION FINDINGS:

Quarter Section(s): NW 1/4,S34,T3N,R2E

Municipal Jurisdiction: Clark County

Urban Growth Area: Vancouver

Zoning: CC, R-30

Zoning Overlay: No Mapping Indicators

Comprehensive Plan Designation: UH,
C

Columbia River Gorge NSA: No Mapping Indicators

Late-Comer Area: No Mapping Indicators

Trans. Impact Fee Area: Orchards: Current,
North Orchards: End Date Dec. 31, 2016

Park Impact Fee District: 6

Neighborhood Association: Greater Brush Prairie

School District: Battle Ground

Elementary School: Glenwood Heights

Junior High School: Laurin

Senior High School: Prairie

Fire District: FD 3

Sewer District: ClarkRegional

Water District: Clark Public Utilities

Wildland: No Mapping Indicators

ENVIRONMENTAL CONSTRAINTS:

Soil Type(s): HIA, 100.0% of parcel

Hydric Soils: Non-Hydric, 100.0% of parcel

Flood Zone Designation: Outside Flood Area

CARA: Category 1 Recharge Areas

Forest Moratorium Area: No Mapping Indicators

Liquefaction Susceptibility: Very Low to Low

NEHRP: D

Slope: 0 - 5 percent, 100.0% of parcel

Landslide Hazards: No Mapping Indicators

Slope Stability: No Mapping Indicators

Habitat and Species Resources:

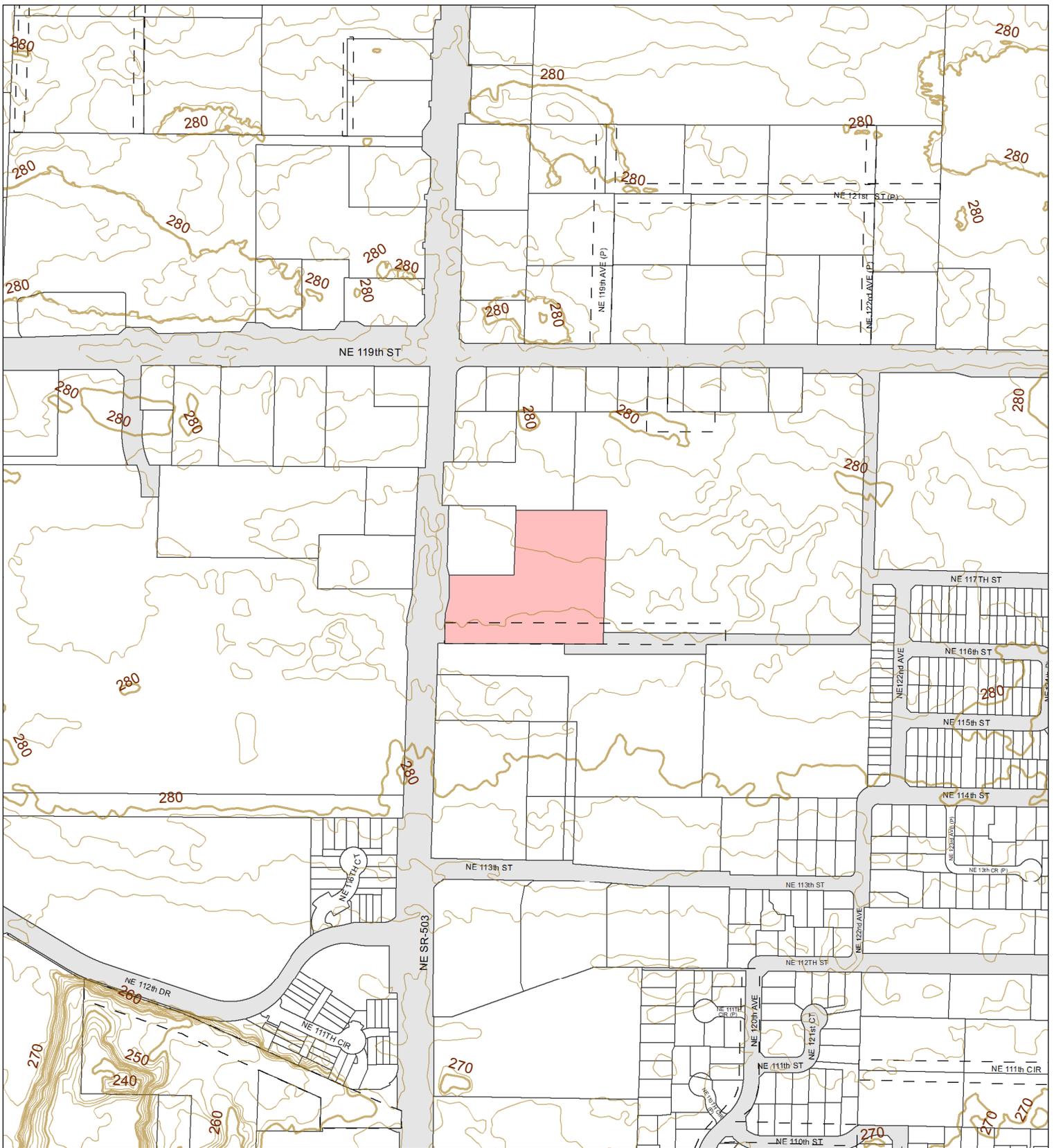
Habitat and Species Impacts: No Mapping Indicators

Cultural Resources:

Archeological Predictive: High, 76.0% of parcel
Moderate-High, 24.0%

Archeological Site Buffers: No Mapping Indicators

Historic Sites: No Mapping Indicators



Elevation Contours

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- 10' Elevation Contours
- 2' Elevation Contours

Printed on: November 22, 2019



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

32128	32127	32126
32133	32134	32135
22104	22103	22102



2018 Aerial Photography

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

Printed on: November 22, 2019



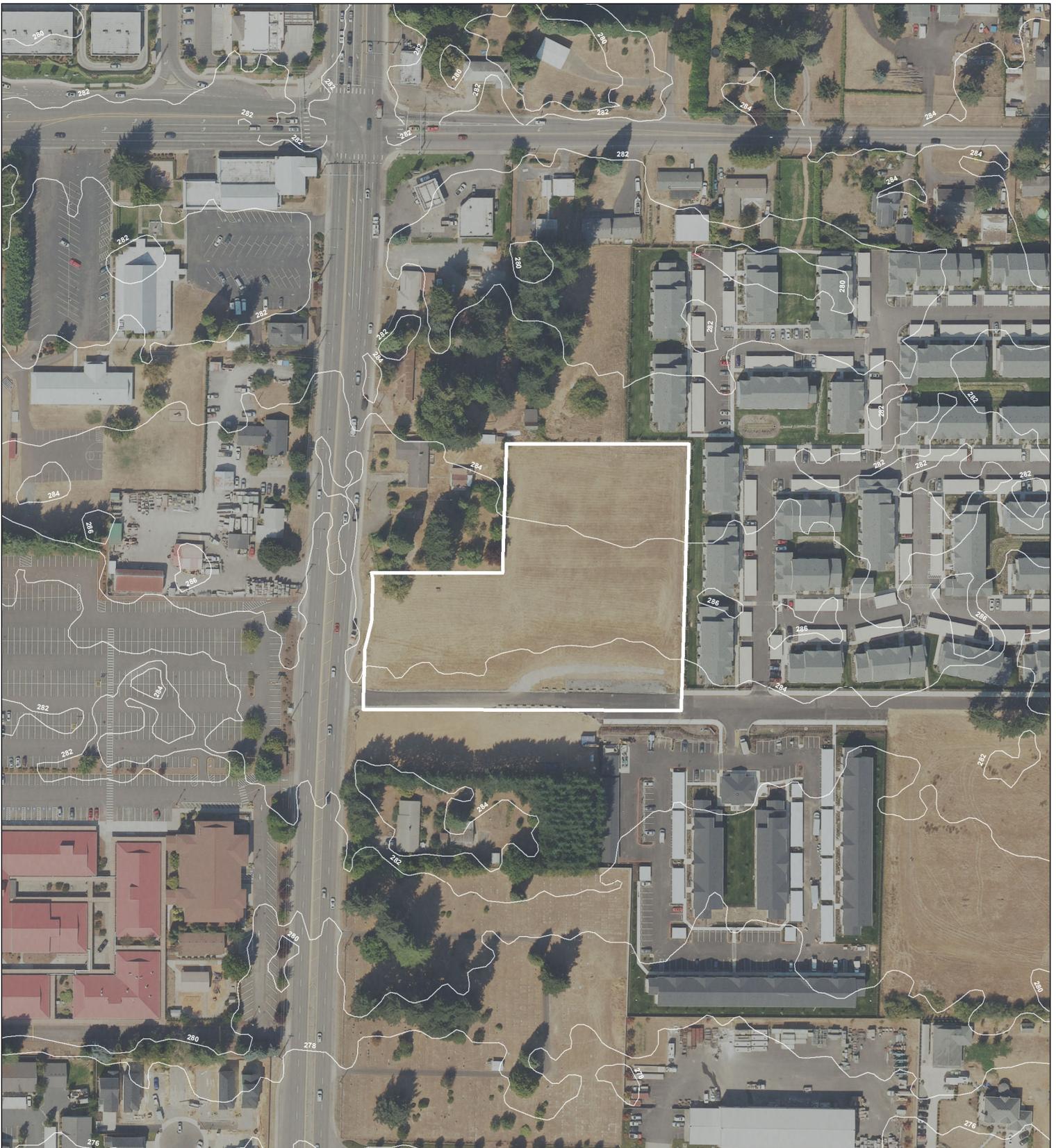
Geographic Information System

0 200 400 Feet

 Subject Property(s)

32128	32127	32126
32133	32134	32135
22104	22103	22102

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



2018 Aerial Photography with Elevation Contours

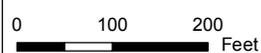
Printed on: November 22, 2019

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

32128	32127	32126
32133	32134	32135
22104	22103	22102

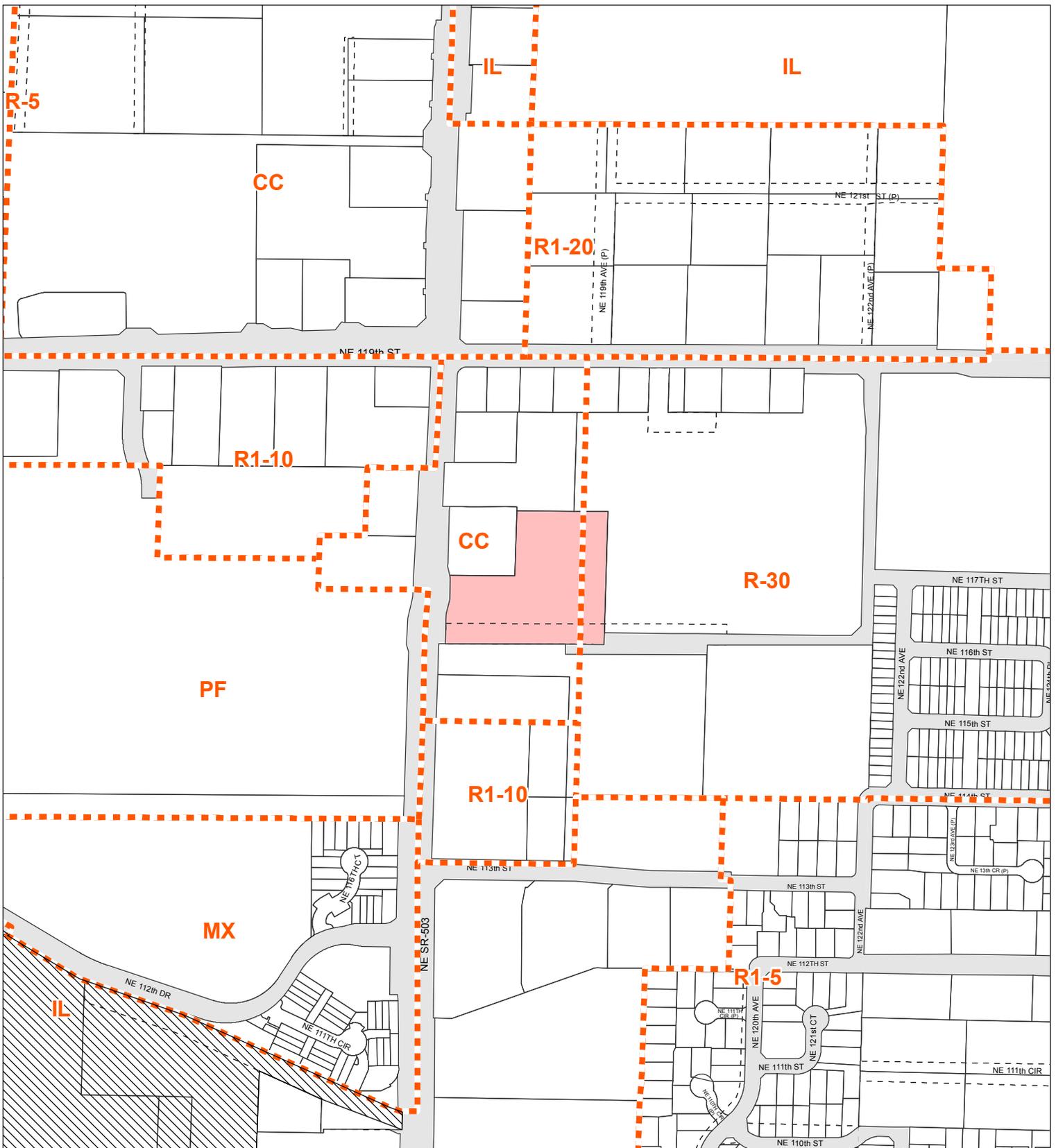


Geographic Information System



- Subject Property(s)
- 2' Elevation Contours

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



Zoning Designations

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

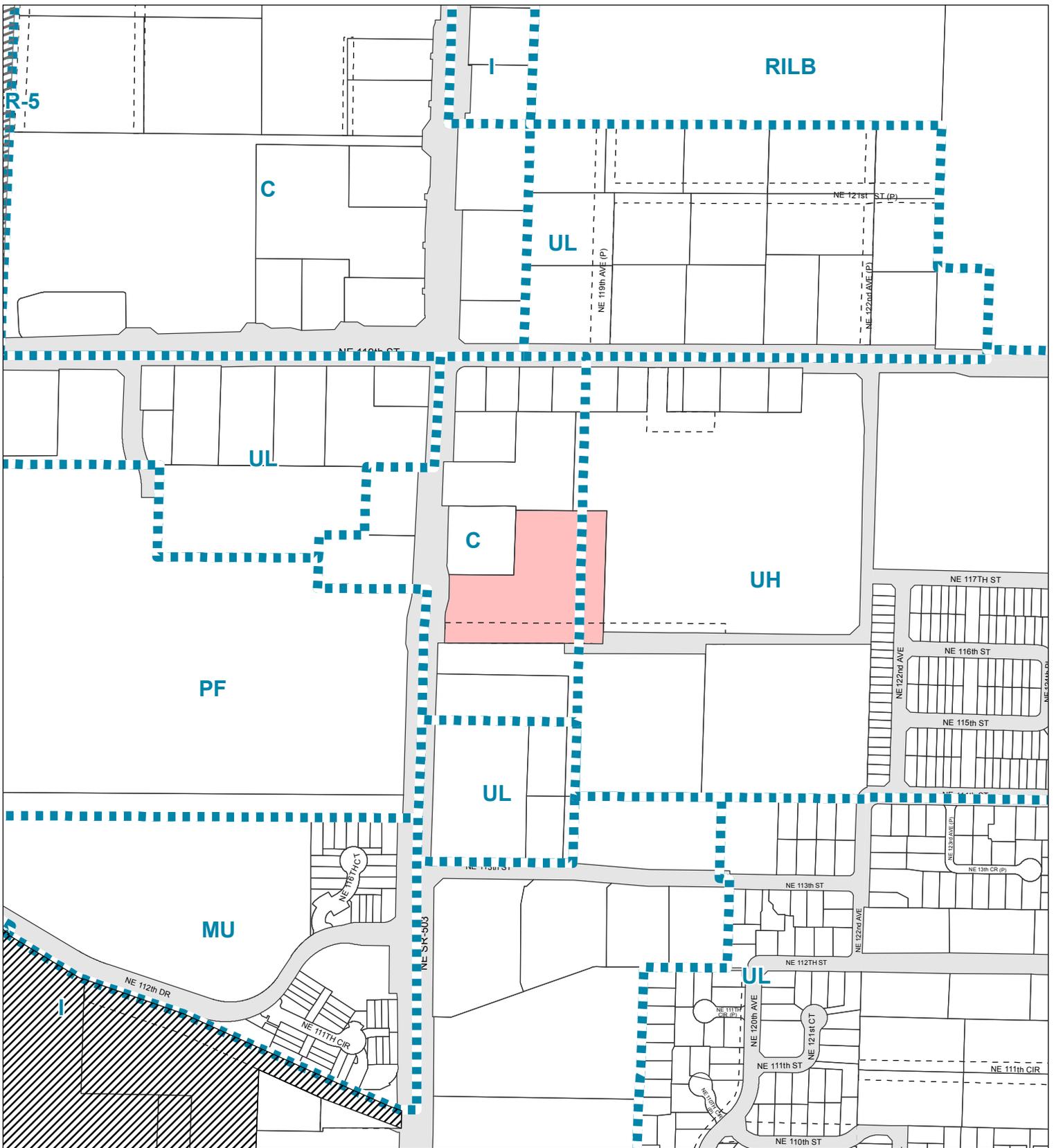
Printed on: November 22, 2019

Geographic Information System
 0 200 400 Feet

- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- Zoning Boundary
- Urban Holding - 10 (UH-10)
- Urban Holding - 20 (UH-20)
- Urban Holding - 40 (UH-40)
- Surface Mining Overlay District

32128	32127	32126
32133	32134	32135
22104	22103	22102

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Geographic Information System

0 200 400 Feet

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

Comprehensive Plan Designations

Account: 200200000
 Owner: KLAVALANO JOHN & KLAVALANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

- Subject Property(s)
- Industrial Reserve
- Public Road
- Railroad Industrial Reserve
- Transportation or Major Utility Easement
- Mining
- Comprehensive Plan Boundary
- Rural Center Mixed Use
- Columbia River Gorge Scenic Area
- Urban Reserve

Printed on: November 22, 2019

32128	32127	32126
32133	32134	32135
22104	22103	22102



Geographic Information System

0 200 400 Feet

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

Water, Sewer, and Storm Systems

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- Water Lines
- Sewer Lines
- Storm Water Lines
- 1-year Wellhead ZOC
- 5-year Wellhead ZOC
- 10-year Wellhead ZOC
- Hydrants

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32128	32127	32126
32133	32134	32135
22104	22103	22102



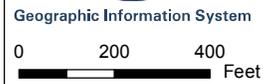
Clark Public Utilities

Unknown Unknown

Water Systems

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

Printed on: November 22, 2019



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- Subject Property(s)
- Public Road
- Water District Boundary
- Unknown Size Water Line
- < 10" Water Line
- 10-20" Water Line
- > 20" Water Line
- No Flow Data Hydrant
- 0 - 499 GPM at 20 PSI
- 500 - 999 GPM at 20 PSI
- > 1000 - 1749 GPM at 20 PSI
- > 1750 GPM at 20 PSI
- Hydrant > 500' from parcel(s)

32128	32127	32126
32133	32134	32135
22104	22103	22102

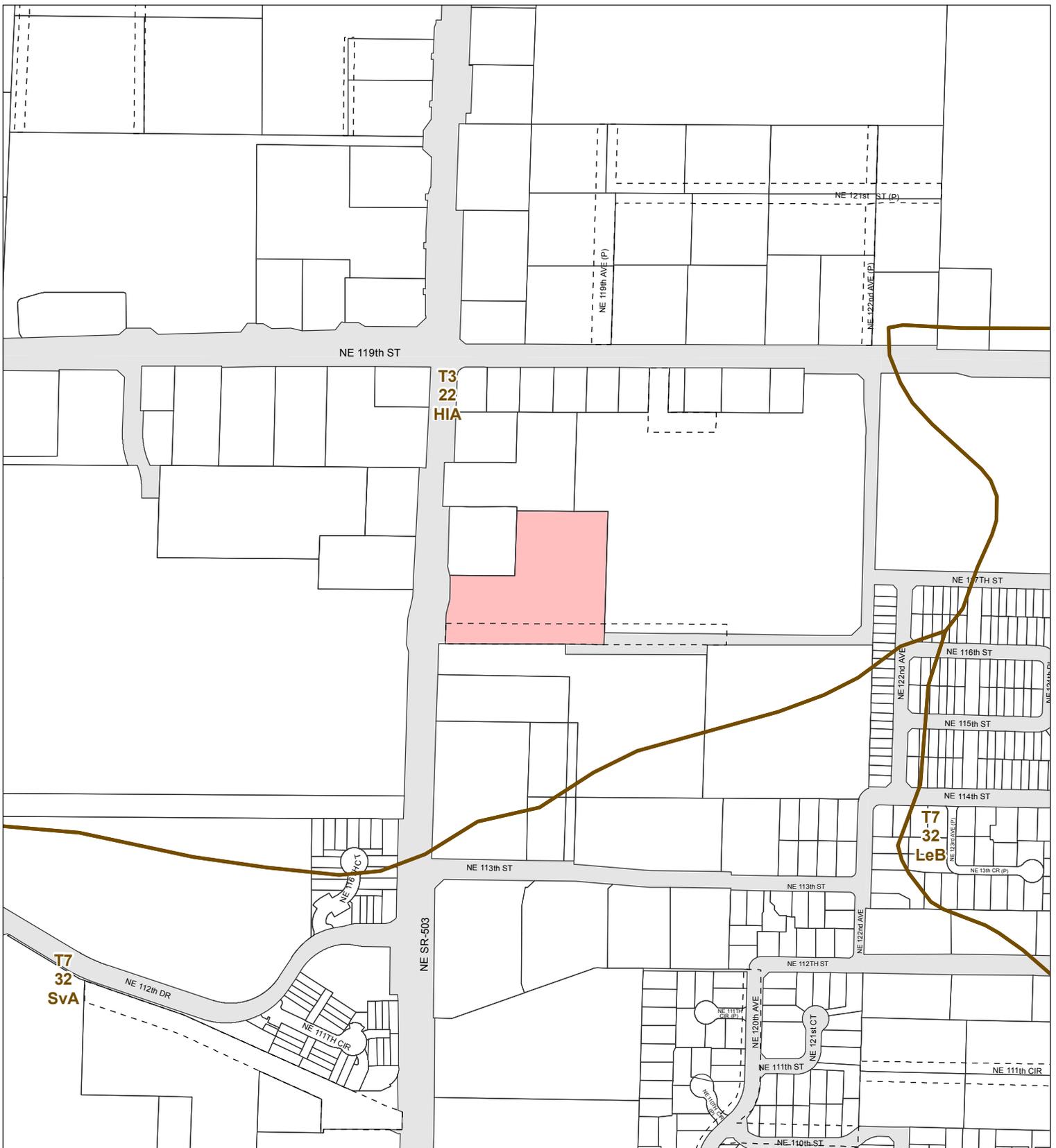
Hydrant Fire Flow Details

Account No.: 200200000
Owner: KLAVANO JOHN & KLAVANO SANDRA
Address: 7305 NE 154TH ST
C/S/Z: VANCOUVER, WA 98662

Water District(s)	Hydrant Data Update	Project Site Provider
Clark Public Utilities	January 1, 2017	Service Provider

HYDRANT INFORMATION:

Hydrant ID	Hydrant Owner	Main Diameter	Flow at 20 PSI	Test Date	Distance to site
FH-7446	Unknown	0.0"	No Data	None	85 ft
FH-7514	Clark Public Utilities	8.0"	No Data	None	115 ft
FH-7407	Unknown	0.0"	No Data	None	146 ft
FH-7408	Unknown	0.0"	No Data	None	146 ft
FH-1297	Clark Public Utilities	8.0"	No Data	None	154 ft
FH-7445	Unknown	0.0"	No Data	None	185 ft
FH-1254	Clark Public Utilities	10.0"	No Data	None	258 ft
FH-7409	Unknown	0.0"	No Data	None	331 ft
FH-7406	Clark Public Utilities	0.0"	No Data	None	368 ft
FH-7403	Unknown	0.0"	No Data	None	378 ft
FH-7444	Clark Public Utilities	0.0"	No Data	None	385 ft
FH-7443	Unknown	0.0"	No Data	None	406 ft
Unknown	Private	6.0"	No Data	None	436 ft
FH-6740	Clark Public Utilities	12.0"	No Data	None	462 ft



Soil Types

Account: 200200000
 Owner: KLAVALANO JOHN & KLAVALANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

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- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- Soil Type Boundary

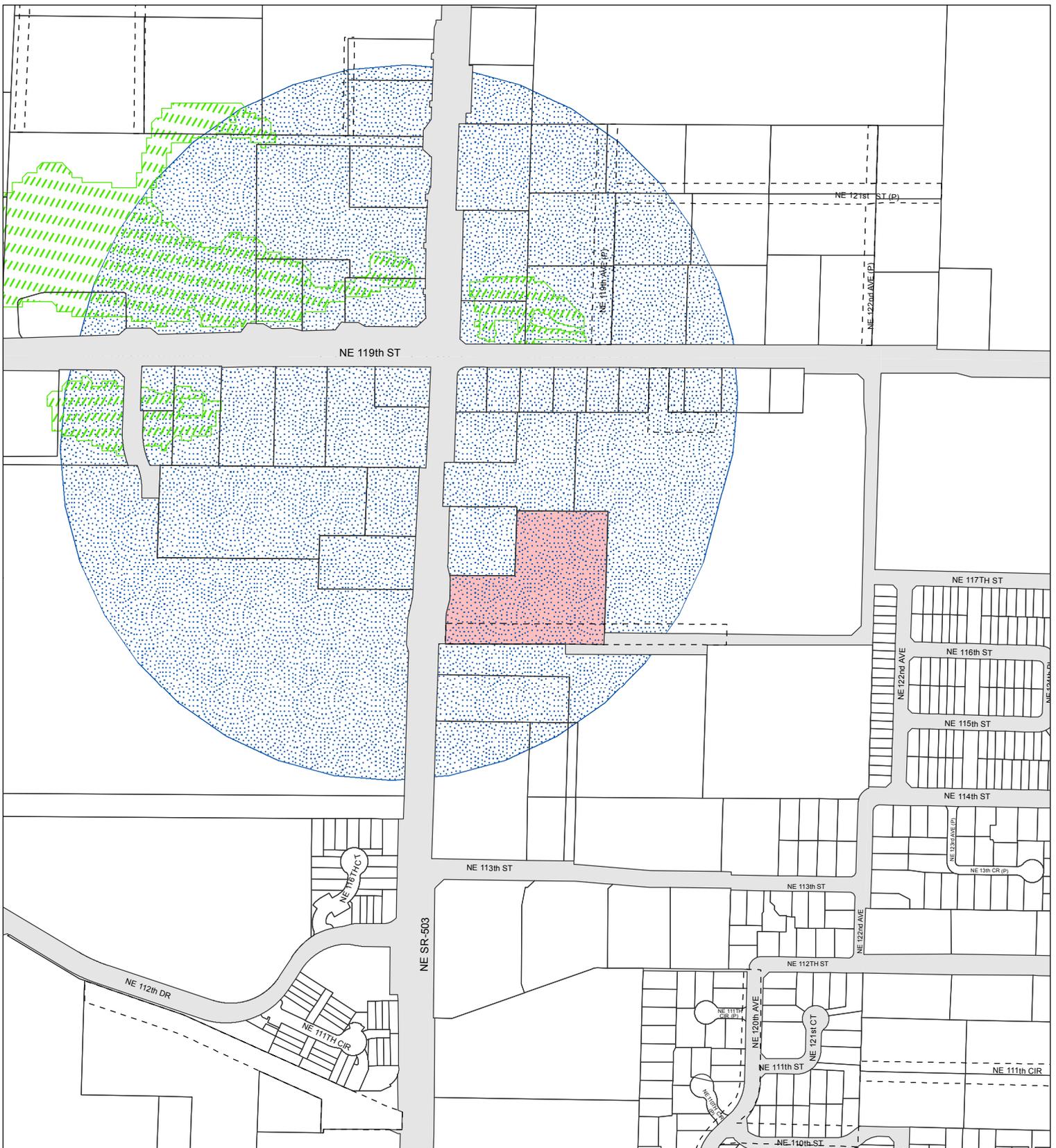
32128	32127	32126
32133	32134	32135
22104	22103	22102



Geographic Information System



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Environmental Constraints I

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

Printed on: November 22, 2019



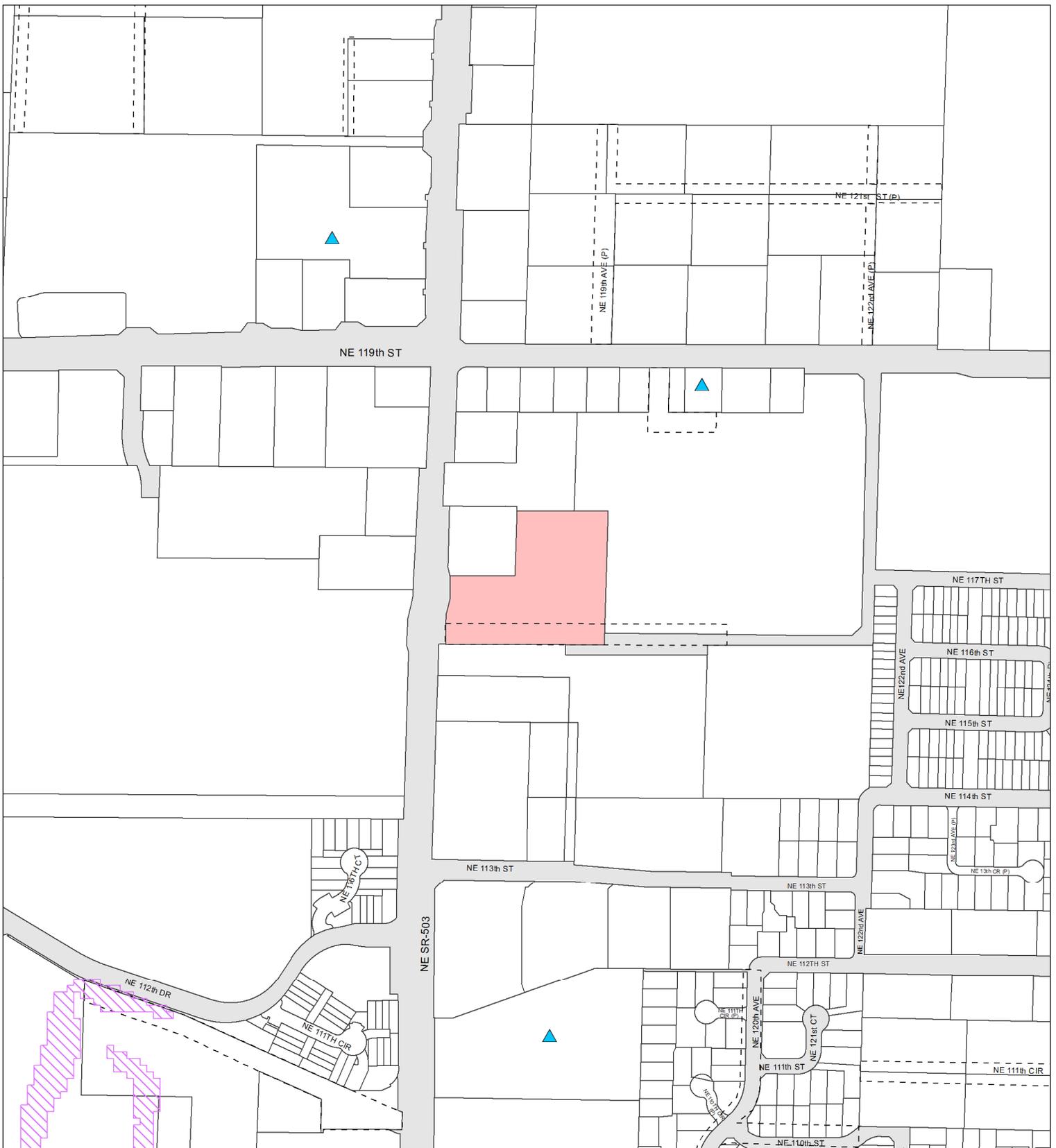
Geographic Information System



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

- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- Hydric Soils
- Wetland Inventory
- CARA Category 1
- Riparian Habitat or Species Area
- Non-Riparian Habitat or Species Area
- 100 year Floodplains
- Floodway
- Shorelines
- Stream

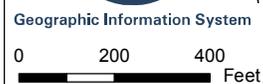
32128	32127	32126
32133	32134	32135
22104	22103	22102



Environmental Constraints II

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

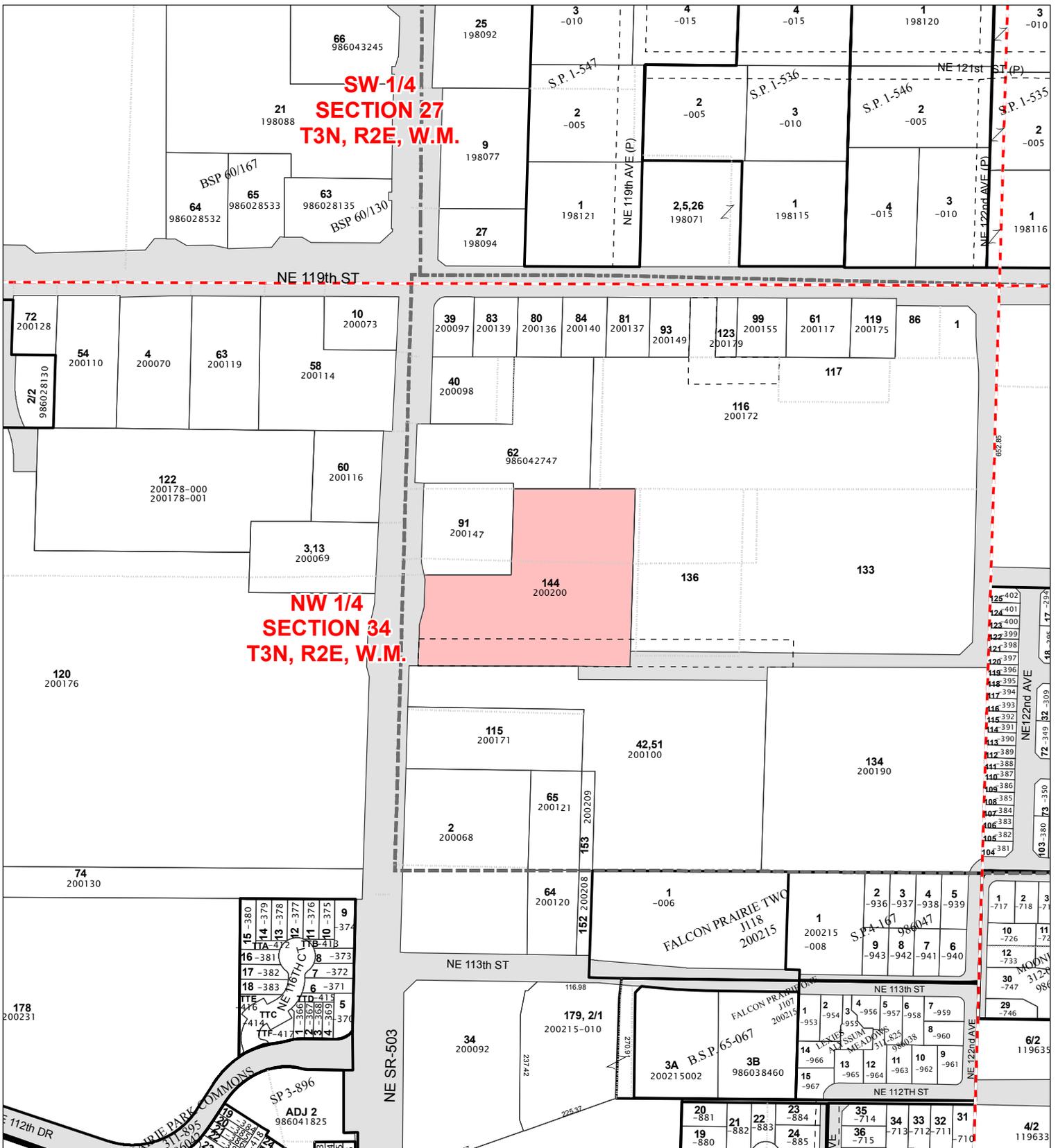
Printed on: November 22, 2019



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

- Subject Property(s)
- Public Road
- Transportation or Major Utility Easement
- Slopes > 15%
- Potentially Unstable Slope
- Historic or Active Landslide
- Severe Erosion Hazard Area
- Forest Moratorium Area
- CCHR Historic Site
- NRHP Historic Site
- INV Historic Site

32128	32127	32126
32133	32134	32135
22104	22103	22102



**SW-1/4
SECTION 27
T3N, R2E, W.M.**

**NW 1/4
SECTION 34
T3N, R2E, W.M.**

Quarter Section Parcels

Account: 200200000
 Owner: KLAVANO JOHN & KLAVANO SANDRA
 Address: 7305 NE 154TH ST
 C/S/Z: VANCOUVER, WA 98662

Printed on: November 22, 2019



Geographic Information System
 0 150 300 Feet

- Subdivision Lines
- Donation Land Claim
- Section Quarters
- City Boundaries
- Subject Property(s)
- Road Right of Way - Actual Road May not Exist
- Transportation or Major Utility Easement

32128	32127	32126
32133	32134	32135
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CLARK COUNTY
WASHINGTON

COMMUNITY DEVELOPMENT
LAND USE REVIEW

SEPA Environmental Checklist

WAC 197-11-960

Rev 12.3.18

Working together. Securing your safety. Protecting your investment.

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and agencies identify impacts from your proposal and to help agencies decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the ClarkCountyPermitCenter for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the supplemental sheet for non-project actions (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: **Promenade North**
2. Name of applicant: **Bill Maitland**
3. Address and phone number of applicant and contact person:

Applicant:

Bill Maitland
13511 SE Rivercrest Drive
Vancouver, WA 98683
(360) 608-1110
micheleme@comcast.net

Contact:

Olson Engineering, Inc.
Attn: Mike Odren
222 E. Evergreen Blvd.
Vancouver, WA 98660
(360) 695-1385
mikeo@olsonengr.com

4. Date checklist prepared: **January, 2020**
5. Agency requesting checklist: **Clark County Department of Community Planning**
6. Proposed timing or schedule (including phasing, if applicable):

The Applicant's submittal for an Annual Review for a Comprehensive Plan map change and Zone Change will take place as directed by Clark County throughout 2020 with approval of the Comprehensive Plan map change and Zone Change taking place January 2021.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. The Applicant intends on submitting for a Type II Site Plan Review application for a multi-family project upon completion of the Comprehensive Plan and Zone Change Annual Review process.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Trip Generation Assessment – Charbonneau Engineering, Inc.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known.

10. List any government approvals or permits that will be needed for your proposal, if known.

Annual Review for a Comprehensive Plan Map Change and Zone Change application.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The Applicant, Bill Maitland, proposes an Annual Review for a Comprehensive Plan Map Change and Zone Change of a portion of parcel number 200200-000 from a Commercial Comprehensive Plan designation and Community Commercial zoning to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning. The parcel is currently split zoned with R-30 zoning in the approximately easternmost 1/5 of the site and the CC zoning in the balance of the site. The site is approximately 3.45 acres according to Clark County GIS.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site is located at the northeast corner of the intersection of NE 116th Street (private) and SR 503 (NE 117th Avenue) and is identified as Assessor's Parcel#200200-000 located in the Southwest Quarter of Section 34, Township 3 North, Range 2 East of the Willamette Meridian. There is no site address.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

According to Clark County GIS data, the steepest slope on the site is up to 5%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

**According to Clark County GIS data, the soils on the site consist of:
HIA, Hillsboro loam, 0-3% slopes, 100% of the site.**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, grading is not proposed.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, clearing and construction is not proposed.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, clearing and construction activities requiring erosion control is not proposed.

2. Air[\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, clearing and construction is not proposed.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no offsite sources of emissions or odors exist that would adversely affect the proposal.

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

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no impacts with this proposal.

3. Water[\[help\]](#)

- a. Surface Water: [\[help\]](#)

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

No.

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

No.

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

None.

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

No.

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

No.

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

No.

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

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

None.

c. Water runoff (including stormwater):

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

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no impacts from stormwater runoff.

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

No.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

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

None.

4. **Plants**[\[help\]](#)

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other **Walnut**

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

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

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

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

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no vegetation will be removed or altered.

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

None to the Applicant's knowledge.

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

None.

e. List all noxious weeds and invasive species known to be on or near the site.

None to the Applicant's knowledge.

5. Animals[\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: **Rodents**
fish: bass, salmon, trout, herring, shellfish, other _____

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

None to the Applicant's knowledge.

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

The site is located within what is commonly referred to as the Pacific Flyway. This Flyway is the general migratory route for various species of ducks, geese, and other migratory waterfowl. The Flyway stretches from Alaska to Mexico and from the Pacific Ocean to the Rocky Mountains. Neotropical birds, such as Robins, may also seasonally utilize or be near the site.

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

None.

- e. List any invasive animal species known to be on or near the site.

None to the Applicant's knowledge.

6. Energy and Natural Resources[\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no energy needs will be required.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

None.

7. Environmental Health[\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

No.

- 1) Describe any known or possible contamination at the site from present or past uses.

None known.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None known.

- 4) Describe special emergency services that might be required.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no special emergency services will be required.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Traffic noise from adjacent roadways exist, but it will not affect the proposed project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None.

3) Proposed measures to reduce or control noise impacts, if any:

None.

8. Land and Shoreline Use[\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is vacant and unused. Adjacent property uses and zoning are as follows:

North – Single-family residential use on CC zoned property.

South – Approved self-storage facility (yet to be constructed) and multi-family residential uses on CC and R-30 zoned property.

East – Multi-family residential uses on R-30 zoned property.

West – (Across SR 503) Prairie High School on PF zoned property and commercial use on CC zoned property.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, the proposal will not affect land uses on nearby or adjacent properties.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use?

It is unknown to the Applicant whether the project site had been used as working farmland or forest land. The site is currently not in farmland or forest land tax status.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

There appears to be a wellhouse on the site.

d. Will any structures be demolished? If so, what?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no structures will be demolished with this proposal.

e. What is the current zoning classification of the site?

Community Commercial in the western approximately 4/5th of the subject parcel and R-30 in the eastern approximately 1/5th of the subject parcel.

f. What is the current comprehensive plan designation of the site?

Commercial in the western approximately 4/5th of the subject parcel and Urban High Density Residential in the eastern approximately 1/5th of the subject parcel.

g. If applicable, what is the current shoreline master program designation of the site?

Does not apply.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no people will work or reside as a result of the proposal.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Does Not Apply

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Proposed measures include application for and approval of a Comprehensive Plan and Zone Change Annual Review on the existing commercially zoned portion of the subject parcel. Upon approval, proposed uses will be consistent with and implement the new zoning and comprehensive plan designations.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None.

9. *Housing*[\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no housing units are proposed. However, upon approval of the Comprehensive Plan Zone Change, the density range of the subject parcel would be between 63 and 103 middle-income multi-family residential units.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

- c. Proposed measures to reduce or control housing impacts, if any:

None.

10. *Aesthetics*[\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, no structures are proposed.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

None.

11. Light and Glare[\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

- c. What existing off-site sources of light or glare may affect your proposal?

There are existing off-site light sources, however, as this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, they will not affect the proposal.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation[\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

**Prairie High School located to the west immediately across SR 503.
Dogwood Park located approximately 2/3 mile to the south.**

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

13. Historic and cultural preservation[\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Not to the applicant's knowledge.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None to the Applicant's knowledge. Clark County's Archaeological Predictive Model indicates the site has a high (76%) and moderate-high (24%) probability of containing cultural or archaeological findings.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None. However, Clark County's Archaeological Predictive Model indicates the site has a high (76%) and moderate-high (24%) probability of containing cultural or archaeological findings.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no impacts with this proposal.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Vehicular access to the site is from NE 116th Street accessed from NE 122nd Avenue to the east. Direct vehicular access from SR 503 to either the site or to NE 116th Street is prohibited by Washington State Department of Transportation.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is currently served by public transit with a northbound transit stop located along the site's frontage with SR 503, C-Tran Routes #7 and 47.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no parking spaces proposed.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no roadway, street, pedestrian, bicycle or state transportation facility improvements proposed.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no vehicular trips associated with the proposal. However, a Trip Generation Assessment, as prepared by Charbonneau Engineering, LLC, dated January 15, 2020, has been included in the Annual Review application. This assessment addresses the potential difference in the number of Average Daily, AM peak and PM peak trips associated with the current zoning vs. the proposed zoning.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public Services[\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities[\[help\]](#)

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity – Clark Public Utilities

Water – Clark Public Utilities

Sanitary Sewer – Clark Regional Wastewater District

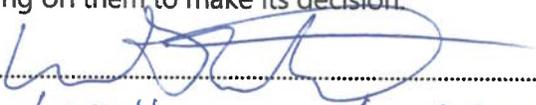
Refuse Service – Waste Connections

Natural Gas – Northwest Natural

Telephone – CenturyLink

C. Signature[\[HELP\]](#)

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

Signature: 

Name of signee William A. Mastland

Position and Agency/Organization Contract Purchaser

Date Submitted: 1-31-2020

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

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

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

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there would not be any increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. Development of the site under the current Community Commercial zoning would have similar amounts of impervious surfaces. There would be an increase in vehicular trips under the current commercial zoning vs. the proposed residential zoning (refer to Trip Generation Assessment, as prepared by Charbonneau, Engineering, LLC for more information regarding trip generation). As such, emissions and noise from vehicles will be less under the proposed zoning. Any proposed development under the current or proposed zoning will require a review through Clark County's Site Plan Review process, as well as through a detailed State Environmental Policy Act (SEPA) Environmental review, all meeting applicable local, state and federal codes and regulations.

Proposed measures to avoid or reduce such increases are:

As indicated above, there are no proposed increases anticipated from the Comprehensive Plan and Zone Change. As such, no specific measures are proposed. Any future development will need to comply with applicable local, state and federal codes and regulations regarding stormwater runoff, air emissions, handling of toxic or hazardous substances, or production of noise.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, the proposal will not have any effect on plants, animals, fish, or marine life. Existing vegetation on the site is a grass field with one walnut tree. There is no regulated or significant habitat on site, nor are there any

fish-bearing streams or lakes on or near the site. Upon development of the site, all vegetation will be removed from those areas to receive construction.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there is no impact on plants, animals, fish or marine life. Upon development of the site, landscaping will be proposed which will increase the habitat potential for animals through the use of native and/or ornamental trees, shrubs and groundcover.

3. How would the proposal be likely to deplete energy or natural resources?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there is no energy use proposed. Upon development of the site, normal multi-family residential use of energy will be required. There is no anticipated depletion of energy or natural resources associated with either the Comprehensive Plan Zone Change Annual review or future multi-family development of the site following the Comprehensive Plan Zone Change Annual Review.

Proposed measures to protect or conserve energy and natural resources are:

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there is no energy use proposed. As such, no specific measures are proposed at this time. Upon development of the site, possible measures will be meeting applicable local, state and federal codes related to the construction industry, use of locally-sourced building materials, use of energy efficient building materials, use of solar and/or wind power, or other similar measures.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, and as there are no environmentally sensitive areas, parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains or prime farmlands on or near the site, there would be no impact or effect on these areas. The closest park or recreational facilities are Prairie High School located across SR 503 from the

subject parcel, and Dogwood Park located approximately 2/3 mile to the south. Upon residential development of the site, Park and School Impact Fees will be paid which will provide additional funding for parks and schools.

Proposed measures to protect such resources or to avoid or reduce impacts are:

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no impacts to resources. Upon development of the site, Park and School Impact Fees will be paid which will provide additional funding for parks and schools.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is to change the Comprehensive Plan designation and Zoning of the commercially zoned portion of the site from a Commercial Comprehensive Plan designation and Community Commercial zoning to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning to match that of the eastern approximately 1/5 of the site. This would allow land uses that are consistent with the surrounding land uses and zoning to the east and south. There are no shorelines associated with the subject parcel.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Prior to future development of the site, the project will be required to go through Clark County's Site Plan Review process, SEPA review process and meet all applicable local, state and federal codes and regulations. There are no shorelines associated with the subject parcel.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no proposed transportation, public services or utility impacts. Upon development of the site, however, a net reduction in Average Daily and Peak PM vehicular trips would be realized with 100% residential development following the zone change vs. partial commercial and partial residential development under the current zoning scenario. This would decrease vehicular trip demand on the surrounding transportation system. Please refer to the Trip Generation Assessment, as provided by Charbonneau Engineering, LLC, dated January 15, 2020 for more information.

Any proposed development on the subject parcel, regardless of zoning, will increase demand on public services and utilities. There might be a slight increase

in public service and utility demands with the rezone from commercial to residential. However, it is unknown what the degree of increase that might be.

Proposed measures to reduce or respond to such demand(s) are:

As this is a non-project action and the application is for a Comprehensive Plan and Zone Change Annual Review, there are no proposed measures to address any potential increases in public service or utility demand. Upon development on the site, utilities will be installed and System Development Charges will be paid. Additionally, even though a reduction in Average Daily and PM Peak vehicular trips is anticipated with the zone change, Transportation Impact Fees will also be paid upon site development.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal for a Comprehensive Plan and Zone Change Annual Review does not conflict with any local, state or federal laws or requirements for the protection of the environment.

PROMENADE NORTH COMPREHENSIVE PLAN ZONE CHANGE ANNUAL REVIEW Narrative

Project Details

The subject parcel is split zoned. The Applicant proposes a Comprehensive Plan and Zone Change Annual Review on the portion of the subject parcel with a Commercial Comprehensive Plan designation and Community Commercial zoning, which consists of the western approximately 4/5th of the site, to Urban High Density Residential and R-30 zoning to match that of the eastern portion of the site.

Project Location

The project site is located on the north side of NE 116th Street and the east side of SR 503 (NE 117th Avenue), Vancouver, Washington and is described as Tax Lot 144, tax assessor's serial number 200200-000, located in the Northwest ¼ of Section 34, T3N, R2E, W.M.

Site Characteristics

The subject parcel is currently vacant and unused and is approximately 3.45 acres in size according to Clark County GIS. The site is split zoned with Community Commercial zoning on the western approximately 4/5th of the site (with a Commercial Comprehensive Plan designation) with the balance zoned R-30 (with an Urban High Density Residential Comprehensive Plan designation). Adjacent property uses and zoning are as follows:

- North – Single-family residential uses on Community Commercial zoned properties.
- South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (yet to be constructed) self-storage use on Community Commercial zoned property.
- East – Multi-family residential uses on R-30 zoned property.
- West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.

Refer to the Developer's GIS Packet for more information.

According to Clark County GIS, there are no environmental factors affecting the site. However, it is located within a Critical Aquifer Recharge Area (CARA) Category 1.

Previous Permit and Zoning Activity

The Pre-Application Conference Final Report indicates, "The parcel was split zoned during a boundary line adjustment in 2017 (BLA2017-00014)." However, it should be noted that a review of the Clark County Comprehensive Zoning Map in 1994 indicates the subject parcel is zoned Commercial in the western approximately 4/5th of the site, with the eastern approximately 1/5th of the site outside of the

Urban Growth Boundary. The eastern portion of the site was zoned Residential with the 2003 Comprehensive Plan review that was finalized in 2007, with the Urban Holding designation lifted in 2008. The Boundary Line Adjustment staff refers to did not adjust lot lines of the subject parcel but those of the parcels to the east and northeast. A copy of the Boundary Line Adjustment approval has been included in this application.

While Clark County GIS has flagged the parcel as having previous permit activity, the listed permits are associated with Brush Prairie Apartments, PSR2016-00003, located to the east and do not affect the subject parcel.

A letter has been submitted from Washington State Department of Transportation (WSDOT) indicating vehicular access limitations to NE 116th Street that borders the subject parcel along the south as part of The Promenade apartment project to the south. WSDOT has indicated that only emergency access will be allowed onto and off NE 116th Street; that no direct vehicular access will be allowed onto or off of NE 116th Street because of right-of-way limitations and the presence of a cemetery to the south in order to construct a right-turn deceleration lane onto NE 116th Street. Direct access to the subject parcel from SR 503 is further prohibited because of an existing C-Tran transit stop adjacent to the subject parcel's right-of-way with SR 503 as well as WSDOT's access limitations from state routes. The Pre-Application Conference Final Report indicates that this letter no longer qualifies as a substantial change in conditions because the parcel was purchased in 2016. It further mentions that a purchase of the subject parcel in May 2016 saw the current owner sell the subject parcel, along with then-parcel 200192-000 (later determined to be one legal lot combined with the subject parcel [parcel 200200-000]) to Highland Crossing, LLC, and Highland Crossing, LLC selling the subject parcel back to the current over in August 2016, invalidating this letter as a significant change in conditions in order to meet that Comprehensive Plan's criterion. Staff has not provided any evidence as to why the sale of the subject parcel invalidates the WSDOT letter indicating vehicular access limitations to NE 116th Street as a substantial change in conditions. However, as the property is currently owned by the same owner that purchased the property back in August 1990 (prior to GMA), the WSDOT letter continues serve as a substantial change in conditions (please refer to the deed history provided in this application for more information). While the Applicant's consultant has contacted WSDOT for an updated letter or response to their original letter, the substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.

Applicant's Interest in the Property

The Applicant, Bill Maitland, is considering purchase of the subject parcel and has entered into a Purchase and Sale Agreement with the property owners.

Applicable Review Criteria (Applicant's responses are shown in **bold** text)

WAC 365-196-300

Urban density.

- (1) The role of urban areas in the act. The act requires counties and cities to direct new growth to urban areas to allow for more efficient and predictable provision of adequate public facilities, to promote an orderly transition of governance for urban areas, to reduce development pressure on rural and resource lands, and to encourage redevelopment of existing urban areas.

The subject site is located within the Vancouver Urban Growth Area (UGA) and surrounded by urban development. Public facilities, such as sanitary sewer and public water, are currently available to the subject parcel.

(2) How the urban density requirements in the act are interrelated. The act involves a consideration of density in three contexts:

- (a) Allowed densities: The density, expressed in dwelling units per acre, allowed under a county's or city's development regulations when considering the combined effects of all applicable development regulations.
- (b) Assumed densities: The density at which future development is expected to occur as specified in the land capacity analysis or the future land use element. Assumed densities are also referred to in RCW 36.70A.110 as densities sufficient to permit the urban growth that is projected to occur.
- (c) Achieved density: The density at which new development occurred in the period preceding the analysis required in either RCW 36.70A.130(3) or 36.70A.215.

The subject site will be able to meet the density requirements of Clark County Code (CCC) Chapter 40.220.020 Residential and Office Residential Districts. According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre.

(3) Determining the appropriate range of urban densities. Within urban growth areas, counties and cities must permit urban densities and provide sufficient land capacity suitable for development. The requirements of RCW 36.70A.110 and 36.70A.115 apply to the densities assumed in the comprehensive plan and the densities allowed in the implementing development regulations.

- (a) Comprehensive plans. Under RCW 36.70A.070(1) and in RCW 36.70A.110(2), the act requires that the land use element identify areas and assumed densities sufficient to accommodate the twenty-year population allocation. The land use element should clearly identify the densities, or range of densities, assumed for each land use designation as shown on the future land use map. When reviewing the urban growth area, the assumed densities in the land capacity analysis must be urban densities
- (b) Development regulations. Counties and cities must provide sufficient capacity of land suitable for development.
 - (i) Development regulations must allow development at the densities assumed in the comprehensive plan.
 - (ii) Counties and cities need not force redevelopment in urban areas not currently developed at urban densities, but the development regulations must allow, and should not discourage redevelopment at urban densities. If development patterns are not occurring at urban densities, counties and cities should review development regulations for potential barriers or disincentives to development at urban densities. Counties and cities should revise regulations to remove any identified barriers and disincentives to urban densities, and may include incentives.

The proposed zone change to R-30 will allow for a development that will help Clark County achieve its residential density goals stated in the Comprehensive Plan.

(4) Factors to consider for establishing urban densities. The act does not establish a uniform standard for minimum urban density. Counties and cities may establish a specified minimum density in county-wide or multicounty planning policies. Counties and cities should consider the following factors when determining an appropriate range of urban densities:

(a) An urban density is a density for which cost-effective urban services can be provided. Higher densities generally lower the per capita cost to provide urban governmental services.

The subject parcel currently has urban services available. Surrounding properties are zoned to allow for an urban density, however, not all properties in the area are developed to this density. The proposed zone change would allow development of the subject site to the allowed urban density. It is assumed that adjacent developed properties were constructed within the densities established through Clark County Code.

(b) Densities should be higher in areas with a high local transit level of service. Generally, a minimum of seven to eight dwelling units per acre is necessary to support local urban transit service. Higher densities are preferred around high capacity transit stations.

The subject site is located in an area with two transit routes serving the site. The location of the subject parcel along a high-capacity transit route, with a C-Tran bus stop located along the subject parcel's frontage with SR 503, lends itself to higher density residential development. According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre to help support urban transit services. As such, this policy is met.

(c) The areas and densities within an urban growth area must be sufficient to accommodate the portion of the twenty-year population that is allocated to the urban area. Urban densities should allow accommodation of the population allocated within the area that can be provided with adequate public facilities during the planning period.

There are some properties that are adjacent to the subject parcel that are underdeveloped, yet they can be serviced by public facilities because of their proximity to the high-capacity transit corridor along SR 503. The proposed Comprehensive Plan Zone Change for the site would further move the County in achieving proper density goals for the area.

(d) Counties and cities should establish significantly higher densities within regional growth centers designated in RCW 47.80.030; in growth and transportation efficiency centers designated under RCW 70.94.528; and around high capacity transit stations in accordance with RCW 47.80.026. Cities may also designate new or existing downtown centers, neighborhood centers, or identified transit corridors as focus areas for infill and redevelopment at higher densities.

The subject site is not located within a regional growth center. The proposed Comprehensive Plan and Zone Change Annual Review is consistent with the existing zoning surrounding the site, particularly zoning located to the east of the subject parcel.

- (e) Densities should allow counties and cities to accommodate new growth predominantly in existing urban areas and reduce reliance on either continued expansion of the urban growth area, or directing significant amounts of new growth to rural areas.

The proposed zone change will allow the development of multi-family residences, providing low- and medium-income housing for new growth within the current Urban Growth Boundary. The subject site is surrounded by existing multi-family residential to the east and south, and there are existing public facilities to accommodate the future growth.

- (f) The densities chosen should accommodate a variety of housing types and sizes to meet the needs of all economic segments of the community. The amount and type of housing accommodated at each density and in each land use designation should be consistent with the need for various housing types identified in the housing element of the comprehensive plan.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, a variety of housing types and sizes are permitted, including duplex dwellings, multi-family dwellings, adult family homes, assisted living facilities, and townhouses are allowed in the proposed R-30 zone. Additionally, residential care home and facilities, and staffed residential homes are allowed as conditional uses (CCC Table 40.220.020-1). As such, this policy is met.

- (g) Counties and cities may designate some urban areas at less than urban densities to protect a network of critical areas, to avoid further development in frequently flooded areas, or to prevent further development in geologically hazardous areas. Counties or cities should show that the critical areas are present in the area so designated and that area designated is limited to the area necessary to achieve these purposes.

The proposed R-30 zone will further move Clark County to meet urban densities within the urban area. There are no critical areas on or near the site that would cause a need to reduce the proposed urban density in this area. Allowing the proposed R-30 zoning designation would further reduce critical area impacts through the development on land not encumbered by critical areas.

(5) Addressing development patterns that occurred prior to the act.

- (a) Prior to the passage of the act, many areas within the state developed at densities that are neither urban nor rural. Inside the urban growth area, local comprehensive plans should allow appropriate redevelopment of these areas. Newly developed areas inside the urban growth area should be developed at urban densities.

The proposed application is for a Comprehensive Plan and Zone Change for a portion of the site from a Commercial Comprehensive Zone designation and Community Commercial zone to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning. According to the 1994 Clark County Zoning Map, the subject site has been zoned commercial since 1994 and has remained undeveloped, The Applicant proposes to develop the site with in-demand residential. This policy does not apply.

- (b) Local capital facilities plans should include plans to provide existing urban areas with adequate public facilities during the planning period so that available infrastructure does not serve as a limiting factor to redevelopment at urban densities.

Adequate public facilities exist at the subject site. Sanitary sewer and public water are available to the site within NE 116th Street that borders the subject parcel to the south. Other utilities, including communication, gas, electrical, etc. are available in the vicinity of the subject parcel.

CLARK COUNTY COMPREHENSIVE PLAN POLICIES (Applicant's responses are shown in **bold** text)

Chapter 1 – Land Use Element

Goals and Policies

Land Use Element policies

The Land Use Element for 20-year comprehensive plans determines the general distribution and location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other uses. The Land Use Element includes population densities, building intensities and estimates of future population growth. The land use element is to provide for protection of groundwater resources and where applicable, address drainage, flooding and runoff problems and provide for coordinated solutions. The following policies are to coordinate the efforts of Clark County and cities in designating land uses, densities and intensities to achieve the pattern described above in their respective Comprehensive Growth Management Plans.

This application is for a Comprehensive Plan and Zone Change Annual Review to change the land use designation of a portion of a parcel of property in Clark County. Therefore, the goals and policies of the Land Use Element of the Comprehensive Plan apply.

1.1 Countywide Planning Policies

- 1.1.1 Clark County, municipalities and special districts will work together to establish urban growth areas within which urban growth shall be encouraged and outside of which growth may occur only if it is not urban in nature. Each municipality within Clark County shall be included within an urban growth area. An urban growth area may include territory located outside of a city if such territory is characterized by urban growth or is adjacent to areas characterized by urban growth.

As the Applicant is proposing an urban zoning designation concurrent with other adjacent zoning, the subject parcel is located within unincorporated Clark County, as well as within the Urban Growth Boundary, this policy is met.

- 1.1.2 Urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in Clark County for the succeeding 20-year period.

The Applicant is proposing to change the portion of the subject parcel that currently has a Comprehensive Plan designation of Commercial and zoning of Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning to match that of the eastern approximately 1/5 of the

site, which will provide a density consistent with the surrounding area and allow for the creation of in-demand housing to support the growth in Clark County. As such, this policy is met.

1.1.3 Urban growth shall be located primarily in areas already characterized by urban growth that have existing public facility and service capacities to adequately serve such development and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services that are provided by either public or private sources. Urban governmental services shall be provided in urban areas. These services may also be provided in rural areas, but only at levels appropriate to serve rural development. Urban governmental services include those services historically and typically delivered by cities or special districts and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection, public transit services and other public utilities not normally associated with non-urban areas.

The subject site is currently located within the Urban Growth Boundary and is surrounded by existing residential development. Public facilities are currently available to the site including sanitary sewer, public water, fire and police protection services, and public transit services. As such, this policy is met.

1.1.9 Clark County and municipalities shall use the results of the Buildable Lands Capacity Report to determine the most appropriate means to address inconsistencies between land capacity and needs. In addressing these inconsistencies, Clark County and municipalities shall identify reasonable measures, other than adjusting urban growth areas that will be taken to comply with the requirements of Chapter 36.70A.

While the proposed Comprehensive Plan and Zone Change Annual Review will remove commercially zoned land and add high-density residential land, the percentage of change will be a de minimis amount (approximately 2.52 acres) within the whole county and will allow the current balance to be maintained. The subject property has been zoned Commercial since 1994 and has remained undeveloped. As such, this policy is met.

County 20-Year Planning Policies

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 Policies

1.2.1 The UGAs shall be consistent with the following general goals:

- reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

The proposal is to change the Comprehensive Plan designation from Commercial and zoning from Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning of the western approximately 4/5th of the site. As such, this goal is met.

- provide for the efficient provision of public services;

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this goal is met.

- protect natural resource, environmentally sensitive and rural areas;

There are no natural resources, environmentally sensitive areas, or rural areas on or within the vicinity of the site. As such, this goal is met.

- encourage a clear distinction between urban and rural areas;

The proposed Comprehensive Plan and Zone Change would allow for an urban high-density residential development within the urban growth boundary with other similar high-density residential development in the immediate vicinity. As the subject parcel is located within the urban growth boundary, there is no impact on rural areas. As such, this goal is met.

- maintain densities which support a multi-modal transportation system;

The proposed R-30 zone will provide a density that is consistent with the surrounding zoning, which will help to maintain support for the existing multi-modal transportation system serving the site, including vehicular, pedestrian, bicycles, and public transportation. Additionally, the location criteria for high-density residential development along transit routes is supported by the presence of an existing C-Tran bus stop along the subject parcel's frontage with SR 503. As such, this goal is met.

- support variety, choice and balance in living and working environments;

The proposed zone change will allow for development of a vacant property with multi-family residential development that will be adjacent to public transit and other major travel ways, while still being within an area developed with other high-density residential. Additionally, commercial uses in the area, such as Bowyer Marketplace located approximately 800 feet to the northwest, provides for a variety of commercial services and employment opportunities within walking or biking distance. This provides a balance of living in a residential neighborhood while still being able to commute to work via public transportation, bicycle, vehicle, or as a pedestrian. As such, this goal is met.

- promote a variety of residential densities; and,

The proposed R-30 zone is consistent with the surrounding densities, maintaining the overall variety of residential densities within the county and moving the county toward their overall residential density goals. As such, this goal is met.

- include sufficient vacant and buildable land.

The subject site contains approximately 3.45 acres of vacant buildable land. This will allow for a development that meets the density and dimensional requirements of the proposed R-30 zone. As such, this goal is met.

1.2.2 The UGAs 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.

The proposed change to R-30 will allow for the development of in-demand multi-family residential product to accommodate the expected population growth, as well as to provide housing for a variety of income levels. Additionally, the access limitations to the subject parcel imposed by Washington State Department of Transportation (WSDOT) no longer makes the subject parcel a viable site for commercial development. Therefore, the zone change would not have a significant effect on supplying employment for the proposed growth but can accommodate the future population's housing needs upon approval. As such, this criterion is met.

- Cities shall be located within UGAs. Urban services shall be provided within those areas. Urban services should generally not be provided outside UGAs. (See Chapter 6, Capital Facilities and Utilities for urban and rural services.)

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this criterion is met.

- Lands included within UGAs shall either be already characterized by urban growth or adjacent to such lands.

The subject parcel is surrounded by other urban development, including a public high school and commercial uses to the west and high-density residential uses to the south and east. As such, this criterion is met.

- Existing urban land uses and densities should be included within UGAs.

The subject site is located within the urban growth area boundary. As such, this criterion is met.

- Land within the UGA shall not contain areas designated for long-term agriculture or forestry resource use.

The subject site does not contain, nor is it in the vicinity of, areas designated for long-term agricultural or forest use. As such, this criterion is met.

- UGAs shall provide a balance of industrial, commercial and residential lands.

While the proposed Comprehensive Plan and Zone Change Annual Review will replace commercially zoned land with high-density residential land, the percentage of change will be de minimis amount within the whole county and will allow the current balance to be maintained. As such, this criterion is met.

- The UGAs should utilize natural features (such as drainage ways, steep slopes, open space and riparian corridors) to define the boundaries.

The subject site has been located within the UGA since 1994 and is surrounded by lands developed with urban uses. As such, this criterion is met.

- No UGA expansion into the 100-year floodplain of a river segment that is located west of the Cascade crest and when the river has a mean annual flow of 1,000 or more cubic feet per second per RCW36.70A.110(8).

The proposal does not expand into any 100-year flood plain. As such, this criterion is met.

- Each UGA shall have the anticipated financial capability to provide infrastructure/services needed in the area over the planning period under adopted concurrency standards.

Infrastructure and public services currently exist to and around the subject parcel. The expansion and extension of utilities will occur with future development of the site, and any future development will pay appropriate impact fees and system development charges for services. Proposed Average Daily and PM peak vehicular trips will be reduced with the zone change, thereby reducing the demand on the local transportation system. Please refer to Trip Generation Assessment, as provided by Charbonneau Engineering, LLC, dated January 15, 2020, for more information. As such, this criterion is met.

Vancouver Urban Growth Area

1.2.3 Ensure coordination of environmental protection, preservation and enhancement programs and regulations.

There are no environmentally sensitive or habitat areas on or within the vicinity of the site. As such, this policy does not apply.

1.2.5 Restrict amendments to the urban growth boundary to encourage infill development.

The subject parcel is located within with urban growth boundary and will not require amendments to the urban growth boundary.

1.2.6 Concentrate development in areas already served by public facilities and services. Use the provision or planned provision of public services and facilities as a means of directing development into desirable areas.

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this policy is met.

1.2.7 Water service should be extended throughout the Vancouver urban area in accordance with the timing and phasing established in the Vancouver six-year capital facilities plan. Extension of public water service should not be permitted outside the Vancouver urban area.

Water service exists at the site within NE 116th Street, with Clark Public Utilities serving as the purveyor. Water service will be extended through the site with any future development. As such, this policy is met.

1.2.8 Encourage retrofitting areas with sewer and prohibit new development on septic tanks in the urban growth area.

There are no existing septic tanks on site. Public sewer exists at the site within NE 116th Street, with Clark Regional Wastewater District serving as the purveyor. Sewer service will be extended through the site with any future development. As such, this policy is met.

Goal: Encourage more compact and efficiently served urban forms and reduce the inappropriate conversion of land to sprawling, low-density development.

1.3 Policies

1.3.1 Urban densities and uses may occur throughout the urban growth area if it is provided with adequate services. Development and redevelopment in the UGA should be strongly encouraged to occur in greater intensity in major centers, transit routes and other areas characterized by both existing higher density urban development and existing urban services. Development and redevelopment should be encouraged to occur with less intensity in areas where urban development is of lower density or has not yet occurred, or in areas where urban services do not yet exist.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation with connections to the existing sidewalks along NE 116th Street to the east.

Sanitary sewer and water are both available within NE 116th Street along the subject parcel's frontage.

The site is located approximately 800 feet south of Bowyer Marketplace, located at the northwest corner of the intersection of NE 119th Street and SR 503, which provides for a variety of commercial uses and employment opportunities. A Shell station and convenience store is located approximately 600 feet to the north at the southeast corner of the intersection of NE 119th Street and SR 503.

High density residential development is supported by the C-Tran transit stop along the subject parcel's frontage with SR 503.

Adjacent property uses and zoning are as follows:

- **North – Single-family residential uses on Community Commercial zoned properties.**
- **South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (but yet to be constructed) self-storage use on Community Commercial zoned property.**
- **East – Multi-family residential uses on R-30 zoned property.**
- **West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.**

Based on the above, the policy of encouraging higher density residential development in an area where urban services exist, that is near an urban center (Bowyer Marketplace), along a transit route, and provided in an area characterized by other higher density development has been met.

1.3.4 Zoning ordinances and other implementing measures shall specify maximum and minimum residential densities with the residential zoning districts.

The subject site is approximately 3.45 acres in size. The site will be able meet the residential densities and minimum lot dimensions (if applicable) as required by section 40.220.020 of the Clark County Code. As such, this policy is met.

Goal: Integrate land uses to reduce sprawl, promote physical activity through active transportation and foster neighborhood and community identity.

1.4 Policies

1.4.1 Interrelated uses should generally be encouraged to locate in close proximity of each other:

- Frequently used commercial activities and the residential areas they serve should be allowed and encouraged to locate near to one another.
- Schools or other frequently used public facilities and the residential areas they serve should be allowed and encouraged to locate near to one another.
- 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 non-residential uses on the residential areas are mitigated.

According to the 1994 Clark County Zoning Map, the existing site has had the opportunity to develop in a commercial use, and to this point has not. There are existing commercial uses and employment opportunities in the immediate area to the north, such as Bowyer Marketplace. Prairie High School is located directly across SR 503 from the subject parcel. As such, this policy is met.

1.4.3 Promote the development of identifiable residential neighborhoods and shopping districts through the encouragement of more compact development patterns and the use of shared design and landscaping characteristics and the development of landmarks.

The subject site will be able to be developed as part of an identifiable neighborhood connecting to the existing neighborhood to the east and south. As such, this policy is met.

1.4.7 Higher intensity uses should be located on or near streets served by transit.

The proposal is to change the Comprehensive Plan designation from Commercial and zoning from Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning. As there is a C-Tran transit stop directly adjacent to the subject site's frontage with SR 503, this policy is met.

1.4.8 Streets, pedestrian paths and bike paths should contribute to a system of fully connected routes to all destinations.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to the existing sidewalks along NE 116th Street to the east. NE 116th

Street also provides direct pedestrian access to SR 503. As such, this policy is met.

1.4.9 Access to the transit system should be provided.

- Transit stations should be located at major activity centers and along transit streets and nodes.
- Neighborhoods and commercial nodes should have access to the public transportation system.
- Transit stops should be located within convenient walking distance of residential and employment populations.
- Transit shelters should be provided where appropriate.
- Bicycle parking should be included in commercial, industrial and public facility sites.

C-Tran provides transit service to the area with Routes 7 and 47 with a transit stop adjacent to the subject parcel's frontage with SR 503. As the proposal is to rezone the subject to residential zoning, no shelter or bike parking are provided. As such, this policy is met.

Chapter 2 – Housing Element

Goals and Policies

Clark County has developed general goals and policies it will use to direct housing development. The Clark County Housing policies are as follows:

2.1 Countywide Planning Policies

2.1.3 Link transportation and housing strategies to assure reasonable access to multimodal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation.

The subject parcel is currently served by multimodal transportation. C-Tran provides service to the site and has a bus stop immediately adjacent subject parcel's frontage with SR 503. Sidewalks exist along SR 503 and along NE 116th Street east of the site that will be connected to upon site development. As such, this policy is met.

2.1.4 Link housing strategies with the locations of work sites and jobs.

Bowyer Marketplace and other commercial uses are located to the north and west of the subject parcel providing employment opportunities. As such, this policy is met.

2.1.5 Link housing strategies with the availability of public facilities and public services.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the

immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools). Police and fire service are also currently available and the site. As such, this policy is met.

County 20-Year Planning Policies

Goal: Provide for diversity in the type, density, location and affordability of housing throughout the county and its cities. Encourage and support equal access to housing for rental and homeowners and protect public health and safety.

2.2 Policies

2.2.1 Ensure that implementation measures recognize variety of family structure.

While the final housing product that will result from the proposed Comprehensive Plan and Zone Change is undetermined, the proposed R-30 zoning will allow for multi-family residential units such as apartments, townhomes and duplexes. As such, this policy is met.

2.2.2 Encourage a variety of housing types and densities, including mixed-use centers, services and amenities.

While the final housing product that will result from the proposed Comprehensive Plan and Zone Change is undetermined, the proposed R-30 zoning would match the adjacent zoning to the east and southeast and would allow for multi-family residential units such as apartments, townhomes and duplexes. As such, this policy is met.

2.2.4 Develop a fair share housing allocation that provides low and moderate income housing targets for cities and urban growth areas. The program should include a housing inventory, incentives and financing mechanisms.

The proposed Comprehensive Plan and Zone Change would allow for high-density residential development. This will provide for low- and medium-income multi-family housing. As such, this policy is met.

2.2.5 Preserve the character of stable residential neighborhoods through selective and innovative zoning techniques.

The proposed zone change to residential would preserve the character of the established residential neighborhood that is immediately adjacent to the site. Commercial development as permitted under the current Community Commercial zone would significantly change the character of the surrounding neighborhood, particularly with added vehicular trips associated with the circuitous route to access the subject parcel along local access and neighborhood circulator roadways through residential neighborhoods. As such, this policy is met.

2.2.6 Encourage a variety of housing types and densities in residential neighborhoods.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, a variety

of housing types, sizes and densities are permitted, including duplex dwellings, multi-family dwellings, adult family homes, assisted living facilities, and townhouses are allowed in the proposed R-30 zone. Additionally, residential care home and facilities, and staffed residential homes are allowed as conditional uses (CCC Table 40.220.020-1). Residential densities in the R-30 zone range from 18-30 residential units per acre. As such, this policy is met.

2.2.8 Assure that policies, codes and ordinances promote neighborhood designs that are pedestrian and transit friendly and discourage reliance upon the automobile.

Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to existing sidewalks to the east. Additionally, a C-Tran transit stop is located along the subject parcel's frontage with SR 503. The methods of public transit, pedestrian, and cycling options create an ease of use for transportation options that do not rely on the automobile. As such, this policy is met.

Goal: Support diversity in the mix of housing types in the community, while improving home ownership tenure.

2.7 Policies

2.7.1 Provide opportunities for new development to occur. There shall be no more than 75 percent of any single product type of housing in any jurisdiction (e.g., single-family detached residential). Strategies to achieve these opportunities include but are not limited to:

- Minimum density for single family. These should average: eight dwelling units per acre within the Vancouver urban growth area, six units per acre with the Battle Ground, Camas, Ridgefield and Washougal urban growth area and four units per acre within the La Center urban growth area.

According to the Clark County Buildable Lands Report (June 2015 Amended) between the years of 2006 and 2014 the unincorporated portion of the Vancouver Urban Growth Area achieved a 79% single-family and 21% multi-family residential split which exceeds the County-wide planning policy of no more than 75% of the new housing stock of a single product type. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their policy of increasing multi-family residential development to bring the 75% policy closer to fruition.

According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre. As such, this policy is met.

- Provisions for Accessory Dwelling Units.

According to CCC 40.260.020(B)(1), accessory dwelling units are only allowed within multi-family zoned parcels with an existing single-family dwelling. As there are no existing single-family dwellings on the subject parcel, this policy does not apply.

- Provision for duplexes in single family.

The proposed Comprehensive Plan and Zone Change Annual Review is for a change from Commercial to Urban High Density Residential. As such, this policy does not apply.

- Provisions for townhouses/row houses.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, townhouses are allowed in the proposed R-30 zone. As such, this policy is met.

- Allowance of manufactured home parks.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, manufactured home parks are allowed in the proposed R-30 zone. As such, this policy is met.

- Provision for diversified housing types allowed as part of a Planned Unit Development.

Planned Unit Developments are allowed in the proposed R-30 zone, allowing for a diversity of housing types. As such, this policy is met.

- Recognition of the flexibility allowed in housing types as part of a Mixed Use Development (e.g. living units above commercial areas).

The proposed zone change is from Commercial to Urban High Density Residential. As such, his policy does not apply.

- Recognition of Assisted Living Units as a housing type.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, assisted living facilities are allowed in the proposed R-30 zone. As such, this policy is met.

- Provision for diversified housing types allowed as part of a mixed use development.

The proposed zone change is from Commercial to Urban High Density Residential. As such, this policy does not apply.

- Recognition of Senior Housing Units as a housing type.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, senior housing units, such as residential care homes and facilities, family day care centers, adult family homes, assisted living facilities and staffed residential homes are permitted or Conditional Uses in the proposed R-30 zone. As such, this policy is met.

2.7.3 Encourage housing that is created using the principles of Universal Design.

Any housing development that results from the approval of this annual review and zone change will have housing built that meets the requirements of Clark County Code. This policy is met.

Chapter 9 – Economic Development Element

Goals and Policies

9.0 Clark County Economic Development Vision Statement:

“Clark County will grow as a high-wage economy that creates jobs at a rate in excess of population growth and an increasing percentage of the population will both live and work in Clark County. There will be an emphasis on emerging clusters that have a significant knowledge-based component.

9.1 Countywide Planning Policies

9.1.1 The county and cities will demonstrate their commitment to long-term economic growth by promoting a diverse economic base, providing opportunity for all residents, including unemployed and disadvantaged persons. Growth which helps to measurably raise the average annual wage rate of community residents and preserves the environmental quality and livability of our community, is viable growth and will improve the lifestyle of Clark County residents.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force. Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

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

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force. Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Employers are more likely to expand to areas that have adequate and appropriately priced housing. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

9.1.7 The county and cities will plan for long-term economic growth, which enhances the capacity of existing air shed for job-generating activities.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force.

Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Employers are more likely to expand to areas that have adequate and appropriately priced housing. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

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

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, the subject site can be considered a secondary or tertiary site for commercial development due to the lack of direct vehicular access to SR 503 and the circuitous route through residential neighborhoods required to access the site. The subject parcel has also remained undeveloped since 1994. It is unlikely that the proposed zone change will impact the long-term supply of suitable commercial land. As such, this policy is met.

9.1.9 The county and cities will encourage the recruitment of new business employers to absorb the increasing labor force and to supply long-term employment opportunities for county's residents who are currently employed outside of the State.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, employers wanting to expand or relocate are looking for areas that have adequate and appropriately priced housing. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off of SR 503 and/or direct access from SR 503 to NE 116th Street. As such, this policy is met.

9.1.12 Encourage use of a multi-modal transportation system that facilitates the reduction of travel times and reduces the need for additional road construction within the region.

The subject parcel is along a C-Tran transit route, Routes 7 and 47, and has a C-Tran bus stop adjacent to the subject parcel's frontage along SR 503. Additionally, sidewalks exist along SR 503 and the east side of NE 116th Street that future development on the site would connect to. As such, this policy is met.

County 20-Year Planning Policies Unincorporated County

The following goals and policies are not countywide and apply only to the unincorporated areas.

Goal: Provide commercial and industrial employment opportunities to meet the needs of Clark County citizens.

9.2 Policies

9.2.1 Encourage long-term business investments that generate net fiscal benefits to the region, protect environmental quality and are consistent with the objective of higher wage jobs for Clark County residents.

The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy does not apply.

9.2.3 Promote a diverse economic base, providing economic opportunity for all residents.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. As such, this policy does not apply.

Goal: Provide contextually-appropriate commercial sites adequate to meet a diversity of needs for retail, service and institutional development in Clark County.

9.4 Policies

9.4.1 In cooperation with local jurisdictions, maintain an adequate supply of commercial lands within designated urban growth areas, based on average absorption rates of the last five years plus an appropriate market factor.

- Designate sufficient commercial land for the 20-year planning period, located within designated urban growth areas;
- Discourage removal of commercial land from the inventory that results in a less than 10-year supply of commercial sites;
- Update inventories of commercial lands at least every ten years; and,
- Encourage infill and redevelopment of underutilized commercial sites.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

9.4.2 Locate convenience-oriented retail and service developments adjacent to residential neighborhoods; encourage small-scale neighborhood commercial uses directly within residential areas.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR

503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

9.4.3 Encourage commercial and mixed-use developments located on current or planned transit corridors; encourage transit-oriented site planning and design.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. While it is located along a transit corridor and has a C-Tran transit stop adjacent to its frontage with SR 503, WSDOT has indicated that direct vehicular access is prohibited from SR 503 and that direct vehicular access is prohibited to NE 116th Street. As such, the subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

Chapter 10 – School Element

Goals and Policies

10.1 Countywide Planning Policies

10.1.1 The county and each city shall give full consideration to the importance of school facilities and encourage development of sustainable learning environments through the adoption and implementation of county and city comprehensive land use plan policies and development regulations.

There is an existing public high school located directly across SR 502 from the subject parcel. The proposed Comprehensive Plan and Zone Change Annual Review will allow for a development more suited to being adjacent to a high school. School impact fees will be paid with future development to help offset the impact of additional students added to the school system.

10.1.4 Large residential development should confer with school districts on school impacts.

While the final housing product that will result from the proposed annual review and zone change is undetermined, once the number of proposed residential units is known, the Battle Ground School District will be notified of the development to ensure students have safe access to schools. Additionally, school impact fees will be paid with future development to help offset the impact of additional students added to the school system. As such, this policy will be met upon future development.

County 20-Year Planning Policies

Goal: Support co-locating facilities where co-location is feasible and provides more efficient use of public facilities.

10.3 Policies

10.3.3 Develop pedestrian and bicycle corridors between schools and housing, within neighborhoods and rural centers.

While RCW 58.17 requires residential subdivisions to provide safe walking routes to schools for children that will walk to school (typically within a 1-mile radius of the school), future multi-family residential development will also provide for safe walking routes to schools. Pedestrian facilities will be constructed with a new residential development that will allow the connection from the subject parcel to the sidewalk along SR 503 to provide a safe walking route up to NE 119th Street to access Prairie High School across the street if permitted by the Battle Ground School District. If children choose to ride bicycles, they can use the same sidewalks to get to the high school if permitted by the Battle Ground School District. As Glenwood Heights Elementary and Lauren Intermediate Schools are more than 1 mile away from the subject parcel, students would be bussed. As such, this policy is met.

Goal: Require new development that places added demands on school facilities to pay a portion of the cost for school facilities through impact fees or other alternative mechanisms authorized by State Law.

10.5 Policies

10.5.1 Provide for the use of School Impact Fees as a funding source for school capital facilities.

A residential development that will result from the proposed zone change will provide school impact fees to the school district. As such, his policy is met.

CLARK COUNTY UNIFIED DEVELOPMENT CODE (Applicant's responses are shown in **bold** text)

Title 40 – Clark County, Washington, Unified Development Code

SUBTITLE 40.2 LAND USE DISTRICTS

Chapter 40.220 Urban Residential Districts

40.220.020 Residential and Office Residential Districts (R, OR)

A. Purpose.

1. The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for medium and higher density residential development based upon consistency with the comprehensive plan and compatibility with surrounding land uses. The following factors will be considered in the application of one (1) of these districts to a particular site:
 - a. Properties designated urban medium density residential on the comprehensive plan should not exceed a density of R-22. Urban high density residential areas are appropriate for densities in the R-30 and R-43 districts.

- b. Proximity to major streets and the available capacity of these streets, adequacy of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these districts will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. While direct vehicular access is prohibited from SR 503 by WSDOT because of an existing C-Tran bus top along the subject parcel's frontage, as well as to NE 116th Street from SR 503, vehicular access is provided via NE 119th Street to southbound NE 122nd Avenue to westbound NE 116th Street. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to existing sidewalks along NE 116th Street to the east.

Sanitary sewer and water are both available within NE 116th Street along the site's frontage.

The site is located approximately 800 feet south of Bowyer Marketplace, located at the northwest corner of the intersection of NE 119th Street and SR 503, which provides for a variety of commercial uses. A Shell station and convenience store is located approximately 600 feet to the north at the southeast corner of the intersection of NE 119th Street and SR 503.

The site is split zoned with Community Commercial zoning on the western approximately 4/5th of the site (with a Commercial Comprehensive Plan designation) with the balance zoned R-30 (with an Urban High Density Residential Comprehensive Plan designation). Adjacent property zoning and uses are as follows:

- **North – Single-family residential uses on Community Commercial zoned properties.**
- **South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (but yet to be constructed) self-storage use on Community Commercial zoned property.**
- **East – Multi-family residential uses on R-30 zoned property.**
- **West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.**

Based on the above, this standard is met.

C. Development Standards.

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height and setbacks in Tables 40.220.010-2 and 40.220.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020.

Table 40.220.020-2. Lot Requirements for Multifamily and Office Residential Developments

Zoning District	Min. – Max. Residential Density (d.u./acre)	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
R-12	8 – 12	4,000	40	80
R-18	12 – 18	4,000	40	80
R-22	15 – 22	4,000	40	80
R-30	18 – 30	4,000	40	80
R-43	20 – 43	4,000	40	80
OR-15	8 – 15	10,000	50	90
OR-18	12 – 18	10,000	50	90
OR-22	15 – 22	10,000	50	90
OR-30	18 – 30	10,000	50	90
OR-43	22 – 43	10,000	50	90

Table 40.220.020-3. Setbacks, Lot Coverage and Building Height for Multifamily and Office Residential Developments								
Zoning District	Minimum Setbacks ^{1,5}						Max. Lot Coverage	Max. Bldg. Height (feet)
	Front ² (feet)	Side ^{3,4}			Rear ^{3,4} (feet)	Between Bldgs. on Site (feet)		
		Street (feet)	Interior (feet)					
			Multifamily	Duplex				
R-12, R-18, R-22, R-30, R-43	18 to garage front, 10 to living space	10	10	5	20	8	50%	50
OR-15, OR-18, OR-22, OR-30, OR-43	18 to garage front, 10 to living space	10	10	10	15	8	50%	50

The subject site is approximately 3.45 acres in gross area. Based on the gross area, the R-30 density range would provide for a range of 63 to 103 multi-family residential units. As single-family detached residential uses are not permitted in the R-30 zone, any proposed single-family attached dwellings, multi-family dwellings or duplex dwellings will be required to meet these standards and density. As such, his standard is met.

SUBTITLE 40.5 PROCEDURES

Chapter 40.500 Overview of Procedures

The Applicant proposes a Comprehensive Plan and Zone Change on the portion of the parcel with a Commercial Comprehensive Plan designation (and Community Commercial zoning) to Urban High Density Residential (and R-30 zoning) to match that of the eastern portion of the site. The Annual Review and Zone Change process requires a Type IV decision-making procedure and public notice of the application.

Chapter 40.560 Plan and Code Amendments

40.560.10 an Amendment Procedures

B. Overall Method of Review.

Proposed plan amendments that are submitted for review shall be subject to the applicable criteria of this section. The review shall be processed by Type IV procedures in Section 40.510.040. Applications for plan map amendments are generally processed in conjunction with concurrent rezone requests. Zoning map amendments must be to a zone corresponding to the requested comprehensive plan map designation. Concurrent zoning map amendments must meet all the approval criteria of this chapter and zone changes consistent with the comprehensive plan map shall be considered subject to the approval criteria of Section 40.560.020.

This narrative is part of a Type IV application for a Comprehensive Plan and Zone Change Annual Review. All materials required by code, and as required in the pre-application conference report, are included. As such, this standard is met.

C. Applicability.

The criteria and requirements of this section shall apply to all applications or proposals for changes to the comprehensive plan text, policies, map designations, zoning map or supporting documents. For the purposes of establishing review procedures, criteria and timelines, amendments shall be distinguished as follows:

2. Comprehensive plan map changes not involving a change to UGA boundaries;

This application is for an Annual Review with associated Zone Change and does not involve changes to the UGA boundaries. As such, this standard is met.

D. Plan Map Changes – Procedure.

2. Site-specific plan map amendments (annual reviews) requested by private parties shall be considered legislative actions, subject to Type IV procedures of Section 40.510.040.

This narrative is part of a Type IV application for Comprehensive Plan and Zone Change Annual Review requested by a private party. All materials required by code, and as required in the preapplication conference report, are included. As such, this standard is met.

3. Submittal Requirements and Timelines of the Annual Review. All applications for site-specific plan map amendments not involving a change to UGA boundaries requested by parties other than the county shall be submitted as follows:

- a. Between October 1st and November 30th, applicants shall submit a pre-application form containing all of the following information:

- (1) The pre-application fee, as specified in county fee ordinance;
- (2) Application form signed by the owner(s) of record;
- (3) Description of request;
- (4) GIS packet;
- (5) Related or previous permit activity; and

- (6) A statement on how the plan/zone change request is consistent with all of the applicable policies and criteria in the comprehensive plan and this chapter.
- b. Between October 15th and December 31st, county staff and applicants shall complete pre-application meetings.

The Applicant submitted a pre-application to the County on November 26, 2019 and a preapplication conference was held on December 18, 2019. As such, this standard is met.

- c. Between January 1st and January 31st, applicant shall submit an application form containing all of the following, including the information required by Section 40.510.030(C)(3):
 - (1) The applicable comprehensive plan and rezone application fees;
 - (2) SEPA checklist and applicable fee;
 - (3) Copy of deed, real estate contract or earnest money agreement;
 - (4) A full analysis of how the plan/zone change request is consistent with the applicable policies and criteria in the comprehensive plan and this chapter;
 - (5) A market analysis and a transportation analysis; and
 - (6) Any additional information the applicant believes is necessary to justify the amendment.

This narrative is part of a Type IV application for Comprehensive Plan and Zone Change Annual Review and has been submitted by January 31st, 2020. All materials required by code, and as required in the pre-application conference report, are included. As such, this standard is met.

4. Annual review applications will not be accepted for properties within an urban growth boundary which are in the process of being annexed.

The subject site is not currently in the process of being annexed. As such, this standard is met.

G. Criteria for All Map Changes.

Map changes may only be approved if all of the following are met:

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; and

Clark County Comprehensive Plan

The plan map change is consistent with the Growth Management Act because it will encourage development in an urban area where public facilities exist; it will help reduce urban sprawl by developing high density residential uses in a location immediately adjacent to other high density residential; and it will allow the Applicant to provide in-demand housing for

low- and middle-class wage earners. The plan map change is consistent with the Community Framework Plan and Comprehensive Plan because it is consistent with the size and character of neighboring parcels in this region (particularly those located to the east and southeast); will acknowledge the existing residential character of the surrounding community; help to meet the density goals of Clark County; provide in-demand housing for low—and middle-income wage earners; provide for an adequate supply of affordable and attainable housing; provide said housing in areas close to places of employment; provide housing along public transit routes; and provide housing designed to meet the needs of people with special needs by providing accessible multi-family dwelling units. The plan map change is consistent with the capital facilities plan because all capital facilities and utilities are currently available at the site and can be expanded to meet the needs of a high-density residential zone. The plan map change is consistent with the official population growth because the Comprehensive Plan states Clark County is anticipated to need an additional 48,340 households by the year 2035 and this plan change will help meet the needs of the growing County by increasing the number of available housing units. Therefore, this criterion is met.

City Comprehensive Plan

While the subject parcel is located within the Vancouver Urban Growth Boundary, there are no applicable city comprehensive plans as the site is located outside of any city boundaries.

Capital Facilities Plan

The application is consistent with applicable capital facilities plans because urban services, including public water and sanitary sewer, are immediately available to the subject parcel.

Population Growth Forecasts

Clark County has seen a steady increase in population growth over the past 20 years, with current trends anticipated to continue. As such, high density residential housing needs will continue to increase. This application contemplates this continued need for affordable housing for an ever-increasing county population and in order to meet Clark County's residential density goals.

2. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan; and

Urban High Density Residential locational criteria per the Clark County Comprehensive Plan is as follows:

Urban High Density Residential (UH)

These areas provide for the highest density housing in the urban area with 43 units per gross acre. Minimum densities assure that these areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs including assisted living facilities. Areas with this designation shall be located in transit corridors and near commercial and employment centers to

provide demand for commercial and transportation services while providing easy access to employment. Institutions and public facilities are allowed in this zone under certain conditions. Base zones in this designation are the R-30 and R-43. Where Offices are determined to be appropriate, Office Residential OR-30 and OR-43 zones can be applied in this designation.

The application is consistent with the location criteria for Urban High Density Residential as found in Chapter 1 of the Clark County Comprehensive Plan. The site is located along a transit corridor (SR 503 with a C-Tran bus stop immediately adjacent to the subject parcel's frontage) and is near commercially-zone parcels and a commercial center (Bowyer Marketplace located at the northwest corner of the intersection of NE 119th Street and SR 503). While vehicular access would not be provided directly from SR 503, vehicular access would be provided from NE 119th Street to NE 122nd Avenue, then south to NE 116th Street.

Community Commercial locational criteria per the Clark County Comprehensive Plan is as follows:

Community Commercial (CC)

A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial zone. New community commercial areas should generally be between five and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles.

The current Comprehensive Plan designation of the majority of the subject parcel of Commercial and zoning of Community Commercial does not meet the locational criteria with regard to site access. The subject parcel is not located along a minor or major arterial. While the site is located along SR 503 (a State Route), recent access limitations associated with an adjacent project imposed by Washington State Department of Transportation (WSDOT) does not allow direct vehicular access onto NE 116th Street from SR 503, or access from NE 116th Street onto SR 503 (refer to Washington State Department of Transportation memorandum dated December 31, 2008), which would provide direct vehicular access to any commercial development. Direct driveway vehicular access onto SR 503 runs contrary to WSDOT's limited access policy. Additionally, a C-Tran bus stop directly abuts the site along SR 503, preventing direct driveway access off of SR 503. As such, re-zoning the subject parcel to be wholly contained within the Urban High Density Residential designation better meets the locational criteria.

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

The site is not only suitable for the proposed designation as it meets the locational criteria above, but it is also located adjacent to other R-30 zoned properties. A review of the subarea surrounding the intersection of NE 119th Street and SR 503 shows the majority of residential zoning in the area as

single-family residential zoning designations or Mixed Use (in addition to the block of R-30 zoned parcels from the subject parcel to NE 128th Avenue, and from NE 119th Street do NE 114th Street). Other zoning designations in the area consist of Community Commercial, Light Industrial, Public Facilities (Prairie High School) or properties contained with an Urban Reserve Overlay. Therefore, there is a lack of Urban High-Density Residential parcels within the vicinity.

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

The proposed plan map amendment responds to a substantial change in conditions applicable to the area within which the subject property lies. As part of a recent project located to the south of the subject parcel (Promenade), WSDOT has indicated that they will not allow vehicular traffic to access NE 116th Street except for emergency vehicles (refer to Washington State Department of Transportation memorandum dated December 31, 2008). This access is shown as a proposed arterial on the Clark County Arterial Atlas. However, because of WSDOT's limited access policy, they have indicated that NE 116th Avenue will never be allowed as a full vehicular access. As such, the direct vehicular access to the subject parcel from SR 503 necessary to support any commercial uses is prohibited. Circuitous routes to access commercial uses, such as would be necessary to access this parcel, runs contrary to the county's policy of providing reduced vehicular trips or distance traveled to access commercial uses.

The plan map amendment also better implements applicable comprehensive plan policies than the current map designation for the majority of the subject parcel as it will allow for high density residential housing needs. This implements the Comprehensive Plan goal of encouraging more compact and efficiently served urban forms, reduces the amount of land to low-density development, and moved the county closer to its residential density goals.

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.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools).

H. Additional Criteria for Commercial Map Changes.

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

The proposed plan map change is from commercial to residential. As such, this criterion does not apply.

I. Additional Criteria for Rural Map Changes.

The proposed plan map change is within the urban growth area. As such, this criterion does not apply.

J. Additional Criteria for Rural Major Industrial Map Changes.

The proposed plan map change is from commercial to residential, within the urban growth area. As such, this criterion does not apply.

K. Rezones/Zone Changes. Rezone applications considered with a plan map amendment request shall be reviewed consistent with the plan matrix table and according to the procedures and timing specifications for plan map amendment specified in this section and shall comply with Section 40.560.020 and Chapter 40.510. Rezone applications proposing a change from urban holding to an urban zoning district that is consistent with the comprehensive plan map designation shall be processed through a Type IV process initiated by the county and consistent with the procedures and criteria identified in the special implementation procedures section in Chapter 13 of the comprehensive plan. See also Section 40.560.020(G).

This narrative is part of a Type IV application for a Comprehensive Plan and Zone Change Annual Review. All materials required by code, and as required in the pre-application conference report are included. As such, this criterion is met.

L. Mixed Use Designation Zone Change Requests

The proposed zone change is from commercial to residential. As such, this criterion does not apply.

M. Additional Required Criteria Specific to Urban Growth Area (UGA) Boundary Map Changes.

The proposed plan map change is from commercial to residential within the UGA. As such, this criterion does not apply.

T. Cumulative Impact.

In reviewing all prospective comprehensive plan changes, the county shall analyze and assess the following to the extent possible:

1. The cumulative impacts of all plan map changes on the overall adopted plan, plan map and relevant implementing measures, and adopted environmental policies;

As previously discussed, the proposed zone change from CC to R-30 will have minimal impact on the overall adopted plan. The zone change will help the county reach the overall residential density goal for the county, while providing the multi-family housing employers look for. There are no

environmentally sensitive areas on or adjacent to the site, therefore there will be no impact to adopted environmental policies.

2. The cumulative land use environmental impacts of all applications on the applicable local geographic area and adopted capital facilities plans; and

There are no environmentally sensitive areas on or adjacent to the site. As such, there will be no impact to adopted environmental policies. All required capital facilities currently exist at the site, therefore there will be minimal impact on the capital facilities plan.

3. Where adverse impacts are identified, the county may require mitigation. Conditions which assure that identified impacts are adequately mitigated may be proposed by the applicant and, if determined to be adequate, imposed by the county as a part of the approval action.

No adverse impacts are anticipated to occur from the approval of this Comprehensive Plan and Zone Change Annual Review application.

U. Fees.

All applicable fees have been, or will be, paid by the Applicant. This standard is met.

40.560.020 Changes to Districts, Amendments, Alterations

A. Procedure, General. The UDC may be amended in any of the following ways:

2. By changing the boundaries of districts through a Type IV comprehensive plan map and zoning map amendment pursuant to Section 40.560.010; or

The proposed application is for a Comprehensive Plan and Zone Change Annual Review. This narrative is part of a Type IV application submitted for this purpose. The Applicant proposes a Comprehensive Plan and Zone Change on the portion of the parcel with a Commercial Comprehensive Plan designation (and Community Commercial zoning) to Urban High Density Residential (and R-30 zoning) to match that of the eastern portion of the site. As such, this standard is met.

B. Application.

2. An application for amendment by a property owner or his authorized agent shall be filed with the responsible official. The application shall be made on forms provided by the county, accompanied by a site plan drawn to scale showing the property involved and adjacent land. A fee shall be paid to the county at the time of filing the application in accordance with the provisions of the county fee schedule.

The Applicant has submitted a Type IV application with the appropriate fees paid to the County. As such, this standard is met.

C. Public Hearings.

2. Type IV Text Amendments.

- a. Before taking final action on a proposed amendment, the planning commission shall hold a public hearing thereon. After receipt of the report on the amendment from the planning commission, the board shall hold a public hearing on the amendment. Public hearings by the planning commission shall be held in accordance with the provisions of Section 40.510.040.

A public hearing will be held for this Annual Review and Zone Change application. As such, this standard is met.

E. Rezone Agreements.

2. Concomitant Rezone Agreements.

- b. **Applicability.** This agreement process will not generally be used for rezones to R1-6, R1-7.5, R1-10 or R1-20. It may, however, be used for any situation where extraordinary potential adverse impacts from a proposed rezone may be neutralized by the agreement. The agreement process may be employed for rezones in sensitive geographic areas such as critical transportation corridors. The agreement process will generally be used for rezones to commercial, industrial, and non-single-family residential not specifically identified by the comprehensive plan map. Airport zoning shall also generally be by concomitant rezone agreement. The intent is that concomitant rezone agreements shall only be used when normal review and approval procedures are not adequate to resolve the specific issues involved in the rezone proposal.

A concomitant rezone agreement is not requested.

G. Approval Criteria.

Zone changes may be approved only when all of the following are met:

1. Requested zone change is consistent with the comprehensive plan map designation.

This application is for a Comprehensive Plan and Zone Change Annual Review. When approved, the annual review will change the comprehensive plan map designation on the Commercial Comprehensive Plan designated portion of the site to Urban High Density Residential. This will make the zone change consistent with the comprehensive plan map designation. This standard is met.

2. The requested zone change is consistent with the plan policies and locational criteria and the purpose statement of the zoning district.

Urban High Density Residential locational criteria is as follows:

Urban High Density Residential (UH)

These areas provide for the highest density housing in the urban area with 43 units per gross acre. Minimum densities assure that these areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs including assisted living facilities. Areas with this designation shall be

located in transit corridors and near commercial and employment centers to provide demand for commercial and transportation services while providing easy access to employment. Institutions and public facilities are allowed in this zone under certain conditions. Base zones in this designation are the R-30 and R-43. Where Offices are determined to be appropriate, Office Residential OR-30 and OR-43 zones can be applied in this designation.

The application is consistent with the location criteria for Urban High Density Residential as found in Chapter 1 of the Clark County Comprehensive Plan. The site is located along a transit corridor (SR 503 with a C-Tran bus stop immediately adjacent to the subject parcel's frontage) and is near commercially-zone parcels and a commercial center (Bowyer Marketplace located at the northwest corner of the intersection of NE 119th Street and SR 503). While vehicular access would not be provided directly from SR 503, vehicular access would be provided from NE 119th Street to NE 122nd Avenue, then south to NE 116th Street.

Community Commercial locational criteria is as follows:

Community Commercial (CC)

A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial zone. New community commercial areas should generally be between five and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles.

The current Comprehensive Plan designation of the majority of the subject parcel of Commercial and zoning of Community Commercial does not meet the locational criteria with regard to site access. The subject parcel is not located along a minor or major arterial. While the site is located along SR 503 (a State Route), recent access limitations associated with an adjacent project imposed by Washington State Department of Transportation (WSDOT) does not allow direct vehicular access onto NE 116th Street from SR 503, or access from NE 116th Street onto SR 503 (refer to Washington State Department of Transportation memorandum dated December 31, 2008), which would provide direct vehicular access to any commercial development. Direct driveway vehicular access onto SR 503 runs contrary to WSDOT's limited access policy. Additionally, a C-Tran bus stop directly abuts the site along SR 503, preventing direct driveway access off of SR 503. As such, re-zoning the subject parcel to be wholly contained within the Urban High-Density Residential designation better meets the locational criteria. As such, this standard is met.

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.

The proposed plan map amendment responds to a substantial change in conditions applicable to the area within which the subject property lies. As part of a recent project located to the south of the subject parcel (Promenade), WSDOT has indicated that they will not allow vehicular traffic to access NE 116th Street except for emergency vehicles (refer to Washington State Department of Transportation memorandum dated December 31, 2008). This access is shown as a proposed arterial on the Clark County Arterial Atlas. However, because of WSDOT's limited access policy, they have indicated that NE 116th Avenue will never be allowed as a full vehicular access. As such, the direct vehicular access to the subject parcel from SR 503 necessary to support any commercial uses is prohibited. Circuitous routes to access commercial uses, such as would be necessary to access this parcel, runs contrary to the county's policy of providing reduced vehicular trips or distance traveled to access commercial uses. The substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.

The plan map amendment also better implements applicable comprehensive plan policies than the current map designation for the majority of the subject parcel as it will allow for high density residential housing needs. This implements the Comprehensive Plan goal of encouraging more compact and efficiently served urban forms, reduces the amount of land to low-density development, and moved the county closer to its residential density goals. This standard is met.

- 4. There are adequate public facilities and services to serve the requested zone change.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools). Police and fire service are also currently available and the site. This standard is met.

Chapter 40.570 State Environmental Policy Act (SEPA)

This application is subject to a SEPA checklist per Washington Administrative Code (WAC) 197-11. A SEPA Checklist accompanies this application. This standard is met.

40.570.080 SEPA and County Decisions
C. SEPA Policies.

3. The county designates the following policies applicable to the major elements and selected sub-elements of the environment as defined by WAC 197-11-444, and incorporates by reference the policies in the cited county codes, ordinances, resolutions and plans, and all amendments to them in effect prior to the date of application of any building permit or preliminary plat, or prior to issuance of a DNS or DEIS for any other action:

k. Historic and Cultural Preservation.

An Archaeological Predetermination is not required for this application per Table 40.570.080-1 as there are no direct site impacts associated with this proposal. Upon development of the subject parcel, an archaeological predetermination will be required to be completed. This standard is met.

SUBTITLE 40.6 DEVELOPMENT IMPACT FEES

Chapter 40.610 Development Impact Fees – General Provisions

40.610.040 Imposition of Impact Fee

Future development of the site will require payment of impact fees. This standard will be met.

Conclusion

The Applicant has provided findings of fact that the proposed Comprehensive Plan Zone Change Annual Review is consistent with the elements of the Growth Management Act, requirements of the Countywide Planning Policies, the Community Framework Plan, the Comprehensive Growth Management Plan, and applicable county zoning requirements. The portion of the subject property that currently has a Commercial Comprehensive Plan designation and Community Commercial zoning is more suitable for an Urban High Density Residential Comprehensive Plan designation with an R-30 Zoning Designation under the above-referenced criteria because of the following:

- The subject parcel is split zoned with a portion of the site zoned R-30 and is located adjacent to other R-30 zoned parcels.
- The subject parcel does not currently and will not have direct vehicular access to SR 503 because of WSDOT limited access standards and the presence of an existing C-Tran bus stop along the site's frontage with SR 503. Any commercial development of the site would require a circuitous route along local access and neighborhood circulator roads through residential neighborhoods for vehicles to access the site.
- Vehicular access to the site is more closely reminiscent of access to other residentially zoned parcels in the area off local access and neighborhood circulator roadways.
- The substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.
- The subject parcel better meets the locational criteria for an Urban High Density Residential zoning designation rather than Community Commercial zoning designation.
- The zone change would be consistent with the character of the surrounding area.
- The subject parcel is served by public roads and utilities, as well as C-Tran and Battle Ground Public Schools.

This will allow the Applicant to provide high-density multi-family housing that will help meet the growth projections of the Clark County Comprehensive Plan. As a Pre-Application Conference was submitted in

a timely manner and as the applicable policies and criteria have been addressed, it is respectfully requested that this Comprehensive Plan Zone Change Annual Review be approved.

PROMENADE NORTH COMPREHENSIVE PLAN ZONE CHANGE ANNUAL REVIEW Narrative

Project Details

The subject parcel is split zoned. The Applicant proposes a Comprehensive Plan and Zone Change Annual Review on the portion of the subject parcel with a Commercial Comprehensive Plan designation and Community Commercial zoning, which consists of the western approximately 4/5th of the site, to Urban High Density Residential and R-30 zoning to match that of the eastern portion of the site.

Project Location

The project site is located on the north side of NE 116th Street and the east side of SR 503 (NE 117th Avenue), Vancouver, Washington and is described as Tax Lot 144, tax assessor's serial number 200200-000, located in the Northwest ¼ of Section 34, T3N, R2E, W.M.

Site Characteristics

The subject parcel is currently vacant and unused and is approximately 3.45 acres in size according to Clark County GIS. The site is split zoned with Community Commercial zoning on the western approximately 4/5th of the site (with a Commercial Comprehensive Plan designation) with the balance zoned R-30 (with an Urban High Density Residential Comprehensive Plan designation). Adjacent property uses and zoning are as follows:

- North – Single-family residential uses on Community Commercial zoned properties.
- South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (yet to be constructed) self-storage use on Community Commercial zoned property.
- East – Multi-family residential uses on R-30 zoned property.
- West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.

Refer to the Developer's GIS Packet for more information.

According to Clark County GIS, there are no environmental factors affecting the site. However, it is located within a Critical Aquifer Recharge Area (CARA) Category 1.

Previous Permit and Zoning Activity

The Pre-Application Conference Final Report indicates, "The parcel was split zoned during a boundary line adjustment in 2017 (BLA2017-00014)." However, it should be noted that a review of the Clark County Comprehensive Zoning Map in 1994 indicates the subject parcel is zoned Commercial in the western approximately 4/5th of the site, with the eastern approximately 1/5th of the site outside of the

Urban Growth Boundary. The eastern portion of the site was zoned Residential with the 2003 Comprehensive Plan review that was finalized in 2007, with the Urban Holding designation lifted in 2008. The Boundary Line Adjustment staff refers to did not adjust lot lines of the subject parcel but those of the parcels to the east and northeast. A copy of the Boundary Line Adjustment approval has been included in this application.

While Clark County GIS has flagged the parcel as having previous permit activity, the listed permits are associated with Brush Prairie Apartments, PSR2016-00003, located to the east and do not affect the subject parcel.

A letter has been submitted from Washington State Department of Transportation (WSDOT) indicating vehicular access limitations to NE 116th Street that borders the subject parcel along the south as part of The Promenade apartment project to the south. WSDOT has indicated that only emergency access will be allowed onto and off NE 116th Street; that no direct vehicular access will be allowed onto or off of NE 116th Street because of right-of-way limitations and the presence of a cemetery to the south in order to construct a right-turn deceleration lane onto NE 116th Street. Direct access to the subject parcel from SR 503 is further prohibited because of an existing C-Tran transit stop adjacent to the subject parcel's right-of-way with SR 503 as well as WSDOT's access limitations from state routes. The Pre-Application Conference Final Report indicates that this letter no longer qualifies as a substantial change in conditions because the parcel was purchased in 2016. It further mentions that a purchase of the subject parcel in May 2016 saw the current owner sell the subject parcel, along with then-parcel 200192-000 (later determined to be one legal lot combined with the subject parcel [parcel 200200-000]) to Highland Crossing, LLC, and Highland Crossing, LLC selling the subject parcel back to the current over in August 2016, invalidating this letter as a significant change in conditions in order to meet that Comprehensive Plan's criterion. Staff has not provided any evidence as to why the sale of the subject parcel invalidates the WSDOT letter indicating vehicular access limitations to NE 116th Street as a substantial change in conditions. However, as the property is currently owned by the same owner that purchased the property back in August 1990 (prior to GMA), the WSDOT letter continues serve as a substantial change in conditions (please refer to the deed history provided in this application for more information). While the Applicant's consultant has contacted WSDOT for an updated letter or response to their original letter, the substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.

Applicant's Interest in the Property

The Applicant, Bill Maitland, is considering purchase of the subject parcel and has entered into a Purchase and Sale Agreement with the property owners.

Applicable Review Criteria (Applicant's responses are shown in **bold** text)

WAC 365-196-300

Urban density.

- (1) The role of urban areas in the act. The act requires counties and cities to direct new growth to urban areas to allow for more efficient and predictable provision of adequate public facilities, to promote an orderly transition of governance for urban areas, to reduce development pressure on rural and resource lands, and to encourage redevelopment of existing urban areas.

The subject site is located within the Vancouver Urban Growth Area (UGA) and surrounded by urban development. Public facilities, such as sanitary sewer and public water, are currently available to the subject parcel.

(2) How the urban density requirements in the act are interrelated. The act involves a consideration of density in three contexts:

- (a) Allowed densities: The density, expressed in dwelling units per acre, allowed under a county's or city's development regulations when considering the combined effects of all applicable development regulations.
- (b) Assumed densities: The density at which future development is expected to occur as specified in the land capacity analysis or the future land use element. Assumed densities are also referred to in RCW 36.70A.110 as densities sufficient to permit the urban growth that is projected to occur.
- (c) Achieved density: The density at which new development occurred in the period preceding the analysis required in either RCW 36.70A.130(3) or 36.70A.215.

The subject site will be able to meet the density requirements of Clark County Code (CCC) Chapter 40.220.020 Residential and Office Residential Districts. According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre.

(3) Determining the appropriate range of urban densities. Within urban growth areas, counties and cities must permit urban densities and provide sufficient land capacity suitable for development. The requirements of RCW 36.70A.110 and 36.70A.115 apply to the densities assumed in the comprehensive plan and the densities allowed in the implementing development regulations.

- (a) Comprehensive plans. Under RCW 36.70A.070(1) and in RCW 36.70A.110(2), the act requires that the land use element identify areas and assumed densities sufficient to accommodate the twenty-year population allocation. The land use element should clearly identify the densities, or range of densities, assumed for each land use designation as shown on the future land use map. When reviewing the urban growth area, the assumed densities in the land capacity analysis must be urban densities
- (b) Development regulations. Counties and cities must provide sufficient capacity of land suitable for development.
 - (i) Development regulations must allow development at the densities assumed in the comprehensive plan.
 - (ii) Counties and cities need not force redevelopment in urban areas not currently developed at urban densities, but the development regulations must allow, and should not discourage redevelopment at urban densities. If development patterns are not occurring at urban densities, counties and cities should review development regulations for potential barriers or disincentives to development at urban densities. Counties and cities should revise regulations to remove any identified barriers and disincentives to urban densities, and may include incentives.

The proposed zone change to R-30 will allow for a development that will help Clark County achieve its residential density goals stated in the Comprehensive Plan.

(4) Factors to consider for establishing urban densities. The act does not establish a uniform standard for minimum urban density. Counties and cities may establish a specified minimum density in county-wide or multicounty planning policies. Counties and cities should consider the following factors when determining an appropriate range of urban densities:

(a) An urban density is a density for which cost-effective urban services can be provided. Higher densities generally lower the per capita cost to provide urban governmental services.

The subject parcel currently has urban services available. Surrounding properties are zoned to allow for an urban density, however, not all properties in the area are developed to this density. The proposed zone change would allow development of the subject site to the allowed urban density. It is assumed that adjacent developed properties were constructed within the densities established through Clark County Code.

(b) Densities should be higher in areas with a high local transit level of service. Generally, a minimum of seven to eight dwelling units per acre is necessary to support local urban transit service. Higher densities are preferred around high capacity transit stations.

The subject site is located in an area with two transit routes serving the site. The location of the subject parcel along a high-capacity transit route, with a C-Tran bus stop located along the subject parcel's frontage with SR 503, lends itself to higher density residential development. According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre to help support urban transit services. As such, this policy is met.

(c) The areas and densities within an urban growth area must be sufficient to accommodate the portion of the twenty-year population that is allocated to the urban area. Urban densities should allow accommodation of the population allocated within the area that can be provided with adequate public facilities during the planning period.

There are some properties that are adjacent to the subject parcel that are underdeveloped, yet they can be serviced by public facilities because of their proximity to the high-capacity transit corridor along SR 503. The proposed Comprehensive Plan Zone Change for the site would further move the County in achieving proper density goals for the area.

(d) Counties and cities should establish significantly higher densities within regional growth centers designated in RCW 47.80.030; in growth and transportation efficiency centers designated under RCW 70.94.528; and around high capacity transit stations in accordance with RCW 47.80.026. Cities may also designate new or existing downtown centers, neighborhood centers, or identified transit corridors as focus areas for infill and redevelopment at higher densities.

The subject site is not located within a regional growth center. The proposed Comprehensive Plan and Zone Change Annual Review is consistent with the existing zoning surrounding the site, particularly zoning located to the east of the subject parcel.

- (e) Densities should allow counties and cities to accommodate new growth predominantly in existing urban areas and reduce reliance on either continued expansion of the urban growth area, or directing significant amounts of new growth to rural areas.

The proposed zone change will allow the development of multi-family residences, providing low- and medium-income housing for new growth within the current Urban Growth Boundary. The subject site is surrounded by existing multi-family residential to the east and south, and there are existing public facilities to accommodate the future growth.

- (f) The densities chosen should accommodate a variety of housing types and sizes to meet the needs of all economic segments of the community. The amount and type of housing accommodated at each density and in each land use designation should be consistent with the need for various housing types identified in the housing element of the comprehensive plan.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, a variety of housing types and sizes are permitted, including duplex dwellings, multi-family dwellings, adult family homes, assisted living facilities, and townhouses are allowed in the proposed R-30 zone. Additionally, residential care home and facilities, and staffed residential homes are allowed as conditional uses (CCC Table 40.220.020-1). As such, this policy is met.

- (g) Counties and cities may designate some urban areas at less than urban densities to protect a network of critical areas, to avoid further development in frequently flooded areas, or to prevent further development in geologically hazardous areas. Counties or cities should show that the critical areas are present in the area so designated and that area designated is limited to the area necessary to achieve these purposes.

The proposed R-30 zone will further move Clark County to meet urban densities within the urban area. There are no critical areas on or near the site that would cause a need to reduce the proposed urban density in this area. Allowing the proposed R-30 zoning designation would further reduce critical area impacts through the development on land not encumbered by critical areas.

(5) Addressing development patterns that occurred prior to the act.

- (a) Prior to the passage of the act, many areas within the state developed at densities that are neither urban nor rural. Inside the urban growth area, local comprehensive plans should allow appropriate redevelopment of these areas. Newly developed areas inside the urban growth area should be developed at urban densities.

The proposed application is for a Comprehensive Plan and Zone Change for a portion of the site from a Commercial Comprehensive Zone designation and Community Commercial zone to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning. According to the 1994 Clark County Zoning Map, the subject site has been zoned commercial since 1994 and has remained undeveloped, The Applicant proposes to develop the site with in-demand residential. This policy does not apply.

- (b) Local capital facilities plans should include plans to provide existing urban areas with adequate public facilities during the planning period so that available infrastructure does not serve as a limiting factor to redevelopment at urban densities.

Adequate public facilities exist at the subject site. Sanitary sewer and public water are available to the site within NE 116th Street that borders the subject parcel to the south. Other utilities, including communication, gas, electrical, etc. are available in the vicinity of the subject parcel.

CLARK COUNTY COMPREHENSIVE PLAN POLICIES (Applicant's responses are shown in **bold** text)

Chapter 1 – Land Use Element

Goals and Policies

Land Use Element policies

The Land Use Element for 20-year comprehensive plans determines the general distribution and location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other uses. The Land Use Element includes population densities, building intensities and estimates of future population growth. The land use element is to provide for protection of groundwater resources and where applicable, address drainage, flooding and runoff problems and provide for coordinated solutions. The following policies are to coordinate the efforts of Clark County and cities in designating land uses, densities and intensities to achieve the pattern described above in their respective Comprehensive Growth Management Plans.

This application is for a Comprehensive Plan and Zone Change Annual Review to change the land use designation of a portion of a parcel of property in Clark County. Therefore, the goals and policies of the Land Use Element of the Comprehensive Plan apply.

1.1 Countywide Planning Policies

- 1.1.1 Clark County, municipalities and special districts will work together to establish urban growth areas within which urban growth shall be encouraged and outside of which growth may occur only if it is not urban in nature. Each municipality within Clark County shall be included within an urban growth area. An urban growth area may include territory located outside of a city if such territory is characterized by urban growth or is adjacent to areas characterized by urban growth.

As the Applicant is proposing an urban zoning designation concurrent with other adjacent zoning, the subject parcel is located within unincorporated Clark County, as well as within the Urban Growth Boundary, this policy is met.

- 1.1.2 Urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in Clark County for the succeeding 20-year period.

The Applicant is proposing to change the portion of the subject parcel that currently has a Comprehensive Plan designation of Commercial and zoning of Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning to match that of the eastern approximately 1/5 of the

site, which will provide a density consistent with the surrounding area and allow for the creation of in-demand housing to support the growth in Clark County. As such, this policy is met.

1.1.3 Urban growth shall be located primarily in areas already characterized by urban growth that have existing public facility and service capacities to adequately serve such development and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services that are provided by either public or private sources. Urban governmental services shall be provided in urban areas. These services may also be provided in rural areas, but only at levels appropriate to serve rural development. Urban governmental services include those services historically and typically delivered by cities or special districts and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection, public transit services and other public utilities not normally associated with non-urban areas.

The subject site is currently located within the Urban Growth Boundary and is surrounded by existing residential development. Public facilities are currently available to the site including sanitary sewer, public water, fire and police protection services, and public transit services. As such, this policy is met.

1.1.9 Clark County and municipalities shall use the results of the Buildable Lands Capacity Report to determine the most appropriate means to address inconsistencies between land capacity and needs. In addressing these inconsistencies, Clark County and municipalities shall identify reasonable measures, other than adjusting urban growth areas that will be taken to comply with the requirements of Chapter 36.70A.

While the proposed Comprehensive Plan and Zone Change Annual Review will remove commercially zoned land and add high-density residential land, the percentage of change will be a de minimis amount (approximately 2.52 acres) within the whole county and will allow the current balance to be maintained. The subject property has been zoned Commercial since 1994 and has remained undeveloped. As such, this policy is met.

County 20-Year Planning Policies

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 Policies

1.2.1 The UGAs shall be consistent with the following general goals:

- reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

The proposal is to change the Comprehensive Plan designation from Commercial and zoning from Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning of the western approximately 4/5th of the site. As such, this goal is met.

- provide for the efficient provision of public services;

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this goal is met.

- protect natural resource, environmentally sensitive and rural areas;

There are no natural resources, environmentally sensitive areas, or rural areas on or within the vicinity of the site. As such, this goal is met.

- encourage a clear distinction between urban and rural areas;

The proposed Comprehensive Plan and Zone Change would allow for an urban high-density residential development within the urban growth boundary with other similar high-density residential development in the immediate vicinity. As the subject parcel is located within the urban growth boundary, there is no impact on rural areas. As such, this goal is met.

- maintain densities which support a multi-modal transportation system;

The proposed R-30 zone will provide a density that is consistent with the surrounding zoning, which will help to maintain support for the existing multi-modal transportation system serving the site, including vehicular, pedestrian, bicycles, and public transportation. Additionally, the location criteria for high-density residential development along transit routes is supported by the presence of an existing C-Tran bus stop along the subject parcel's frontage with SR 503. As such, this goal is met.

- support variety, choice and balance in living and working environments;

The proposed zone change will allow for development of a vacant property with multi-family residential development that will be adjacent to public transit and other major travel ways, while still being within an area developed with other high-density residential. Additionally, commercial uses in the area, such as Bowyer Marketplace located approximately 800 feet to the northwest, provides for a variety of commercial services and employment opportunities within walking or biking distance. This provides a balance of living in a residential neighborhood while still being able to commute to work via public transportation, bicycle, vehicle, or as a pedestrian. As such, this goal is met.

- promote a variety of residential densities; and,

The proposed R-30 zone is consistent with the surrounding densities, maintaining the overall variety of residential densities within the county and moving the county toward their overall residential density goals. As such, this goal is met.

- include sufficient vacant and buildable land.

The subject site contains approximately 3.45 acres of vacant buildable land. This will allow for a development that meets the density and dimensional requirements of the proposed R-30 zone. As such, this goal is met.

1.2.2 The UGAs 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.

The proposed change to R-30 will allow for the development of in-demand multi-family residential product to accommodate the expected population growth, as well as to provide housing for a variety of income levels. Additionally, the access limitations to the subject parcel imposed by Washington State Department of Transportation (WSDOT) no longer makes the subject parcel a viable site for commercial development. Therefore, the zone change would not have a significant effect on supplying employment for the proposed growth but can accommodate the future population's housing needs upon approval. As such, this criterion is met.

- Cities shall be located within UGAs. Urban services shall be provided within those areas. Urban services should generally not be provided outside UGAs. (See Chapter 6, Capital Facilities and Utilities for urban and rural services.)

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this criterion is met.

- Lands included within UGAs shall either be already characterized by urban growth or adjacent to such lands.

The subject parcel is surrounded by other urban development, including a public high school and commercial uses to the west and high-density residential uses to the south and east. As such, this criterion is met.

- Existing urban land uses and densities should be included within UGAs.

The subject site is located within the urban growth area boundary. As such, this criterion is met.

- Land within the UGA shall not contain areas designated for long-term agriculture or forestry resource use.

The subject site does not contain, nor is it in the vicinity of, areas designated for long-term agricultural or forest use. As such, this criterion is met.

- UGAs shall provide a balance of industrial, commercial and residential lands.

While the proposed Comprehensive Plan and Zone Change Annual Review will replace commercially zoned land with high-density residential land, the percentage of change will be de minimis amount within the whole county and will allow the current balance to be maintained. As such, this criterion is met.

- The UGAs should utilize natural features (such as drainage ways, steep slopes, open space and riparian corridors) to define the boundaries.

The subject site has been located within the UGA since 1994 and is surrounded by lands developed with urban uses. As such, this criterion is met.

- No UGA expansion into the 100-year floodplain of a river segment that is located west of the Cascade crest and when the river has a mean annual flow of 1,000 or more cubic feet per second per RCW36.70A.110(8).

The proposal does not expand into any 100-year flood plain. As such, this criterion is met.

- Each UGA shall have the anticipated financial capability to provide infrastructure/services needed in the area over the planning period under adopted concurrency standards.

Infrastructure and public services currently exist to and around the subject parcel. The expansion and extension of utilities will occur with future development of the site, and any future development will pay appropriate impact fees and system development charges for services. Proposed Average Daily and PM peak vehicular trips will be reduced with the zone change, thereby reducing the demand on the local transportation system. Please refer to Trip Generation Assessment, as provided by Charbonneau Engineering, LLC, dated January 15, 2020, for more information. As such, this criterion is met.

Vancouver Urban Growth Area

1.2.3 Ensure coordination of environmental protection, preservation and enhancement programs and regulations.

There are no environmentally sensitive or habitat areas on or within the vicinity of the site. As such, this policy does not apply.

1.2.5 Restrict amendments to the urban growth boundary to encourage infill development.

The subject parcel is located within with urban growth boundary and will not require amendments to the urban growth boundary.

1.2.6 Concentrate development in areas already served by public facilities and services. Use the provision or planned provision of public services and facilities as a means of directing development into desirable areas.

Public services, including sanitary sewer and public water, are immediately available to the site from within NE 116th Street. Emergency services and public transportation are also available at the site. As such, this policy is met.

1.2.7 Water service should be extended throughout the Vancouver urban area in accordance with the timing and phasing established in the Vancouver six-year capital facilities plan. Extension of public water service should not be permitted outside the Vancouver urban area.

Water service exists at the site within NE 116th Street, with Clark Public Utilities serving as the purveyor. Water service will be extended through the site with any future development. As such, this policy is met.

1.2.8 Encourage retrofitting areas with sewer and prohibit new development on septic tanks in the urban growth area.

There are no existing septic tanks on site. Public sewer exists at the site within NE 116th Street, with Clark Regional Wastewater District serving as the purveyor. Sewer service will be extended through the site with any future development. As such, this policy is met.

Goal: Encourage more compact and efficiently served urban forms and reduce the inappropriate conversion of land to sprawling, low-density development.

1.3 Policies

1.3.1 Urban densities and uses may occur throughout the urban growth area if it is provided with adequate services. Development and redevelopment in the UGA should be strongly encouraged to occur in greater intensity in major centers, transit routes and other areas characterized by both existing higher density urban development and existing urban services. Development and redevelopment should be encouraged to occur with less intensity in areas where urban development is of lower density or has not yet occurred, or in areas where urban services do not yet exist.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation with connections to the existing sidewalks along NE 116th Street to the east.

Sanitary sewer and water are both available within NE 116th Street along the subject parcel's frontage.

The site is located approximately 800 feet south of Bowyer Marketplace, located at the northwest corner of the intersection of NE 119th Street and SR 503, which provides for a variety of commercial uses and employment opportunities. A Shell station and convenience store is located approximately 600 feet to the north at the southeast corner of the intersection of NE 119th Street and SR 503.

High density residential development is supported by the C-Tran transit stop along the subject parcel's frontage with SR 503.

Adjacent property uses and zoning are as follows:

- **North – Single-family residential uses on Community Commercial zoned properties.**
- **South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (but yet to be constructed) self-storage use on Community Commercial zoned property.**
- **East – Multi-family residential uses on R-30 zoned property.**
- **West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.**

Based on the above, the policy of encouraging higher density residential development in an area where urban services exist, that is near an urban center (Bowyer Marketplace), along a transit route, and provided in an area characterized by other higher density development has been met.

1.3.4 Zoning ordinances and other implementing measures shall specify maximum and minimum residential densities with the residential zoning districts.

The subject site is approximately 3.45 acres in size. The site will be able meet the residential densities and minimum lot dimensions (if applicable) as required by section 40.220.020 of the Clark County Code. As such, this policy is met.

Goal: Integrate land uses to reduce sprawl, promote physical activity through active transportation and foster neighborhood and community identity.

1.4 Policies

1.4.1 Interrelated uses should generally be encouraged to locate in close proximity of each other:

- Frequently used commercial activities and the residential areas they serve should be allowed and encouraged to locate near to one another.
- Schools or other frequently used public facilities and the residential areas they serve should be allowed and encouraged to locate near to one another.
- 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 non-residential uses on the residential areas are mitigated.

According to the 1994 Clark County Zoning Map, the existing site has had the opportunity to develop in a commercial use, and to this point has not. There are existing commercial uses and employment opportunities in the immediate area to the north, such as Bowyer Marketplace. Prairie High School is located directly across SR 503 from the subject parcel. As such, this policy is met.

1.4.3 Promote the development of identifiable residential neighborhoods and shopping districts through the encouragement of more compact development patterns and the use of shared design and landscaping characteristics and the development of landmarks.

The subject site will be able to be developed as part of an identifiable neighborhood connecting to the existing neighborhood to the east and south. As such, this policy is met.

1.4.7 Higher intensity uses should be located on or near streets served by transit.

The proposal is to change the Comprehensive Plan designation from Commercial and zoning from Community Commercial to an Urban High Density Residential Comprehensive Plan designation and R-30 zoning. As there is a C-Tran transit stop directly adjacent to the subject site's frontage with SR 503, this policy is met.

1.4.8 Streets, pedestrian paths and bike paths should contribute to a system of fully connected routes to all destinations.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to the existing sidewalks along NE 116th Street to the east. NE 116th

Street also provides direct pedestrian access to SR 503. As such, this policy is met.

1.4.9 Access to the transit system should be provided.

- Transit stations should be located at major activity centers and along transit streets and nodes.
- Neighborhoods and commercial nodes should have access to the public transportation system.
- Transit stops should be located within convenient walking distance of residential and employment populations.
- Transit shelters should be provided where appropriate.
- Bicycle parking should be included in commercial, industrial and public facility sites.

C-Tran provides transit service to the area with Routes 7 and 47 with a transit stop adjacent to the subject parcel's frontage with SR 503. As the proposal is to rezone the subject to residential zoning, no shelter or bike parking are provided. As such, this policy is met.

Chapter 2 – Housing Element

Goals and Policies

Clark County has developed general goals and policies it will use to direct housing development. The Clark County Housing policies are as follows:

2.1 Countywide Planning Policies

2.1.3 Link transportation and housing strategies to assure reasonable access to multimodal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation.

The subject parcel is currently served by multimodal transportation. C-Tran provides service to the site and has a bus stop immediately adjacent subject parcel's frontage with SR 503. Sidewalks exist along SR 503 and along NE 116th Street east of the site that will be connected to upon site development. As such, this policy is met.

2.1.4 Link housing strategies with the locations of work sites and jobs.

Bowyer Marketplace and other commercial uses are located to the north and west of the subject parcel providing employment opportunities. As such, this policy is met.

2.1.5 Link housing strategies with the availability of public facilities and public services.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the

immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools). Police and fire service are also currently available and the site. As such, this policy is met.

County 20-Year Planning Policies

Goal: Provide for diversity in the type, density, location and affordability of housing throughout the county and its cities. Encourage and support equal access to housing for rental and homeowners and protect public health and safety.

2.2 Policies

2.2.1 Ensure that implementation measures recognize variety of family structure.

While the final housing product that will result from the proposed Comprehensive Plan and Zone Change is undetermined, the proposed R-30 zoning will allow for multi-family residential units such as apartments, townhomes and duplexes. As such, this policy is met.

2.2.2 Encourage a variety of housing types and densities, including mixed-use centers, services and amenities.

While the final housing product that will result from the proposed Comprehensive Plan and Zone Change is undetermined, the proposed R-30 zoning would match the adjacent zoning to the east and southeast and would allow for multi-family residential units such as apartments, townhomes and duplexes. As such, this policy is met.

2.2.4 Develop a fair share housing allocation that provides low and moderate income housing targets for cities and urban growth areas. The program should include a housing inventory, incentives and financing mechanisms.

The proposed Comprehensive Plan and Zone Change would allow for high-density residential development. This will provide for low- and medium-income multi-family housing. As such, this policy is met.

2.2.5 Preserve the character of stable residential neighborhoods through selective and innovative zoning techniques.

The proposed zone change to residential would preserve the character of the established residential neighborhood that is immediately adjacent to the site. Commercial development as permitted under the current Community Commercial zone would significantly change the character of the surrounding neighborhood, particularly with added vehicular trips associated with the circuitous route to access the subject parcel along local access and neighborhood circulator roadways through residential neighborhoods. As such, this policy is met.

2.2.6 Encourage a variety of housing types and densities in residential neighborhoods.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, a variety

of housing types, sizes and densities are permitted, including duplex dwellings, multi-family dwellings, adult family homes, assisted living facilities, and townhouses are allowed in the proposed R-30 zone. Additionally, residential care home and facilities, and staffed residential homes are allowed as conditional uses (CCC Table 40.220.020-1). Residential densities in the R-30 zone range from 18-30 residential units per acre. As such, this policy is met.

2.2.8 Assure that policies, codes and ordinances promote neighborhood designs that are pedestrian and transit friendly and discourage reliance upon the automobile.

Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to existing sidewalks to the east. Additionally, a C-Tran transit stop is located along the subject parcel's frontage with SR 503. The methods of public transit, pedestrian, and cycling options create an ease of use for transportation options that do not rely on the automobile. As such, this policy is met.

Goal: Support diversity in the mix of housing types in the community, while improving home ownership tenure.

2.7 Policies

2.7.1 Provide opportunities for new development to occur. There shall be no more than 75 percent of any single product type of housing in any jurisdiction (e.g., single-family detached residential). Strategies to achieve these opportunities include but are not limited to:

- Minimum density for single family. These should average: eight dwelling units per acre within the Vancouver urban growth area, six units per acre with the Battle Ground, Camas, Ridgefield and Washougal urban growth area and four units per acre within the La Center urban growth area.

According to the Clark County Buildable Lands Report (June 2015 Amended) between the years of 2006 and 2014 the unincorporated portion of the Vancouver Urban Growth Area achieved a 79% single-family and 21% multi-family residential split which exceeds the County-wide planning policy of no more than 75% of the new housing stock of a single product type. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their policy of increasing multi-family residential development to bring the 75% policy closer to fruition.

According to the Clark County Buildable Lands Report (June 2015 Amended) there is an overall density of 5.7 residential units per acre for both single- and multi-family residential development. Rezoning the commercially zoned portion of the subject parcel to R-30 will move the county closer to their goal of 8 dwelling units per acre. As such, this policy is met.

- Provisions for Accessory Dwelling Units.

According to CCC 40.260.020(B)(1), accessory dwelling units are only allowed within multi-family zoned parcels with an existing single-family dwelling. As there are no existing single-family dwellings on the subject parcel, this policy does not apply.

- Provision for duplexes in single family.

The proposed Comprehensive Plan and Zone Change Annual Review is for a change from Commercial to Urban High Density Residential. As such, this policy does not apply.

- Provisions for townhouses/row houses.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, townhouses are allowed in the proposed R-30 zone. As such, this policy is met.

- Allowance of manufactured home parks.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, manufactured home parks are allowed in the proposed R-30 zone. As such, this policy is met.

- Provision for diversified housing types allowed as part of a Planned Unit Development.

Planned Unit Developments are allowed in the proposed R-30 zone, allowing for a diversity of housing types. As such, this policy is met.

- Recognition of the flexibility allowed in housing types as part of a Mixed Use Development (e.g. living units above commercial areas).

The proposed zone change is from Commercial to Urban High Density Residential. As such, his policy does not apply.

- Recognition of Assisted Living Units as a housing type.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, assisted living facilities are allowed in the proposed R-30 zone. As such, this policy is met.

- Provision for diversified housing types allowed as part of a mixed use development.

The proposed zone change is from Commercial to Urban High Density Residential. As such, this policy does not apply.

- Recognition of Senior Housing Units as a housing type.

While the final housing product that will result from the proposed annual review and zone change is undetermined, according to CCC Table 40.220.020-1, senior housing units, such as residential care homes and facilities, family day care centers, adult family homes, assisted living facilities and staffed residential homes are permitted or Conditional Uses in the proposed R-30 zone. As such, this policy is met.

2.7.3 Encourage housing that is created using the principles of Universal Design.

Any housing development that results from the approval of this annual review and zone change will have housing built that meets the requirements of Clark County Code. This policy is met.

Chapter 9 – Economic Development Element

Goals and Policies

9.0 Clark County Economic Development Vision Statement:

“Clark County will grow as a high-wage economy that creates jobs at a rate in excess of population growth and an increasing percentage of the population will both live and work in Clark County. There will be an emphasis on emerging clusters that have a significant knowledge-based component.

9.1 Countywide Planning Policies

9.1.1 The county and cities will demonstrate their commitment to long-term economic growth by promoting a diverse economic base, providing opportunity for all residents, including unemployed and disadvantaged persons. Growth which helps to measurably raise the average annual wage rate of community residents and preserves the environmental quality and livability of our community, is viable growth and will improve the lifestyle of Clark County residents.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force. Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

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

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force. Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Employers are more likely to expand to areas that have adequate and appropriately priced housing. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

9.1.7 The county and cities will plan for long-term economic growth, which enhances the capacity of existing air shed for job-generating activities.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, it is not likely to have an impact on the long-term economic growth in the County. Without housing, it is potentially more difficult to attract a labor force.

Providing more affordable multi-family housing will improve opportunities for added employment in Clark County by better providing workforce housing opportunities. Employers are more likely to expand to areas that have adequate and appropriately priced housing. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy is met.

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

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, the subject site can be considered a secondary or tertiary site for commercial development due to the lack of direct vehicular access to SR 503 and the circuitous route through residential neighborhoods required to access the site. The subject parcel has also remained undeveloped since 1994. It is unlikely that the proposed zone change will impact the long-term supply of suitable commercial land. As such, this policy is met.

9.1.9 The county and cities will encourage the recruitment of new business employers to absorb the increasing labor force and to supply long-term employment opportunities for county's residents who are currently employed outside of the State.

While the proposed Comprehensive Plan and Zone Change Annual Review will change the commercially zoned portion of the subject parcel to high-density residential, employers wanting to expand or relocate are looking for areas that have adequate and appropriately priced housing. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off of SR 503 and/or direct access from SR 503 to NE 116th Street. As such, this policy is met.

9.1.12 Encourage use of a multi-modal transportation system that facilitates the reduction of travel times and reduces the need for additional road construction within the region.

The subject parcel is along a C-Tran transit route, Routes 7 and 47, and has a C-Tran bus stop adjacent to the subject parcel's frontage along SR 503. Additionally, sidewalks exist along SR 503 and the east side of NE 116th Street that future development on the site would connect to. As such, this policy is met.

County 20-Year Planning Policies Unincorporated County

The following goals and policies are not countywide and apply only to the unincorporated areas.

Goal: Provide commercial and industrial employment opportunities to meet the needs of Clark County citizens.

9.2 Policies

9.2.1 Encourage long-term business investments that generate net fiscal benefits to the region, protect environmental quality and are consistent with the objective of higher wage jobs for Clark County residents.

The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Please refer to the Market Analysis for Proposed Promenade North Land Use Re-designation memorandum, as provided by E.D. Hovee & Company, LLC, included in this application. As such, this policy does not apply.

9.2.3 Promote a diverse economic base, providing economic opportunity for all residents.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. As such, this policy does not apply.

Goal: Provide contextually-appropriate commercial sites adequate to meet a diversity of needs for retail, service and institutional development in Clark County.

9.4 Policies

9.4.1 In cooperation with local jurisdictions, maintain an adequate supply of commercial lands within designated urban growth areas, based on average absorption rates of the last five years plus an appropriate market factor.

- Designate sufficient commercial land for the 20-year planning period, located within designated urban growth areas;
- Discourage removal of commercial land from the inventory that results in a less than 10-year supply of commercial sites;
- Update inventories of commercial lands at least every ten years; and,
- Encourage infill and redevelopment of underutilized commercial sites.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

9.4.2 Locate convenience-oriented retail and service developments adjacent to residential neighborhoods; encourage small-scale neighborhood commercial uses directly within residential areas.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. The subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR

503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

9.4.3 Encourage commercial and mixed-use developments located on current or planned transit corridors; encourage transit-oriented site planning and design.

According to the 1994 Clark County Zoning Map, the site has remained vacant since being zoned Community Commercial in 1994. While it is located along a transit corridor and has a C-Tran transit stop adjacent to its frontage with SR 503, WSDOT has indicated that direct vehicular access is prohibited from SR 503 and that direct vehicular access is prohibited to NE 116th Street. As such, the subject parcel is not a viable site for commercial development because of the lack of vehicular access directly off SR 503 and/or direct access from SR 503 to NE 116th Street, as well as a circuitous route to access the site through residential neighborhoods. Conversion from a commercial zone to a residential zone will not affect the 10-year supply of suitable commercial sites in Clark County. As such, this policy does not apply.

Chapter 10 – School Element

Goals and Policies

10.1 Countywide Planning Policies

10.1.1 The county and each city shall give full consideration to the importance of school facilities and encourage development of sustainable learning environments through the adoption and implementation of county and city comprehensive land use plan policies and development regulations.

There is an existing public high school located directly across SR 502 from the subject parcel. The proposed Comprehensive Plan and Zone Change Annual Review will allow for a development more suited to being adjacent to a high school. School impact fees will be paid with future development to help offset the impact of additional students added to the school system.

10.1.4 Large residential development should confer with school districts on school impacts.

While the final housing product that will result from the proposed annual review and zone change is undetermined, once the number of proposed residential units is known, the Battle Ground School District will be notified of the development to ensure students have safe access to schools. Additionally, school impact fees will be paid with future development to help offset the impact of additional students added to the school system. As such, this policy will be met upon future development.

County 20-Year Planning Policies

Goal: Support co-locating facilities where co-location is feasible and provides more efficient use of public facilities.

10.3 Policies

10.3.3 Develop pedestrian and bicycle corridors between schools and housing, within neighborhoods and rural centers.

While RCW 58.17 requires residential subdivisions to provide safe walking routes to schools for children that will walk to school (typically within a 1-mile radius of the school), future multi-family residential development will also provide for safe walking routes to schools. Pedestrian facilities will be constructed with a new residential development that will allow the connection from the subject parcel to the sidewalk along SR 503 to provide a safe walking route up to NE 119th Street to access Prairie High School across the street if permitted by the Battle Ground School District. If children choose to ride bicycles, they can use the same sidewalks to get to the high school if permitted by the Battle Ground School District. As Glenwood Heights Elementary and Lauren Intermediate Schools are more than 1 mile away from the subject parcel, students would be bussed. As such, this policy is met.

Goal: Require new development that places added demands on school facilities to pay a portion of the cost for school facilities through impact fees or other alternative mechanisms authorized by State Law.

10.5 Policies

10.5.1 Provide for the use of School Impact Fees as a funding source for school capital facilities.

A residential development that will result from the proposed zone change will provide school impact fees to the school district. As such, his policy is met.

CLARK COUNTY UNIFIED DEVELOPMENT CODE (Applicant's responses are shown in **bold** text)

Title 40 – Clark County, Washington, Unified Development Code

SUBTITLE 40.2 LAND USE DISTRICTS

Chapter 40.220 Urban Residential Districts

40.220.020 Residential and Office Residential Districts (R, OR)

A. Purpose.

1. The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for medium and higher density residential development based upon consistency with the comprehensive plan and compatibility with surrounding land uses. The following factors will be considered in the application of one (1) of these districts to a particular site:
 - a. Properties designated urban medium density residential on the comprehensive plan should not exceed a density of R-22. Urban high density residential areas are appropriate for densities in the R-30 and R-43 districts.

- b. Proximity to major streets and the available capacity of these streets, adequacy of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these districts will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.

The site has frontage along two public streets: SR 503 to the west and NE 116th Street to the south. While direct vehicular access is prohibited from SR 503 by WSDOT because of an existing C-Tran bus top along the subject parcel's frontage, as well as to NE 116th Street from SR 503, vehicular access is provided via NE 119th Street to southbound NE 122nd Avenue to westbound NE 116th Street. Public sidewalks existing along SR 503, and future development of the subject parcel will provide for additional pedestrian circulation by connecting to existing sidewalks along NE 116th Street to the east.

Sanitary sewer and water are both available within NE 116th Street along the site's frontage.

The site is located approximately 800 feet south of Bowyer Marketplace, located at the northwest corner of the intersection of NE 119th Street and SR 503, which provides for a variety of commercial uses. A Shell station and convenience store is located approximately 600 feet to the north at the southeast corner of the intersection of NE 119th Street and SR 503.

The site is split zoned with Community Commercial zoning on the western approximately 4/5th of the site (with a Commercial Comprehensive Plan designation) with the balance zoned R-30 (with an Urban High Density Residential Comprehensive Plan designation). Adjacent property zoning and uses are as follows:

- **North – Single-family residential uses on Community Commercial zoned properties.**
- **South (across NE 116th Avenue) – Multi-family residential uses on R-30 zoned property and preliminarily approved (but yet to be constructed) self-storage use on Community Commercial zoned property.**
- **East – Multi-family residential uses on R-30 zoned property.**
- **West (across SR 503) – Prairie High School on Public Facility zoned property and commercial uses on Community Commercial zoned properties.**

Based on the above, this standard is met.

C. Development Standards.

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height and setbacks in Tables 40.220.010-2 and 40.220.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020.

<p>Table 40.220.020-2. Lot Requirements for Multifamily and Office Residential Developments</p>
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Zoning District	Min. – Max. Residential Density (d.u./acre)	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
R-12	8 – 12	4,000	40	80
R-18	12 – 18	4,000	40	80
R-22	15 – 22	4,000	40	80
R-30	18 – 30	4,000	40	80
R-43	20 – 43	4,000	40	80
OR-15	8 – 15	10,000	50	90
OR-18	12 – 18	10,000	50	90
OR-22	15 – 22	10,000	50	90
OR-30	18 – 30	10,000	50	90
OR-43	22 – 43	10,000	50	90

Table 40.220.020-3. Setbacks, Lot Coverage and Building Height for Multifamily and Office Residential Developments								
Zoning District	Minimum Setbacks ^{1,5}						Max. Lot Coverage	Max. Bldg. Height (feet)
	Front ² (feet)	Side ^{3,4}			Rear ^{3,4} (feet)	Between Bldgs. on Site (feet)		
		Street (feet)	Interior (feet)					
			Multifamily	Duplex				
R-12, R-18, R-22, R-30, R-43	18 to garage front, 10 to living space	10	10	5	20	8	50%	50
OR-15, OR-18, OR-22, OR-30, OR-43	18 to garage front, 10 to living space	10	10	10	15	8	50%	50

The subject site is approximately 3.45 acres in gross area. Based on the gross area, the R-30 density range would provide for a range of 63 to 103 multi-family residential units. As single-family detached residential uses are not permitted in the R-30 zone, any proposed single-family attached dwellings, multi-family dwellings or duplex dwellings will be required to meet these standards and density. As such, his standard is met.

SUBTITLE 40.5 PROCEDURES

Chapter 40.500 Overview of Procedures

The Applicant proposes a Comprehensive Plan and Zone Change on the portion of the parcel with a Commercial Comprehensive Plan designation (and Community Commercial zoning) to Urban High Density Residential (and R-30 zoning) to match that of the eastern portion of the site. The Annual Review and Zone Change process requires a Type IV decision-making procedure and public notice of the application.

Chapter 40.560 Plan and Code Amendments

40.560.10 an Amendment Procedures

B. Overall Method of Review.

Proposed plan amendments that are submitted for review shall be subject to the applicable criteria of this section. The review shall be processed by Type IV procedures in Section 40.510.040. Applications for plan map amendments are generally processed in conjunction with concurrent rezone requests. Zoning map amendments must be to a zone corresponding to the requested comprehensive plan map designation. Concurrent zoning map amendments must meet all the approval criteria of this chapter and zone changes consistent with the comprehensive plan map shall be considered subject to the approval criteria of Section 40.560.020.

This narrative is part of a Type IV application for a Comprehensive Plan and Zone Change Annual Review. All materials required by code, and as required in the pre-application conference report, are included. As such, this standard is met.

C. Applicability.

The criteria and requirements of this section shall apply to all applications or proposals for changes to the comprehensive plan text, policies, map designations, zoning map or supporting documents. For the purposes of establishing review procedures, criteria and timelines, amendments shall be distinguished as follows:

2. Comprehensive plan map changes not involving a change to UGA boundaries;

This application is for an Annual Review with associated Zone Change and does not involve changes to the UGA boundaries. As such, this standard is met.

D. Plan Map Changes – Procedure.

2. Site-specific plan map amendments (annual reviews) requested by private parties shall be considered legislative actions, subject to Type IV procedures of Section 40.510.040.

This narrative is part of a Type IV application for Comprehensive Plan and Zone Change Annual Review requested by a private party. All materials required by code, and as required in the preapplication conference report, are included. As such, this standard is met.

3. Submittal Requirements and Timelines of the Annual Review. All applications for site-specific plan map amendments not involving a change to UGA boundaries requested by parties other than the county shall be submitted as follows:

- a. Between October 1st and November 30th, applicants shall submit a pre-application form containing all of the following information:

- (1) The pre-application fee, as specified in county fee ordinance;
- (2) Application form signed by the owner(s) of record;
- (3) Description of request;
- (4) GIS packet;
- (5) Related or previous permit activity; and

- (6) A statement on how the plan/zone change request is consistent with all of the applicable policies and criteria in the comprehensive plan and this chapter.
- b. Between October 15th and December 31st, county staff and applicants shall complete pre-application meetings.

The Applicant submitted a pre-application to the County on November 26, 2019 and a preapplication conference was held on December 18, 2019. As such, this standard is met.

- c. Between January 1st and January 31st, applicant shall submit an application form containing all of the following, including the information required by Section 40.510.030(C)(3):
 - (1) The applicable comprehensive plan and rezone application fees;
 - (2) SEPA checklist and applicable fee;
 - (3) Copy of deed, real estate contract or earnest money agreement;
 - (4) A full analysis of how the plan/zone change request is consistent with the applicable policies and criteria in the comprehensive plan and this chapter;
 - (5) A market analysis and a transportation analysis; and
 - (6) Any additional information the applicant believes is necessary to justify the amendment.

This narrative is part of a Type IV application for Comprehensive Plan and Zone Change Annual Review and has been submitted by January 31st, 2020. All materials required by code, and as required in the pre-application conference report, are included. As such, this standard is met.

4. Annual review applications will not be accepted for properties within an urban growth boundary which are in the process of being annexed.

The subject site is not currently in the process of being annexed. As such, this standard is met.

G. Criteria for All Map Changes.

Map changes may only be approved if all of the following are met:

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; and

Clark County Comprehensive Plan

The plan map change is consistent with the Growth Management Act because it will encourage development in an urban area where public facilities exist; it will help reduce urban sprawl by developing high density residential uses in a location immediately adjacent to other high density residential; and it will allow the Applicant to provide in-demand housing for

low- and middle-class wage earners. The plan map change is consistent with the Community Framework Plan and Comprehensive Plan because it is consistent with the size and character of neighboring parcels in this region (particularly those located to the east and southeast); will acknowledge the existing residential character of the surrounding community; help to meet the density goals of Clark County; provide in-demand housing for low—and middle-income wage earners; provide for an adequate supply of affordable and attainable housing; provide said housing in areas close to places of employment; provide housing along public transit routes; and provide housing designed to meet the needs of people with special needs by providing accessible multi-family dwelling units. The plan map change is consistent with the capital facilities plan because all capital facilities and utilities are currently available at the site and can be expanded to meet the needs of a high-density residential zone. The plan map change is consistent with the official population growth because the Comprehensive Plan states Clark County is anticipated to need an additional 48,340 households by the year 2035 and this plan change will help meet the needs of the growing County by increasing the number of available housing units. Therefore, this criterion is met.

City Comprehensive Plan

While the subject parcel is located within the Vancouver Urban Growth Boundary, there are no applicable city comprehensive plans as the site is located outside of any city boundaries.

Capital Facilities Plan

The application is consistent with applicable capital facilities plans because urban services, including public water and sanitary sewer, are immediately available to the subject parcel.

Population Growth Forecasts

Clark County has seen a steady increase in population growth over the past 20 years, with current trends anticipated to continue. As such, high density residential housing needs will continue to increase. This application contemplates this continued need for affordable housing for an ever-increasing county population and in order to meet Clark County’s residential density goals.

2. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan; and

Urban High Density Residential locational criteria per the Clark County Comprehensive Plan is as follows:

Urban High Density Residential (UH)

These areas provide for the highest density housing in the urban area with 43 units per gross acre. Minimum densities assure that these areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs including assisted living facilities. Areas with this designation shall be located in transit corridors and near commercial and employment centers to

provide demand for commercial and transportation services while providing easy access to employment. Institutions and public facilities are allowed in this zone under certain conditions. Base zones in this designation are the R-30 and R-43. Where Offices are determined to be appropriate, Office Residential OR-30 and OR-43 zones can be applied in this designation.

The application is consistent with the location criteria for Urban High Density Residential as found in Chapter 1 of the Clark County Comprehensive Plan. The site is located along a transit corridor (SR 503 with a C-Tran bus stop immediately adjacent to the subject parcel's frontage) and is near commercially-zone parcels and a commercial center (Bowyer Marketplace located at the northwest corner of the intersection of NE 119th Street and SR 503). While vehicular access would not be provided directly from SR 503, vehicular access would be provided from NE 119th Street to NE 122nd Avenue, then south to NE 116th Street.

Community Commercial locational criteria per the Clark County Comprehensive Plan is as follows:

Community Commercial (CC)

A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial zone. New community commercial areas should generally be between five and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles.

The current Comprehensive Plan designation of the majority of the subject parcel of Commercial and zoning of Community Commercial does not meet the locational criteria with regard to site access. The subject parcel is not located along a minor or major arterial. While the site is located along SR 503 (a State Route), recent access limitations associated with an adjacent project imposed by Washington State Department of Transportation (WSDOT) does not allow direct vehicular access onto NE 116th Street from SR 503, or access from NE 116th Street onto SR 503 (refer to Washington State Department of Transportation memorandum dated December 31, 2008), which would provide direct vehicular access to any commercial development. Direct driveway vehicular access onto SR 503 runs contrary to WSDOT's limited access policy. Additionally, a C-Tran bus stop directly abuts the site along SR 503, preventing direct driveway access off of SR 503. As such, re-zoning the subject parcel to be wholly contained within the Urban High Density Residential designation better meets the locational criteria.

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

The site is not only suitable for the proposed designation as it meets the locational criteria above, but it is also located adjacent to other R-30 zoned properties. A review of the subarea surrounding the intersection of NE 119th Street and SR 503 shows the majority of residential zoning in the area as

single-family residential zoning designations or Mixed Use (in addition to the block of R-30 zoned parcels from the subject parcel to NE 128th Avenue, and from NE 119th Street to NE 114th Street). Other zoning designations in the area consist of Community Commercial, Light Industrial, Public Facilities (Prairie High School) or properties contained within an Urban Reserve Overlay. Therefore, there is a lack of Urban High-Density Residential parcels within the vicinity.

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

The proposed plan map amendment responds to a substantial change in conditions applicable to the area within which the subject property lies. As part of a recent project located to the south of the subject parcel (Promenade), WSDOT has indicated that they will not allow vehicular traffic to access NE 116th Street except for emergency vehicles (refer to Washington State Department of Transportation memorandum dated December 31, 2008). This access is shown as a proposed arterial on the Clark County Arterial Atlas. However, because of WSDOT's limited access policy, they have indicated that NE 116th Avenue will never be allowed as a full vehicular access. As such, the direct vehicular access to the subject parcel from SR 503 necessary to support any commercial uses is prohibited. Circuitous routes to access commercial uses, such as would be necessary to access this parcel, runs contrary to the county's policy of providing reduced vehicular trips or distance traveled to access commercial uses.

The plan map amendment also better implements applicable comprehensive plan policies than the current map designation for the majority of the subject parcel as it will allow for high density residential housing needs. This implements the Comprehensive Plan goal of encouraging more compact and efficiently served urban forms, reduces the amount of land to low-density development, and moved the county closer to its residential density goals.

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.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools).

H. Additional Criteria for Commercial Map Changes.

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

The proposed plan map change is from commercial to residential. As such, this criterion does not apply.

I. Additional Criteria for Rural Map Changes.

The proposed plan map change is within the urban growth area. As such, this criterion does not apply.

J. Additional Criteria for Rural Major Industrial Map Changes.

The proposed plan map change is from commercial to residential, within the urban growth area. As such, this criterion does not apply.

K. Rezones/Zone Changes. Rezone applications considered with a plan map amendment request shall be reviewed consistent with the plan matrix table and according to the procedures and timing specifications for plan map amendment specified in this section and shall comply with Section 40.560.020 and Chapter 40.510. Rezone applications proposing a change from urban holding to an urban zoning district that is consistent with the comprehensive plan map designation shall be processed through a Type IV process initiated by the county and consistent with the procedures and criteria identified in the special implementation procedures section in Chapter 13 of the comprehensive plan. See also Section 40.560.020(G).

This narrative is part of a Type IV application for a Comprehensive Plan and Zone Change Annual Review. All materials required by code, and as required in the pre-application conference report are included. As such, this criterion is met.

L. Mixed Use Designation Zone Change Requests

The proposed zone change is from commercial to residential. As such, this criterion does not apply.

M. Additional Required Criteria Specific to Urban Growth Area (UGA) Boundary Map Changes.

The proposed plan map change is from commercial to residential within the UGA. As such, this criterion does not apply.

T. Cumulative Impact.

In reviewing all prospective comprehensive plan changes, the county shall analyze and assess the following to the extent possible:

1. The cumulative impacts of all plan map changes on the overall adopted plan, plan map and relevant implementing measures, and adopted environmental policies;

As previously discussed, the proposed zone change from CC to R-30 will have minimal impact on the overall adopted plan. The zone change will help the county reach the overall residential density goal for the county, while providing the multi-family housing employers look for. There are no

environmentally sensitive areas on or adjacent to the site, therefore there will be no impact to adopted environmental policies.

2. The cumulative land use environmental impacts of all applications on the applicable local geographic area and adopted capital facilities plans; and

There are no environmentally sensitive areas on or adjacent to the site. As such, there will be no impact to adopted environmental policies. All required capital facilities currently exist at the site, therefore there will be minimal impact on the capital facilities plan.

3. Where adverse impacts are identified, the county may require mitigation. Conditions which assure that identified impacts are adequately mitigated may be proposed by the applicant and, if determined to be adequate, imposed by the county as a part of the approval action.

No adverse impacts are anticipated to occur from the approval of this Comprehensive Plan and Zone Change Annual Review application.

U. Fees.

All applicable fees have been, or will be, paid by the Applicant. This standard is met.

40.560.020 Changes to Districts, Amendments, Alterations

A. Procedure, General. The UDC may be amended in any of the following ways:

2. By changing the boundaries of districts through a Type IV comprehensive plan map and zoning map amendment pursuant to Section 40.560.010; or

The proposed application is for a Comprehensive Plan and Zone Change Annual Review. This narrative is part of a Type IV application submitted for this purpose. The Applicant proposes a Comprehensive Plan and Zone Change on the portion of the parcel with a Commercial Comprehensive Plan designation (and Community Commercial zoning) to Urban High Density Residential (and R-30 zoning) to match that of the eastern portion of the site. As such, this standard is met.

B. Application.

2. An application for amendment by a property owner or his authorized agent shall be filed with the responsible official. The application shall be made on forms provided by the county, accompanied by a site plan drawn to scale showing the property involved and adjacent land. A fee shall be paid to the county at the time of filing the application in accordance with the provisions of the county fee schedule.

The Applicant has submitted a Type IV application with the appropriate fees paid to the County. As such, this standard is met.

C. Public Hearings.

2. Type IV Text Amendments.

- a. Before taking final action on a proposed amendment, the planning commission shall hold a public hearing thereon. After receipt of the report on the amendment from the planning commission, the board shall hold a public hearing on the amendment. Public hearings by the planning commission shall be held in accordance with the provisions of Section 40.510.040.

A public hearing will be held for this Annual Review and Zone Change application. As such, this standard is met.

E. Rezone Agreements.

2. Concomitant Rezone Agreements.

- b. **Applicability.** This agreement process will not generally be used for rezones to R1-6, R1-7.5, R1-10 or R1-20. It may, however, be used for any situation where extraordinary potential adverse impacts from a proposed rezone may be neutralized by the agreement. The agreement process may be employed for rezones in sensitive geographic areas such as critical transportation corridors. The agreement process will generally be used for rezones to commercial, industrial, and non-single-family residential not specifically identified by the comprehensive plan map. Airport zoning shall also generally be by concomitant rezone agreement. The intent is that concomitant rezone agreements shall only be used when normal review and approval procedures are not adequate to resolve the specific issues involved in the rezone proposal.

A concomitant rezone agreement is not requested.

G. Approval Criteria.

Zone changes may be approved only when all of the following are met:

1. Requested zone change is consistent with the comprehensive plan map designation.

This application is for a Comprehensive Plan and Zone Change Annual Review. When approved, the annual review will change the comprehensive plan map designation on the Commercial Comprehensive Plan designated portion of the site to Urban High Density Residential. This will make the zone change consistent with the comprehensive plan map designation. This standard is met.

2. The requested zone change is consistent with the plan policies and locational criteria and the purpose statement of the zoning district.

Urban High Density Residential locational criteria is as follows:

Urban High Density Residential (UH)

These areas provide for the highest density housing in the urban area with 43 units per gross acre. Minimum densities assure that these areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs including assisted living facilities. Areas with this designation shall be

located in transit corridors and near commercial and employment centers to provide demand for commercial and transportation services while providing easy access to employment. Institutions and public facilities are allowed in this zone under certain conditions. Base zones in this designation are the R-30 and R-43. Where Offices are determined to be appropriate, Office Residential OR-30 and OR-43 zones can be applied in this designation.

The application is consistent with the location criteria for Urban High Density Residential as found in Chapter 1 of the Clark County Comprehensive Plan. The site is located along a transit corridor (SR 503 with a C-Tran bus stop immediately adjacent to the subject parcel's frontage) and is near commercially-zone parcels and a commercial center (Bowyer Marketplace located at the northwest corner of the intersection of NE 119th Street and SR 503). While vehicular access would not be provided directly from SR 503, vehicular access would be provided from NE 119th Street to NE 122nd Avenue, then south to NE 116th Street.

Community Commercial locational criteria is as follows:

Community Commercial (CC)

A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial zone. New community commercial areas should generally be between five and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles.

The current Comprehensive Plan designation of the majority of the subject parcel of Commercial and zoning of Community Commercial does not meet the locational criteria with regard to site access. The subject parcel is not located along a minor or major arterial. While the site is located along SR 503 (a State Route), recent access limitations associated with an adjacent project imposed by Washington State Department of Transportation (WSDOT) does not allow direct vehicular access onto NE 116th Street from SR 503, or access from NE 116th Street onto SR 503 (refer to Washington State Department of Transportation memorandum dated December 31, 2008), which would provide direct vehicular access to any commercial development. Direct driveway vehicular access onto SR 503 runs contrary to WSDOT's limited access policy. Additionally, a C-Tran bus stop directly abuts the site along SR 503, preventing direct driveway access off of SR 503. As such, re-zoning the subject parcel to be wholly contained within the Urban High-Density Residential designation better meets the locational criteria. As such, this standard is met.

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.

The proposed plan map amendment responds to a substantial change in conditions applicable to the area within which the subject property lies. As part of a recent project located to the south of the subject parcel (Promenade), WSDOT has indicated that they will not allow vehicular traffic to access NE 116th Street except for emergency vehicles (refer to Washington State Department of Transportation memorandum dated December 31, 2008). This access is shown as a proposed arterial on the Clark County Arterial Atlas. However, because of WSDOT's limited access policy, they have indicated that NE 116th Avenue will never be allowed as a full vehicular access. As such, the direct vehicular access to the subject parcel from SR 503 necessary to support any commercial uses is prohibited. Circuitous routes to access commercial uses, such as would be necessary to access this parcel, runs contrary to the county's policy of providing reduced vehicular trips or distance traveled to access commercial uses. The substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.

The plan map amendment also better implements applicable comprehensive plan policies than the current map designation for the majority of the subject parcel as it will allow for high density residential housing needs. This implements the Comprehensive Plan goal of encouraging more compact and efficiently served urban forms, reduces the amount of land to low-density development, and moved the county closer to its residential density goals. This standard is met.

- 4. There are adequate public facilities and services to serve the requested zone change.

The subject parcel has immediate access to public water and sanitary sewer (both located within NE 116th Street), stormwater will be infiltrated (based on soils in the area and the Applicant's consultant's familiarity with other projects in the immediate vicinity), transportation (the site will be accessed from NE 119th Street via NE 122nd Avenue to NE 116th Street, fire protection (based on other projects in the area there is sufficient fire flow), and schools (children will attend Glenwood Heights Elementary, Laurin Middle and Prairie High Schools). Police and fire service are also currently available and the site. This standard is met.

Chapter 40.570 State Environmental Policy Act (SEPA)

This application is subject to a SEPA checklist per Washington Administrative Code (WAC) 197-11. A SEPA Checklist accompanies this application. This standard is met.

40.570.080 SEPA and County Decisions
C. SEPA Policies.

3. The county designates the following policies applicable to the major elements and selected sub-elements of the environment as defined by WAC 197-11-444, and incorporates by reference the policies in the cited county codes, ordinances, resolutions and plans, and all amendments to them in effect prior to the date of application of any building permit or preliminary plat, or prior to issuance of a DNS or DEIS for any other action:

- k. Historic and Cultural Preservation.

An Archaeological Predetermination is not required for this application per Table 40.570.080-1 as there are no direct site impacts associated with this proposal. Upon development of the subject parcel, an archaeological predetermination will be required to be completed. This standard is met.

SUBTITLE 40.6 DEVELOPMENT IMPACT FEES

Chapter 40.610 Development Impact Fees – General Provisions

40.610.040 Imposition of Impact Fee

Future development of the site will require payment of impact fees. This standard will be met.

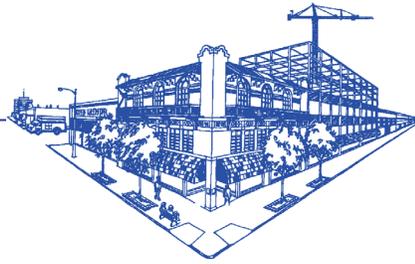
Conclusion

The Applicant has provided findings of fact that the proposed Comprehensive Plan Zone Change Annual Review is consistent with the elements of the Growth Management Act, requirements of the Countywide Planning Policies, the Community Framework Plan, the Comprehensive Growth Management Plan, and applicable county zoning requirements. The portion of the subject property that currently has a Commercial Comprehensive Plan designation and Community Commercial zoning is more suitable for an Urban High Density Residential Comprehensive Plan designation with an R-30 Zoning Designation under the above-referenced criteria because of the following:

- The subject parcel is split zoned with a portion of the site zoned R-30 and is located adjacent to other R-30 zoned parcels.
- The subject parcel does not currently and will not have direct vehicular access to SR 503 because of WSDOT limited access standards and the presence of an existing C-Tran bus stop along the site's frontage with SR 503. Any commercial development of the site would require a circuitous route along local access and neighborhood circulator roads through residential neighborhoods for vehicles to access the site.
- Vehicular access to the site is more closely reminiscent of access to other residentially zoned parcels in the area off local access and neighborhood circulator roadways.
- The substantial change in conditions is that public access by WSDOT was prohibited after the Commercial zoning designation of the subject parcel was established.
- The subject parcel better meets the locational criteria for an Urban High Density Residential zoning designation rather than Community Commercial zoning designation.
- The zone change would be consistent with the character of the surrounding area.
- The subject parcel is served by public roads and utilities, as well as C-Tran and Battle Ground Public Schools.

This will allow the Applicant to provide high-density multi-family housing that will help meet the growth projections of the Clark County Comprehensive Plan. As a Pre-Application Conference was submitted in

a timely manner and as the applicable policies and criteria have been addressed, it is respectfully requested that this Comprehensive Plan Zone Change Annual Review be approved.



MEMORANDUM

To: Michael Odren – Olson Engineering
From: Eric Hovee
Subject: Market Analysis for Proposed Promenade North Land Use Re-designation (PAC3019-00031)
Date: January 30, 2020

For a 3.45 acre site situated at NE 116th Street and SR 503, a proposal has been submitted for Clark County annual review to amend the Comprehensive Plan and Zoning Maps from Commercial (CC-Community Commercial) for a portion of the site to Urban High Density Residential (R-30) for the entire tax parcel. This site is currently split zoned with CC designation on the western 4/5 of the property with the balance currently zoned R-30.

While the subject site is located within City of Vancouver’s Urban Growth Area (UGA), the property has not been annexed to the City and, as an unincorporated area, is under the jurisdiction of Clark County. If approved, this re-designation would allow for cohesive development of a proposed Promenade North multi-family residential project.

On behalf of Olson Engineering and William Maitland, the economic and development consulting firm E. D. Hovee & Company, LLC has prepared this market analysis in compliance with Clark County Code 40.560.040(2)(c)(5).¹ The code stipulates that: “A market analysis is required for amendments to add or remove land with a commercial designation.”

More specifically, the Pre-Application Conference Final Report for this proposed re-designation indicates that the analysis “needs to address whether there is sufficient commercially zoned property in the vicinity and whether there is a need for more UH in the vicinity.”

Consequently, the two primary purposes of this summary market analysis are to:

- Demonstrate why the subject site is considerably more viable for urban high density residential (R-30) than for Community Commercial (CC) use.
- Address whether there are sufficient alternative commercially zoned properties in the vicinity to serve immediate community needs for commercial uses.

EXISTING CONDITIONS

Existing conditions of significance include locational attributes of the proposed Promenade North site coupled with vicinity area land use designations and traffic access considerations. These factors are pivotal to the determination of appropriate, market-supported uses.

Location & Zoning

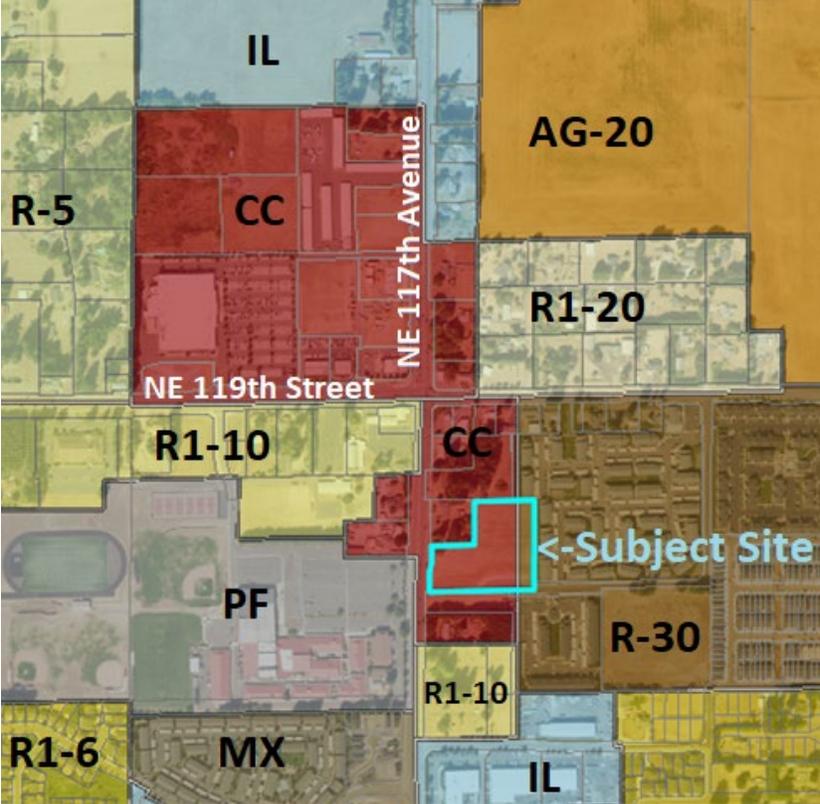
As depicted by the map to the right, the 3.45 acre subject property is situated just to the southeast of the intersection of NE 119th Street and NE 117th Avenue (SR 503).

Also as indicated, the western 4/5 of the site is currently zoned CC-Community Commercial while the eastern portion is zoned for R-30 Urban High Density Residential.

Vicinity Area Uses

The area in proximity to the subject site is zoned for a wide range of residential, commercial, industrial, agricultural and mixed uses.

Promenade North Site & Area Zoning



Source: Clark GIS and E. D. Hovee

Located west of the subject across NE 117th Avenue is Prairie High School. The major locus of commercial activity is the NW quadrant of the SR 503/NE 119th intersection. WinCo Foods is the largest single retail use. Other commercial uses include a coffee shop, dining establishments, a bank, and service station with carwash and convenience market. There is considerable remaining undeveloped commercially-zoned property at the NW quadrant of the intersection – detailed with discussion of alternative commercially zoned sites in this market analysis report.

The southeast quadrant of the intersection is occupied by a service station and adjoining service business (in a residential structure). Other parcels in close proximity are primarily residential in character or vacant land (as with the subject parcel). The southwest corner is the site of a church with a tile and masonry firm adjoining (on the north side of the Prairie High

School parking lot). While zoned commercial, the Northeast quadrant of the intersection currently consists of existing residential structures.

Current & Proposed Zoning

For purposes of this market analysis, a summary comparison of current versus proposed zoning of the full Promenade North site is provided by the following chart. As illustrated by the zoning map, the subject site abuts both CC and R-30 zoned properties. A determination of the most appropriate zoning for this site therefore involves consideration of “best fit” from both location compatibility and market perspectives.

Comparison of Current & Proposed Zoning

Designation	Overview Description
Proposed Redesignation of 4/5 of Site from: Commercial (C) Comprehensive Plan Designation	
Community Commercial (CC) Zoning	<p>A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial (CC) zone. New community commercial (CC-zoned) areas should generally be between five and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles.</p> <p>CC designated areas are intended to provide for the regular shopping and service needs for several adjacent neighborhoods. Permitted uses are somewhat more limited than in the GC General Commercial zone which provides for the broadest range of commercial including service and professional office uses of any commercial zone. With CC, there also are more uses for which a conditional use approval is required than in a GC zone.</p> <p>As with all commercial zones, residential uses are not permitted in a CC zone except when built above the ground floor or for an accessory caretaker or owner residence.</p>
Proposed Redesignation Entire Site to: Urban High (UH) Residential Comprehensive Plan Designation	
Urban High Density Residential (R-30) Zoning	<p>UH areas provide for the highest density housing in the urban area. Minimum densities assure that these areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs including assisted living facilities. Areas with this designation are to be located in transit corridors and near commercial and employment centers to provide demand for commercial and transportation services while providing easy access to employment. Institutions and public facilities are allowed in this zone under certain conditions. Base zones in this designation are the R-30 and R-43.</p> <p>The R-30 zone allows for a density of 18-30 units per net developable acre. This zone is suitable for townhome or multi-family apartment development. A minimum of 20% of the site area is to be landscaped.</p>

Sources: Clark County Comprehensive Plan 2015-2035 and Clark County Unified Development Code, Title 40.

Traffic Access

For the Promenade North site, a pivotal location consideration involves traffic accessibility for commercial as compared with residential use. As documented by Olson Engineering and WSDOT, it is clear that WSDOT likely will not allow vehicular traffic to access 116th Street except for emergency vehicles. As noted by Olson, “the direct vehicular access to the subject parcel from SR 503 necessary to support any commercial uses is prohibited.”

For customer-oriented retail and service business, the absence of direct vehicular access effectively renders any prospective substantial commercial use of the subject to be infeasible. However, indirect access to the site is not as significant an impediment to residential use. In some instances as with the subject site, indirect access may actually render a quieter, safer access as more desirable for potential residential occupants.

Alternative Commercial Sites

Based on a review of Clark County GIS and Assessor data, there remains considerable vacant property (without any building value) in the NW quadrant of the SR 503 / NE 119th Street Avenue interchange. Six vacant tax parcels are identified – totaling 16.47 acres. Included are three parcels as yet undeveloped with direct frontage on NE 117th Avenue. Three added parcels that could be accessed by existing interior drives from either NE 119th Street or SR 503 – all of which are adjacent to existing commercial uses.

Other than the subject property, there are two other vacant commercially zoned properties totaling 2.18 acres at the SE quadrant of the intersection. There is no other identified vacant commercially zoned land at the NE, SE or SW quadrants of the intersection – although there are several older residential structures of relatively low value on commercially zoned sites potentially suitable for commercial redevelopment if demand warrants in the future.

Other vacant commercial sites are available on major corridors west, north and south of the proposed Promenade North development. About two miles to the west, there are multiple vacant CC zoned properties in the vicinity of the NE 119th Street / NE 72nd Avenue intersection – including a 16+ acre parcel. Four miles north, a 6-7 acre vacant commercial property is situated at the intersection of SR 503 and SW Scotton Way in Battle Ground. Going south one mile, there are two 1+ acre properties one mile from the subject site at the intersection of SR 503 and NE 99th Street. Four miles south and west are remaining General Commercial (GC) zoned vacant sites of up to 10+/- acres in the vicinity of the Padden Parkway and NE Andresen Road.

This review shows an ample and diverse inventory of alternative vacant commercial sites both at the same major intersection as the subject site and within 1-4 miles going west, north and south on major travel corridors from the subject property. Due to relatively weak demand for retail commercial space, this inventory should prove more than adequate to meet community commercial retail and service needs of the surrounding area both now and for the reasonably foreseeable future – without need for the subject site that is unsuitable for commercial use.

Existing Conditions Summary

Even before getting to more detailed consideration of other marketability factors, there are two clear reasons why the subject site is much more viable for residential than commercial use:

- **Lack of direct traffic access from SR-503 renders the site as unsuitable and therefore unmarketable for commercial retail and service business that rely on regular drive-in customer access.** As a related factor, the primary focus of commercial activity at the NW quadrant rather than the SW quadrant of the 119th Street and SR-503 intersection makes this a preferred location for added commercial development; This NW quadrant has the most vacant land and best options for traffic access going forward.
- **Extending beyond the immediate SR 503 / NE 119th Street intersection, there are multiple alternative commercial site opportunities readily accessible to the west, north and south.** Taken together with the selection of sites immediately proximate, there is a diverse set of large and small site configurations available within 1-4 miles of the subject Promenade North property. These are likely to prove more than adequate to meet current and prospective commercial needs for the reasonably foreseeable future.

MARKET VIABILITY FOR COMMERCIAL USE

Stepping back from existing site-specific conditions, it is useful to consider commercial versus residential viability from a broader community-wide perspective. A primary purpose of this market analysis is to evaluate the market need for commercial use. This involves consideration of the existing land use designation, trade area population and options to meet resident retail service needs including review of the competitive retail space inventory locally and regionally.

Trade Area Population

There are more than an estimated 7,000 residents living within one mile of the Promenade North site. Area population more than triples to 23,300 residents at a 2-mile distance, increasing to nearly 100,000 residents within 4 miles of the subject site. At all three distances considered (1-, 2-, and 4-miles), population has increased at a more rapid rate since 2010 than has been the case for the rest of Clark County.

Comparative Populations

Population Characteristic	Market Areas Considered			
	1 mile	2 mile	4 mile	Clark Co
2020 Population	7,000	23,300	99,400	495,100
Average Annual Growth Rate (AAGR):				
2000-10	9.6%	2.8%	2.6%	2.1%
2010-20	5.4%	2.8%	2.0%	1.5%

Source: Environics/Claritas and E. D. Hovee.

While consistent with County spacing guidelines, population at the 2- and 4-mile distances from SR-503/NE 119th Street easily exceeds the 10,000-20,000 population minimum requirements indicated by the Comprehensive Plan for a Community Center designation. The size of the area

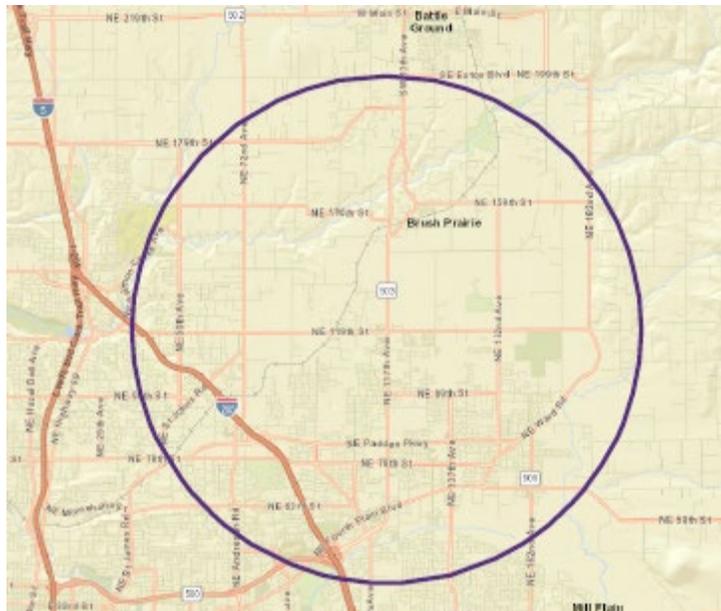
population to be served is such that substantially larger acreages together with better located and less constrained sites are needed to competitively serve resident needs than will be possible with this less than 3½ acre subject site.

Meeting Resident Needs for Commercial Goods & Services

The market reality is that residents of the SR503/NE 117th Avenue and NE 119th Street corridors have substantial shopping opportunities available at an approximately 2-4 mile distance with existing let alone potential new retail development -- via well traveled corridors especially to the south and west. For this economic analysis, retail demand and supply has been compared at 1-, 2- and 4-mile distances from the subject property:

- **Within 1-mile**, 2020 resident incomes support an estimated \$152 million per year of retail including dining-related sales. About 20% of what these residents would normally spend occurs at retail stores located within the 1-mile area. However, grocery retail situated within the trade area captures a remarkable 42% of 1-mile trade area demand. Establishments within this area also capture 30% or more of locally building/garden, sporting goods, generated automotive parts, and gasoline/service related expenditures. In effect, the 1-mile trade area does exceptionally well at serving many of the day-to-day convenience needs of local residents.
- **Within a 2-mile radius**, the proportion of retail capture increases to 50% of demand from residents living within a 2-mile radius of the SR 503 / NE 117th Avenue intersection. This is expected as the larger area offers more establishments with a yet more diverse array of goods and services meeting the needs of local residents. Store types well represented at a 2-mile distance include home furnishings, building/garden supplies, and grocery retail.
- **With 4-miles**, the competitive inventory of retail offerings is more than adequate to meet resident needs. Due to the presence of retailers with a county-wide clientele (as at Vancouver Mall and near the Padden), retail availability is better at the 4-mile radius than for Clark County in its entirety. Minor shortfalls relative to the entire county are with electronics and dining activity.

4-Mile Commercial Market Area



Source: Envirionics and E. D. Hovee

Retail Space Demand

Looking forward, retail space needs are much less robust today than prior to the Great Recession of 2007-09. This is the case nationally, regionally and locally for submarkets as served by the subject Promenade North site.

Nationally, a growing share of non-store retail sales is occurring via e-commerce with corresponding reduced need for *brick-and-mortar* stores. This trend has taken its toll on long-established retailers – ranging from department to specialty stores, even grocery retail. The escalating pace of change is accentuated by the increased role of firms such as Amazon that not only dominate internet retailing but are now going *head-to-head* with traditional retailers.

The result is industry caution, retrenchment and consolidation with shrinking needs for new retail space. Owners of existing retail space are under increased pressure to find non-traditional uses to fill vacated storefronts – ranging from dining and entertainment to fitness center spaces to non-retail uses such as service businesses, churches and day-care.

Regionally, retail demand for the **Portland-Vancouver metro** area (including non-traditional uses of retail space) appears to be on a downward trajectory. As of late 2019, the metro region now has less retail space now than two years previously.

Even though **Clark County** experiences considerable sales leakage to Oregon, county-wide retail space inventory has remained essentially unchanged in the last 2-3 years. New development is essentially offset by removal of older or poorly located space from the market.²

NE Vancouver retail opportunities are further dampened by location at the edge of the UGA with less population density in the immediate 1-2 mile trade area than is the case with retail centers surrounded on all sides by urban residential development. The need for added retail space in the immediate vicinity of the SR-503 interchange with NE 119th Street is further dampened by strong availability of diverse store offerings within the 4-mile radius which is the effective radius identified by the Comprehensive Plan for Community Commercial (CC) retail.

Summary Observations – Community Commercial Need

To summarize, the following observations can be made as to the limited need for additional commercial development – whether in the trade area or, more specifically, at the subject site:

- **Resident needs for commercial retail and service uses are more than amply accommodated within a 2-4 mile radius of the subject Promenade North property.** Strong market presence of convenience oriented retail at the 1- mile radius is coupled with yet more substantial inventory within 4 miles. This existing inventory coupled with weak demand nationally and locally for added retail means that there is little need for more brick and mortar space – both now and for the reasonably foreseeable future. Adequacy of existing retail is demonstrated by consistency with County Comprehensive Plan spacing of Community Commercial lands at 2-4 mile intervals.

- **The subject site appears to be neither well situated nor adequately sized to accommodate a market-competitive commercial development.** The site is fundamentally flawed by WSDOT’s determination not to allow direct access from the major SR503 corridor fronting the site. At less than 3½ acres, the site is also relatively small and poorly configured in L-shape fashion to attract investment capital for a planned neighborhood center. If retail demand does re-emerge in the future as with UGA expansion and population growth, that demand will be more readily accommodated by the substantial remaining retail land inventory in conjunction with major existing uses) at the NW quadrant rather than SE corner of the SR 503 / NE 119th Street intersection.

If a commercial use does emerge in the near term for the subject site, it most likely will be for a low intensity function not requiring direct customer access. Examples of such uses include mini-storage/RV-storage facility or a use requiring outdoor storage or buildings of relatively low value. These uses typically have very limited on-site employment, would not serve the commercial shopping and service interests of the neighborhood, and would be incompatible with adjoining existing residential and high school educational campus uses.

MARKET VIABILITY OF RESIDENTIAL USE

Even as the retail sector of the economy faces significant repositioning, residential opportunity continues to increase. There is considerable latent (or pent-up) demand from the recession of 2007-09 that has yet to be fully addressed. And resident choices have changed – favoring more rental and multi-family housing opportunities than historically has been the case.

Since 2010, Clark County has added about 8,300 rental units – comprising new apartment construction together with owner-occupied, single-family housing converted to rentals. Rental housing accounts for about 35% of all occupied housing county-wide:

- As of Fall 2019, the East Vancouver area (east of I-205) had an apartment vacancy rate of 4.15% -- below the metro-wide vacancy factor of 4.42%.³ Even with increasing new construction, vacancy rates continue to remain low – dropping from 4.81% in Spring 2018. The lowest eastside vacancy rates are noted for studio and 2-bedroom townhome units at 1.4% and less than 2.2%, respectively
- At \$1.45 per square foot per month, East Vancouver apartment rents are below average rents region-wide – but about 5% above average rates for West Vancouver. Average rents have increased by 12% since Spring 2018 – a clear indication of rapidly increasing demand as well as growing concern with affordability due to supply that continues to lag behind demand.

As this firm has documented in other market studies, East Vancouver’s housing demand has been driven by rapid job growth in recent years. The rate of eastside job growth has outpaced gains to housing supply – resulting in both shrinking vacancies and rapid rent rate increases.

While much of the East Vancouver’s multi-family development traditionally has been located in or near the Cascade Park area, new projects are occurring across a broader geographic area – depending in large part on site availability and supportive zoning. The Promenade North property offers the advantage of providing high density housing in a setting at the UGA edge but in immediate proximity to other existing R-30 development.

Also noted is that Clark County’s multi-family market has been dominated by attached rental residential (as with duplexes) and smaller apartment complexes of less than 20 units. The lack of larger apartment properties limits the share of the market that can be effectively served – as larger properties of 50+ units typically achieve efficiencies of lower per-unit operating expense.

While development design and marketing plans for the Promenade North site have yet to be prepared pending the outcome of comprehensive plan and zoning amendment review, the 3.45 acre site could accommodate up to just over 100 units if built to maximum R-30 zoned density. Residential units also will have the advantage of proximity to Prairie High School and to convenience shopping within easy walking distance.

Summary Observations – Residential Need

To summarize, the following observations can be made as to the strong need for additional multi-family residential development of the subject Pioneer North property:

- **Regionally and locally, demand for multi-family development remains strong.** The ability to build new multi-family inventory at sites convenient to diverse places of employment, services and recreation is important to meet resident needs and to support continued economic opportunity county-wide. This is a need of particular importance for the east Vancouver area where housing has not kept pace with employment growth in recent years.
- **Promenade North is well situated to help address this continuing residential need at the edge of the Vancouver UGA.** The subject property adjoins and would complement existing adjoining R-30 development. The site is also readily accessible to day-to-day convenience retail and service providers – as a marketing advantage and draw for prospective residents.

In the absence of a Comprehensive Plan amendment and associated zone change, it is unclear as to when and how the site might develop. If zoning remains unchanged, there is substantial risk that the subject Promenade North site will remain undeveloped and underutilized for the foreseeable future, with limited opportunity to contribute to the community’s tax base, residential and economic well-being.

CONCLUDING NOTES

As noted at the outset, this market analysis has been aimed to address two questions raised in Clark County's review of the proposed land use re-designation – related to viability of residential versus commercial use and adequacy of alternative commercially zoned properties in the vicinity area. As documented by this report, these two questions are addressed in summary fashion as follows:

- **The subject site is considerably more viable for urban high density residential (R-30) than for Community Commercial CC use.** WSDOT's determination that the site cannot directly access SR 503 renders this location unsuitable for customer oriented commercial or retail use. The combination of inadequate customer access and weak demand regionally and locally for commercial retail space render this site as not viable for commercial use for the reasonably foreseeable future. By comparison, the site is well situated to capture continued strong demand for multi-family use at a site offering convenient access to already available consumer goods and service within 1-4 miles.
- **There are sufficient alternative commercially zoned properties in the vicinity to serve immediate community needs for commercial uses.** In the event of strengthening commercial demand – especially with future area population growth – the NW quadrant of the SR 503 / NE 119th Street intersection has up to 16+ acres of as yet developed CC zoned land situated in direct proximity to already well established businesses. Within 1-4 miles there are other alternative site opportunities at key area intersections – to the west at NE 119th Street / 72nd, to the north at SR 503 / Scotton Way in Battle Ground, to the south at SR 503 / NE 99th Street, and southwest to as yet undeveloped commercial sites readily accessible via the Padden Parkway, I-205 and Andresen Boulevard.

Taken together, these factors are strongly supportive of the proposed re-designation of the 3.45-acre Promenade North property from Community Commercial (CC) to Urban High Density Residential (R-30) use. E. D. Hovee appreciates the opportunity to provide this market analysis and is prepared to address questions regarding any aspect of this report.

END NOTES

- ¹ Information for this economic analysis has been obtained from sources deemed to be reliable. However, the accuracy of information from third party sources is not guaranteed and data is subject to change without notice. Findings and conclusions of this memorandum are those of the author and should not be construed as representing the opinion of any other party without their prior express consent, whether in whole or part.
- ² While retail space locally and regionally benefits from relatively low vacancy rates of 3.5% or less, the primary story is about lack of new construction regionally and locally due to shrinking demand. After a year of negative space demand in 2017 (with new vacancies outpacing demand), Clark County experienced what appeared to be a modest rebound in retail absorption in 2018.

However, when also adjusted for loss of some competitive space due to use conversion, net leasing in 2018 equated to just over a 1% increase in occupied county-wide retail space – a rate of increase that remains below the pace of population growth. Based on the most recent data available, this pattern of weak demand has continued through at least the 3rd quarter of 2019 – with virtually no positive net space absorption. This is consistent with experience of the entire Portland-Vancouver metro region.
- ³ Rental information is from the most recent semi-annual Apartment Report for the Portland-Vancouver market prepared by Multifamily NW.

This market analysis of a comprehensive plan/zone amendment for the Promenade North property has been prepared by the economic and development consulting firm **E. D. Hovee & Company, LLC**. Since 1984, E. D. Hovee has provided economic forecasting, market and feasibility studies for a range of residential, commercial, mixed use development and other major capital projects – primarily focused in Clark County and the greater Portland-Vancouver metro region:

The firm has conducted multiple assignments in unincorporated Clark County for the I-5/179th Street interchange area, commercial developments in the vicinity of 88th and Andresen, commercial/residential market and land use reviews on the 78th Street Corridor and at NE 152nd Street north of Ward Road, and planned redevelopment of the former Leichner landfill.

Clients assisted have included:

- **Public agencies** such as Clark County, the Cities of Vancouver, Battle Ground, Washougal and Ridgefield, area school districts including Evergreen, Battle Ground and Hockinson, the Vancouver Housing Authority, C-TRAN, and Clark County port districts.
- **Non-profit organizations** including the Columbia River Economic Development Council, Identity Clark County, and Fort Vancouver National Trust.
- **Private firms** including Aachen Development, the Al Angelo Company, CJ Dens Land Company, Gaither Family, Fore Development, Ginn Realty, Gramor Resources, Hurley Development, Killian-Pacific, Property Management Group, TSR Investments, and Real-Vest.

MEMORANDUM

Date: February 7, 2020

To: Ahmad Qayoumi, PE
Public Works Director/County Engineer
P.O. Box 9810
Vancouver WA 98666-9810
copy: Gary Albrecht

From: Frank Charbonneau, PE, PTOE

Subject: TIA Waiver Request
Promenade North Annual Review
NE 116th Street, Clark County
FL2014

On behalf to the applicant (William Maitland) a request to waive the traffic impact study is hereby submitted for the property located on tax lot #200200-00 in the northeast intersection corner of SR500/NE 117th Avenue at NE 116th Avenue in Clark County.

The applicant has submitted a Comprehensive Plan and Zone Change Annual Review for a portion of the vacant property (which totals 3.45 acres) from a Comprehensive Plan designation of Commercial and Community Commercial zoning to a Comprehensive Plan designation of Urban High Density Residential and R-30 zoning to match that of the eastern portion of the parcel. Should the Annual Review be approved, the Applicant will then submit for a multi-family development on the subject parcel. Although the date for submitting the actual application is not definite at this time it is understood that a full traffic study will be required and submitted at the time of application per the County's concurrency standards.

A trip generation analysis dated 1/15/2020 was previously submitted. The analysis documented that the multi-family development allowed under the proposed residential zoning will generate substantially fewer trips than a commercial and multi-family development under the current zoning. Please reference the attached trip generation assessment attached to this memorandum.

Access to the property will be provided on NE 116th Avenue with connectivity through NE 122nd Avenue. Northeast 116th Avenue currently dead-ends at SR503 where direct access to the highway will not be permitted by the Washington State Department of Transportation. Without direct access to SR503 it would be infeasible to develop the site as a commercial use due to the resulting out-of-way traffic circulation conditions through residential neighborhoods to reach the property.

Within one mile of the site there are two roadway projects listed in the Six Year Transportation Improvement Program (2019-2024): Project #9 – NE 119th Street at NE 132nd Avenue intersection upgrade and Project `D` - NE 119th Street, East (NE 87th Avenue to NE

112th Avenue). Both of the TIP projects identified are expected to benefit the County's transportation system to safely accommodate future trips generated by the proposed development.

Based on these considerations it is requested that the County waive the requirements for a traffic impact study at this time for the Annual Review.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email Frank@CharbonneauEngineer.com.

Attachment

- Trip Generation Assessment, Promenade North Development, 1/15/20, Charbonneau Engineering

MEMORANDUM

Date: January 15, 2020

To: Mike Odren, RLA
Associate Principal
Olson Engineering, Inc.
222 East Evergreen Blvd
Vancouver WA 98660

From: Frank Charbonneau, PE, PTOE

Subject: Trip Generation Assessment FL2007
Promenade North Development
NE 116th Street Clark County

This memo will serve as the trip generation assessment documenting the number of vehicular trips that will be produced by the Promenade North development project in Clark County.

The 3.45 acre site is situated in the northeast intersection corner of SR503 and NE 116th Avenue on tax lot #200200-000. Vehicular access to the site will be provided on NE 116th Avenue with easterly connectivity to NE 122nd Avenue. Northeast 116th Avenue currently dead-ends at SR503 where direct access to the highway will not be permitted.

The subject parcel is currently vacant and zoned for community commercial and residential. The proposed development will buildout 99 apartment units and requires an amendment to the comprehensive plan and zoning maps. The County's annual review process requires certain transportation criteria and an analysis demonstrating the adequacy of transportation services. To support the County in defining the upcoming transportation study's scope it was necessary to provide a summary of the site's trip generation. In this regard several development and zoning scenarios have been assessed for trip generation comparison purposes.

Scenario 1 - Existing zoning with maximum site buildout including 20 apartment units and 30,250 square feet of commercial retail

Scenario 2 - Proposed zoning with site buildout totaling 99 apartment units (actual proposed development plan for Promenade North)

Scenario 3 - Proposed zoning with maximum site buildout including 103 apartment units (not proposed with this development)

A summary of the trip generation results for each scenario is provided in the following tables. The analysis is based on the ITE Trip Generation manual (10th edition, year 2017).

Table 1 Scenario #1 Trip Generation Summary - Existing Zoning Max Buildout

ITE Land Use	Units (sq.ft.)	Units	Weekday							
			ADT	AM Peak Hour			PM Peak Hour			
				Total	Enter	Exit	Total	Enter	Exit	
<i>Low-Rise Housing (#220)</i>	20	20								
Generation Rate ¹		apartments	7.32	0.46	23%	77%	0.56	63%	37%	
Total Driveway Trips			146	9	2	7	11	7	4	
Shopping Center (#820)	30,250	30,250								
Generation Rate ¹		sq. ft.	37.75	0.94	62%	38%	3.81	48%	52%	
Total Driveway Trips			1,142	28	17	11	115	55	60	
Pass-By Trips (ADT: 0%; AM: 0%; PM: 34%)							39	19	20	
Site Total Driveway Trips			1,288	37	19	18	126	62	64	
Site Pass-by Trips			0	0	0	0	39	19	20	
Site New Trips ³			1,288	37	19	18	87	43	44	

¹ Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

² Pass-by percentage based on *Trip Generation Handbook*, 3rd Edition, ITE, 2017.

³ New Site Trips = Total Driveway Trips - Pass-by Trips.

Table 2 Scenario #2 Trip Generation Summary - Proposed Zoning with Proposed Buildout

ITE Land Use	Units (sq.ft.)	Units	Weekday							
			ADT	AM Peak Hour			PM Peak Hour			
				Total	Enter	Exit	Total	Enter	Exit	
<i>Low-Rise Housing (#220)</i>	99	99								
Generation Rate ¹		apartments	7.32	0.46	23%	77%	0.56	63%	37%	
Total Driveway Trips			725	46	11	35	55	35	20	

¹ Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

Table 3 Scenario #3 Trip Generation Summary - Proposed Zoning with Maximum Buildout

ITE Land Use	Units (sq.ft.)	Units	Weekday							
			ADT	AM Peak Hour			PM Peak Hour			
				Total	Enter	Exit	Total	Enter	Exit	
<i>Low-Rise Housing (#220)</i>	103	103								
Generation Rate ¹		apartments	7.32	0.46	23%	77%	0.56	63%	37%	
Total Driveway Trips			754	47	11	36	58	37	21	

¹ Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

Under the existing zoning (Scenario 1) the 3.45 acre site containing both commercial and residential development would generate the highest number of trips on a daily basis and in the PM peak hour.

The proposed Promenade North development (Scenario 2) with 99 apartment units will generate 56% of the ADT and 63% of the PM peak hour trips compared to the potential number of trips generated at maximum buildout under the existing zoning in Scenario 1.

The maximum buildout allowed under the proposed zoning (Scenario 3) with 103 apartment units will generate 59% of the ADT and 67% of the PM peak hour trips compared to the potential number of trips generated at maximum buildout under the existing zoning in Scenario 1. The Scenario 3 building scenario is not being proposed with Promenade North.

It is recommended that Clark County use the number of trips in Scenario 2 for 99 apartment units to determine the traffic study scope for the Promenade North project.

If you should need any additional traffic engineering support on this project or if there are any further questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email Frank@CharbonneauEngineer.com.

Mike Odren

From: Sharon Lumbantobing <Sharon.Lumbantobing@clark.wa.gov> on behalf of Sharon Lumbantobing
Sent: Wednesday, February 12, 2020 3:32 PM
To: 'Mike Odren'
Subject: Fully Complete letter and TIA Waiver Request approved - Promenade North Dev
Attachments: fully complete letter.pdf

Mike,

Please find attached the fully complete letter for CPZ2020-00010 Promenade North. Please attach the email chain below in your final packet as evidence that the waiver of the transportation analysis has been approved.

Thank you,
Sharon



Sharon Lumbantobing
Planner II
COMMUNITY PLANNING

564.397.4909



From: Gary Albrecht
Sent: Wednesday, February 12, 2020 3:17 PM
To: Sharon Lumbantobing
Subject: FW: TIA Waiver Request - Promenade North Dev

Hi Sharon,
Please see email below for the record.

Gary

From: Ahmad Qayoumi
Sent: Wednesday, February 12, 2020 3:14 PM
To: Gary Albrecht; David Jardin
Cc: Rob Klug; frank@charbonneuengineer.com
Subject: Re: TIA Waiver Request - Promenade North Dev

Thanks the inputs from both of you. Based on the recommendations and determination from David in this attached email, I will grant the waiver. AQ

Sent from my iPad

On Feb 12, 2020, at 11:47 AM, Gary Albrecht <Gary.Albrecht@clark.wa.gov> wrote:

Good morning Ahmad:

Can you let us know if this TIA waiver request will be granted? Community Planning needs to send out a determination of fully complete or incomplete letter by February 13th.

Please let me know if any additional information is needed to help with providing an answer.

The TIA answer will be used in determining fully complete status.

Gary

From: David Jardin

Sent: Monday, February 10, 2020 5:55 PM

To: Rob Klug; Gary Albrecht

Cc: Ahmad Qayoumi

Subject: RE: TIA Waiver Request - Promenade North Dev

Good Afternoon:

There is a lot of recent history with regard to the subject parcel. Property owner disputes and the like. However, none of that history will have bearing on the request.

Concurrency Staff has been working with Gary Albrecht, Transportation Planner, to review the applicant's request to waive a requirement to perform a Traffic Study evaluating the trip impacts with a change in the property zoning from Community Commercial to Urban High Density Residential and R-30 through an Annual Review process.

The applicant's information suggests assumptions that represent what they believe are maximum buildout under existing and proposed zoning. The trip generations, using the applicant's maximum buildout scenarios, show an ADT and PM Peak Hour reduction. The AM Peak Hour trip generation estimates suggests an increase of 10 peak trips. This may result in an increase in delay on the stop controlled NE 122nd Avenue and a faster degradation of the level-of-service at the intersection NE 122nd Avenue/NE 119th Street. However, this intersection is not regulated by Concurrency, but by safety. Staff reviewed the available crash history on the County's GIS. The available crash history does not appear to reflect a crash trend at the intersection of NE 122nd Avenue/NE 119th Street.

The last most recent development in this area, on the NE 122nd Avenue/NE 116th Street road system was called RRC Group Apartments. The traffic study for this development estimated a level-of-service in their 2021 buildout year, at the intersection of NE 122nd Avenue/NE 119th Street, of 'C' in both the AM and PM Peak Hour.

Concurrency staff is supportive of the request to waive a traffic study requirement. This support is based on an overall reduction in the number of development related trips; a current unsignalized stop controlled intersection LOS, at NE 122nd Avenue/NE 119th Street, that is good; the previously approved development along the NE 116th Street, NE 122nd Avenue road segments have submitted traffic studies that indicate the intersection of NE 122nd Avenue/NE 119th Street will operate at acceptable levels; the crash history at this intersection does not appear to reflect a crash trend; and, that site specific development would be required to submit a traffic study to-evaluate its development trip impacts on the adjacent/nearby road network in accordance with the Clark County Code.

Please let me know if you have questions regarding this information.

<image001.jpg>

David Jardin
Concurrency Engineer
PUBLIC WORKS DEVELOPMENT ENGINEERING

564.397.4354 Direct
www.clark.wa.gov/public-works

<image002.jpg> <image003.jpg> <image004.jpg>

From: Ahmad Qayoumi
Sent: Friday, February 07, 2020 12:15 PM
To: Rob Klug; David Jardin
Cc: Lauren Smith
Subject: Fwd: TIA Waiver Request - Promenade North Dev

Please review the request and let me know if you agree. I am not familiar with the project. We can go over the request at the same time as the other project I just e-mailed you. AQ

Sent from my iPad

Begin forwarded message:

From: <frank@charbonneauengineer.com>
Date: February 7, 2020 at 11:43:48 AM PST
To: <Ahmad.Qayoumi@Clark.WA.gov>
Cc: Gary Albrecht <Gary.Albrecht@Clark.wa.gov>, Mike Odren <mikeo@olsonengr.com>
Subject: TIA Waiver Request - Promenade North Dev

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ahmad – We have prepared a request to waive the traffic analysis study for Bill Maitland’s Promenade North property located near SR500/NE 117th Avenue and NE 116th Avenue. The pre-app case # is PAC2019-00031.

Would you please review the attached letter and confirm if the request will be approved?

Thank you.

Frank Charbonneau, PE, PTOE
Charbonneau Engineering
503.293.1118

This e-mail and related attachments and any response may be subject to public disclosure under state law.



**Washington State
Department of Transportation**

Paula Hammond, PE
Secretary of Transportation

Southwest Region
11018 Northeast 51st Circle
PO Box 1709
Vancouver, WA 98668-1709

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December 30, 2008, REVISED December 31, 2008

Alan Boguslawski, Planner
Clark County Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666

Re: The Promenade
SR 503, MP 2.64

Dear Mr. Boguslawski:

The Washington State Department of Transportation (WSDOT) staff has reviewed your Request for Land Use Review for The Promenade. Approval will permit a mixed-use development consisting of 112 apartment units in four buildings as well as a two-story commercial building on 5.19± acres. WSDOT sent you a comment letter dated October 23, 2008. The project was then placed on "Hold" in order to resolve access issues. Since that time, a significant amount of additional review has occurred, as well as discussions, both internally at WSDOT, and with the applicant. As a result, WSDOT would like to revise our previous comment letter, and address our concerns with the following comments.

The applicant proposes accessing NE 117th Avenue, which is a state highway (SR 503). WSDOT has jurisdiction over this access per RCW 47.50, WAC 468.51 and WAC 468.52. The Access Management Law (Chapter 468-52 WAC) has classified this portion of SR 503 as a Class 3 highway. According to RCW 47.50.010(3), it is the policy of the legislature that: (a) The access rights of an owner of property abutting the state highway system are subordinate to the public's right and interest in a safe and efficient highway system; and (b) Every owner of property which abuts a state highway has a right to reasonable access to that highway...but may not have the right of a particular means of access. The right of access to the state highway may be restricted if, pursuant to local regulation, reasonable access can be provided to another public road which abuts the property."

It is our understanding that the county is requesting a public neighborhood circulator passing through the site, and intersecting SR 503. This intersection would serve as the entrance to The Promenade. Due to the traffic from The Promenade, and traffic from future development that would utilize this circulator to access SR 503, a northbound right turn deceleration lane is required on SR 503 at this intersection. However, we have found that it is impossible to construct this right turn lane, due to the inability to obtain right of way from the property to the south of The Promenade, as well as physical constraints along the Brush Prairie Cemetery frontage.

Because an adequate intersection can't be constructed at this location, and in order to provide access to The Promenade, WSDOT proposes the following:

EXHIBIT #

18

1. WSDOT will permit a temporary driveway cut at this location.
2. This driveway cut is to provide access to a driveway serving The Promenade ONLY. We request that this not be a public road at the access to SR 503, and no other parcels or developments be permitted to use this driveway to access SR 503.
3. When access becomes available to The Promenade from other developments, the temporary driveway cut will be closed. At that time, The Promenade will be required to obtain access through these other developments.
4. WSDOT understands that The Promenade proposes to utilize the existing driveway for the parcel to the north as an emergency access. Bollards or some other devices are to be placed across this access as it enters The Promenade, to restrict it to emergency vehicles only. However, WSDOT would like to make you aware that, when the parcel to the north is developed, its driveway will be closed, as well as the driveway serving The Promenade. Therefore, the emergency, as well as the primary access from The Promenade to SR 503 will not be available.
5. The county has asked if emergency access will be permitted through the temporary driveway and driveway cut once it is closed. Bollards are to be placed across this access at that time, to restrict access to emergency vehicles only. WSDOT will permit the driveway connection to remain, providing that the bollards are installed. However, the driveway drop will need to be removed, in order to prevent non-emergency vehicles from attempting to utilize this access. Emergency vehicles will need to mount the curb to utilize this access. The curb and sidewalk will need to be constructed to withstand the imposed loads of fire apparatus.

WSDOT would have the proponent be aware that this development is in the vicinity of a High Accident Corridor (HAC), SR 503 milepost 1.50 to 2.99. A HAC is defined as "A highway corridor 1 mile or greater in length where a five-year analysis of collision history indicates that the section has higher than average collision and severity factors." The proposed safety solution for this deficiency is to install center median curbing on SR 503 to restrict left turn movements.

The applicant was told at the preapplication conference that median curbing wasn't to be installed immediately, but would be constructed as the area develops. This curb would block left turn movements to and from Prairie High School, located on the east side of SR 503. However, a new access road, connecting the school to a new signalized intersection on NE 119th Street is being planned. Construction of this access road will permit placement of median curbing on SR 503 along the frontage of the subject site. This will likely occur in 2009.

The applicant should participate in the construction of this median curb. This is justified under SEPA for the following reasons:

- As stated above, SR 503 in the vicinity of this development is a HAC. As a HAC, there is an identified public safety hazard to the traveling motorists on SR 503.

- The applicant's Traffic Impact Analysis (TIA) identifies 807 net new vehicle trips per day with 89 net new trips occurring in the PM Peak Hour. This increase as a direct result of this development will exacerbate an already hazardous condition.
- The installation of the center median curb will significantly reduce the number and severity of accidents at this location. The Access Management Manual produced by the Transportation Research Board shows several studies where a Two-Way-Left-Turn-Lane (TWLTL) was replaced by center median resulting in a 15% to 57% reduction in the number of accidents.
- The installation of center median is a relatively low cost solution for this intersection.

WSDOT recommends that the applicant contribute a proportionate share of the construction costs of the median curb, in lieu of constructing a short section of curb in the vicinity of their project.

The median curb will render the proposed access driveway drop to right-in, right-out only. Even if this curb is not constructed soon, this access must be restricted to right-in, right-out movements by some means, due to the safety issues discussed above.

The proposed access road is immediately south of, and adjacent to an existing driveway, which appears to serve two large residential lots. When the parcel to the north develops, this driveway access should be eliminated, and access to these parcels should be provided via the applicant's proposed onsite road.

When the parcel to the north of The Promenade develops and requests access to SR 503, WSDOT will require them to construct a full intersection, including a northbound right-turn deceleration lane on SR 503. This lane will probably extend along the frontage of The Promenade. The Promenade will likely utilize this intersection for access to SR 503, as the temporary access will be closed. Therefore, in order to accommodate this future turn lane as well as the associated sidewalk, illumination, utilities and stormwater facilities, WSDOT requests that The Promenade donate 16 feet of right of way along the frontage of this site. WSDOT only accepts and recognizes donations by means of a Warranty Deed along a State highway, even if property will eventually vest with a local jurisdiction. Conventional plat dedications do not carry the same legal status as Warranty Deeds. The ownership of right of way along a State highway granted only by a plat dedication can cause serious problems in the future if that right of way needs to be certified for a State or Federally funded highway improvement project. The right of way donation process could take several months to complete and should be started as early as possible to avoid potential delays to the project.

Intersection Plans must be submitted for WSDOT's review and approval for the proposed road intersection with SR 503. It is the responsibility of the proponent to stay in close contact with WSDOT during their design and application stages as WSDOT has the authority to accept or reject intersection plans.



**Washington State
Department of Transportation**

Paula Hammond, PE
Secretary of Transportation

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December 30, 2008

Alan Boguslawski, Planner
Clark County Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666

Re: The Promenade
SR 503, MP 2.64

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It is our understanding that the county is requesting a public neighborhood circulator passing through the site, and intersecting SR 503. This intersection would serve as the entrance to The Promenade. Due to the traffic from The Promenade, and traffic from future development that would utilize this circulator to access SR 503, a northbound right turn deceleration lane is required on SR 503 at this intersection. However, we have found that it is impossible to construct this right turn lane, due to

the inability to obtain right of way from the property to the south of The Promenade, as well as physical constraints along the Brush Prairie Cemetery frontage.

Because an adequate intersection can't be constructed at this location, and in order to provide access to The Promenade, WSDOT proposes the following:

1. WSDOT will permit a temporary driveway cut at this location.
2. This driveway cut is to provide access to a driveway serving The Promenade ONLY. We request that this not be a public road at the access to SR 503, and no other parcels or developments be permitted to use this driveway to access SR 503.
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WSDOT would have the proponent be aware that this development is in the vicinity of a High Accident Corridor (HAC), SR 503 milepost 1.50 to 2.99. A HAC is defined as "A highway corridor 1 mile or greater in length where a five-year analysis of collision history indicates that the section has higher than average collision and severity factors." The proposed safety solution for this deficiency is to install center median curbing on SR 503 to restrict left turn movements.

The applicant was told at the preapplication conference that median curbing wasn't to be installed immediately, but would be constructed as the area develops. This curb would block left turn movements to and from Prairie High School, located on the east side of SR 503. However, a new access road, connecting the school to a new signalized intersection on NE 119th Street is being planned. Construction of this access road will permit placement of median curbing on SR 503 along the frontage of the subject site. This will likely occur in 2009.

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- The installation of the center median curb will significantly reduce the number and severity of accidents at this location. The Access Management Manual produced by the Transportation Research Board shows several studies where a Two-Way-Left-Turn-Lane (TWLTL) was replaced by center median resulting in a 15% to 57% reduction in the number of accidents.
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WSDOT recommends that the applicant contribute a proportionate share of the construction costs of the median curb, in lieu of constructing a short section of curb in the vicinity of their project.

The median curb will render the proposed access driveway drop to right-in, right-out only. Even if this curb is not constructed soon, this access must be restricted to right-in, right-out movements by some means, due to the safety issues discussed above.

The proposed access road is immediately south of, and adjacent to an existing driveway, which appears to serve two large residential lots. When the parcel to the north develops, this driveway access should be eliminated, and access to these parcels should be provided via the applicant's proposed onsite road.

Intersection Plans must be submitted for WSDOT's review and approval for the proposed road intersection with SR 503. It is the responsibility of the proponent to stay in close contact with WSDOT during their design and application stages as WSDOT has the authority to accept or reject intersection plans.

If work is required of this development within WSDOT right of way that is not covered under submitted SEPA documentation, then the applicant may be required to file additional SEPA documentation. Mitigation requirements may include, but are not limited to, roadway widening, stormwater treatment and detention, intersection improvements, and wetland impacts. Filing additional SEPA documentation could add significant time to the review process. To avoid these delays, it is recommended that the applicant contact WSDOT early in the process to identify potential mitigation measures that may be required.

WSDOT will require the following for all work within WSDOT right of way:

- Proposed changes to State facilities must be designed to current WSDOT standards and specifications.
- Plans must be reviewed and approved by WSDOT prior to beginning work.
- Engineering calculations, plans and reports submitted for review and approval must bear the seal and original signature of a professional engineer licensed in the State of Washington.
- Copies of all environmental documentation required of this project by any local, State, or Federal jurisdiction. Failure to provide this documentation may result in a substantial delay of approval by WSDOT.
- Construction must be done in accordance with the current WSDOT Standard Specifications for Road, Bridge, and Municipal Construction manual.

- Construction inspection will be performed by WSDOT at the developer's expense.

Since this development will require work within WSDOT right of way, WSDOT will require that the developer enter into a developer agreement with WSDOT. The Developer Agreement is a contract between WSDOT and the developer stating each party's rights and responsibilities, and describing the proposed work. It typically includes a standard agreement form, right of way plan sheet(s), and a complete set of specifications and engineering plans. Any alteration to the standard wording on the pre-printed developer agreement form must be approved by the Attorney General's office prior to execution of the agreement.

The applicant should be aware that there may be utilities within WSDOT right of way that could require relocation. These utilities may include, but are not limited to, fiber optic, natural gas, power, phone, and drainage and may be above or below ground. It is recommended that the applicant contact WSDOT to determine if there are utilities in the vicinity of this development that will be impacted. The relocation of some of these utilities could add a substantial cost increase to this project. In particular, the applicant should be aware of a concrete-encased fiber optic line along SR 503 in this area. Previous developments along this corridor have found this line to be close to the surface, and very expensive to move. Therefore, WSDOT suggests that the exact location of this line be determined prior to final plans, as it may impact the design of these improvements.

Work within or adjacent to WSDOT right of way will require an approved Traffic Control Plan. The applicant's Traffic Control Plan must conform to current WSDOT standards as set forth in the "Manual on Uniform Traffic Control Devices". The plan shall also document how the applicant will provide for safe and efficient movement of vehicles on the state highway system during construction within or adjacent to the state's facilities.

Please be advised that WSDOT is required to be reimbursed by agreement for our actual direct and related expenses associated with this project. All work performed within the WSDOT right of way will require our technical review, permits, inspection and approval by WSDOT prior to construction. This reimbursable agreement must be in place prior to WSDOT reviewing any plans submitted for approval.

Facilities to address onsite stormwater are proposed adjacent to the SR 503 right of way. These facilities may need to be moved to accommodate the required intersection improvements at this location.

Due to the proximity of this proposal to a state route, WSDOT will require that lighting installed by the applicant must be of an appropriate wattage and be shielded and/or directed according to RCW 47.36.180 to avoid any glare to the motorists on SR 503.

Signing and advertising adjacent to state highways are controlled by certain regulations and restrictions. Signing plans must be submitted to WSDOT's Southwest Region Traffic Operations office for review and approval.

Because of the proximity of your project to the state highway system, noise generated by traffic may be greater than the level established for control of highway noise by Federal highway Administration (FHWA) regulations. Because the highway predates this development, WSDOT will not be responsible for any traffic noise mitigation measures that may be necessary. WSDOT concludes that at a minimum, a note must be placed on the face of the plat as a disclosure to any potential property owners.

These comments are based on a preliminary review of your project. As this project progresses, there may be need for additional information by this department for further review. There may be other issues and requirements by this department that are not stated here. Other issues or requirements may include, but are not limited to, drainage, illumination, access, signing, and channelization. This review does not constitute final approval by WSDOT.

Thank you for the opportunity to comment on t the above referenced project. If you have need of additional information, please contact Mr. Ken Burgstahler, Southwest Region Development Review Office, at (360) 905-2052.

Sincerely,



Jeff Barsness
Assistant Planning Manager

JB: kb .

Mike Odren

From: Barsness, Jeff <BarsneJ@wsdot.wa.gov> on behalf of Barsness, Jeff
Sent: Monday, February 3, 2020 9:42 AM
To: Mike Odren
Subject: RE: SR 503 Access Limitations at NE 116th Street
Attachments: WSDOT Letter.pdf

Mike,

Sorry, I started to write this last week. In regards to your question about access from SR 503 to the proposed Promenade development, WSDOT's position about access to SR 503 has not changed and our comments in our letter dated December 30, 2008, Revised December 31, 2008 are still valid. Let me know if you need anything else.

Jeff

Jeff Barsness
Development Services Engineer
11018 NE 51st Circle
Vancouver, WA 98682
360-905-2059

From: Mike Odren <mikeo@olsonengr.com>
Sent: Monday, January 27, 2020 7:47 AM
To: Barsness, Jeff <BarsneJ@wsdot.wa.gov>
Cc: Mike Odren <mikeo@olsonengr.com>
Subject: SR 503 Access Limitations at NE 116th Street

Good morning, Jeff.

We are submitting for an Annual Review to change the Comprehensive Plan designation of the eastern approximately 4/5th of parcel 200200-000 from Commercial to Urban High-Density Residential and an R-30 zoning designation to match that of the eastern 1/5th of the parcel. I've attached the letters WSDOT provided previously with development of the Promenade Apartment project located on parcel 200100-000. We also note that there is a C-Tran bus stop located adjacent to the subject parcel's frontage. Would you please provide either an updated letter or email response indicating WSDOT's continued position on the access limitations directly to and from NE 116th Street to SR 503 and access directly to the subject parcel from SR 503? This will be included in the Annual Review application to Clark County.

Thanks!

Mike

Michael Odren, RLA
Landscape Architect, Land Use Planner
Associate Principal
Olson Engineering, Inc.
222 E. Evergreen Boulevard
Vancouver, WA 98660

Mike Odren

From: Mike Odren <mikeo@olsonengr.com> on behalf of Mike Odren
Sent: Wednesday, January 15, 2020 12:37 PM
To: greaterbrushprairie@gmail.com
Cc: Mike Odren
Subject: Promenade North Comprehensive Plan and Zone Change Annual Review
Attachments: Zoning Maps.pdf

Good afternoon, Mr. DeNise.

We are in the process of putting an application together for a Comprehensive Plan and Zone Change Annual Review for property located in the Greater Brush Prairie Neighborhood Association. The Annual Review is for a portion of parcel number 200200-000 (no site address) (a currently split-zoned parcel with Community Commercial and R-30 residential zoning) to change the Comprehensive Plan designation of the Commercially zoned portion of the site from Commercial to Urban High Density Residential with an R-30 zoning designation. Currently, the R-30 residentially zoned portion consists of the eastern approximately 1/5th of the site, with the commercially zoned portion consisting of the balance of the site (please refer to the zoning maps attached). The site is located on a vacant and unused parcel at the northeast corner of the intersection of NE 116th Avenue (private) and SR 503 (NE 117th Avenue).

The subject parcel is located along SR 503. The only vehicular access to the site is from NE 116th Avenue, which runs along the southern portion of the site. However, Washington State Department of Transportation has indicated that access will not be allowed from SR 503 to NE 116th Avenue. As such, vehicular access to the site is a circuitous route from eastbound NE 119th Street to southbound NE 122nd Avenue to westbound NE 116th Street. Additionally, a C-Tran bus stop is located along the subject parcel's frontage with SR 503. The bottom line is that the site does not have and may not take direct vehicular access from SR 503, which is critical for any viable commercial development. As a result of this lack of direct vehicular access critical for any commercial use success, we feel residential is a more appropriate zoning and will fit better with the surrounding community than commercial zoning and uses. A development review application for a multi-family development is not part of the Annual Review application process.

Please respond with any questions, comments or concerns the neighborhood association may have by January 29, 2020.
Respectfully,

Mike

Michael Odren, RLA

Landscape Architect, Land Use Planner

Associate Principal

Olson Engineering, Inc.

222 E. Evergreen Boulevard

Vancouver, WA 98660

(360) 695-1385

OR (503) 289-9936

Fax (360) 695-8117

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Boundary Line Adjustment Review and Decision

Project Name: HIGHLAND CROSSING APARTMENTS BLA

Case Number: BLA2017-00014

Location: 12115 NE 119th Street

Request: Combine multiple parcels for a multifamily development.

Parcel Numbers and Size: 200067-000 (.22 acres); 200142-000 (.27 acres); 200172-000 (5.52 acres); 200173-000 (.57 acres); 200189-000 (4.5 acres); 200192-000 (2.28 acres); and 200200-000 (3.33 acres)

Applicant: Craig Galvin
2200 E. Evergreen Blvd
Vancouver, WA
(360) 694-3313
CAG@mgsurvey.com

Contact Person: Jaima Johnson
500 E. Broadway #425
Vancouver, WA 98660
(360) 980-0124
Jaima.johnson@fnf.com

Property Owners: Albion Holdings, Highland Crossing, David and Cheryl Delyria

County Staff: Jan Bazala, Planner II
(360) 397-2375 #4499
Jan.bazala@clark.wa.gov

Time Limits

The application was determined to be fully complete on April 4, 2017. Therefore, the Clark County Code requirement for issuing a decision within 21 days lapses on April 25, 2017.

Findings

The original BLA application proposed to configure the Highland Crossing apartment site into five lots in lieu of combining the lots as required by Condition E-5 of PSR2016-00003. Difficulties in having each of the five proposed lots “stand alone” resulted in the applicant revising the submittal to combine the lots as originally required.

Revised 5/9/13



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

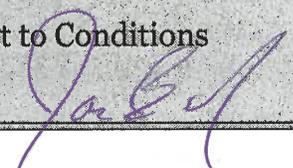
Taxlots 200067-000, 200142-000, 200172-000, 200173-000, and 200189-000 were all found to be legal lots of record through the review of PSR2016-00003. Taxlots 200192-000 (2.27 acres) and 200200-000 (3.45 acres) were found to be only one legal lot consisting of the two taxlots.

The existing lot configuration (Exhibit A) indicates acreage after right of way was dedicated for NE 122nd Avenue and NE 116th Street with PSR2016-00003.

The proposal is to combine taxlots 200067-000, 200142-000,200172-000, 200173-000, 200189-000 and 200192-000 into one lot for the Highland Crossing apartments site, and recognize that taxlot 200200-000 is by itself separate legal lot of record.

All the combined lots as shown in Exhibit B are located in the R-30 zone, and will be consistent with the boundaries approved under PSR2016-00003; all buildings will meet setbacks from the perimeter of the adjusted site as required under that site plan review. The combined lot will be 13.18 acres, easily exceeding the 4,000 square foot minimum lot area of the R-30 zone for multifamily parcels.

As shown on Exhibit B, taxlot 200200-000 will be 3.33 acres and is zoned primarily CC (Community Commercial) except that the eastern 88 feet (approximate) is zoned R-30. This is not prohibited under County Code. There are no minimum lot area or dimensional requirements in the CC zone.

Decision	
Approved, subject to Conditions	
Staff Signature: 	Date Issued: 4-14-17

Based on the above review, Community Development staff hereby approves the boundary line adjustment as shown on the attached Exhibit B.

Conditions of Approval

1. This review and approval does not accomplish the boundary line adjustment. In order to accomplish the adjustment the applicant must record a boundary line adjustment with the Clark County Auditor’s Office.

Decision Appeal Process

An appeal of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Community Development Director within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Service Center, 1300 Franklin Street, Vancouver, Washington, 98660, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This

decision was mailed on April 14, 2017. Therefore any appeal must be received in this office by the close of business on April 28, 2017 .

Any appeal of final land use decisions shall be in writing and contain the following:

- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H)
 - The specific aspect(s) of the decision being appealed
 - The reasons why each aspect is in error as a matter of fact or law
 - The evidence relied on to prove the error
- The appeal fee

Refer to the *Appeals* handout for more information and fees.

Attachments

Exhibit A – Existing Lot configuration

Exhibit B – Proposed Lot configuration

NE 119TH STREET



N 89°47'51" W
60.02'

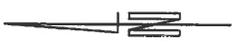
NE 117TH AVE.

APPLICANT:
CRAIG GALVIN
MINISTER-GLAESER SURVEYING
2200 E. EVERGREEN BLVD.
VANCOUVER, WA 98661
360-694-3313
EMAIL: CAG@MGSURVEY.COM

PROPERTY INFORMATION:
ZONING: R-30 & CC

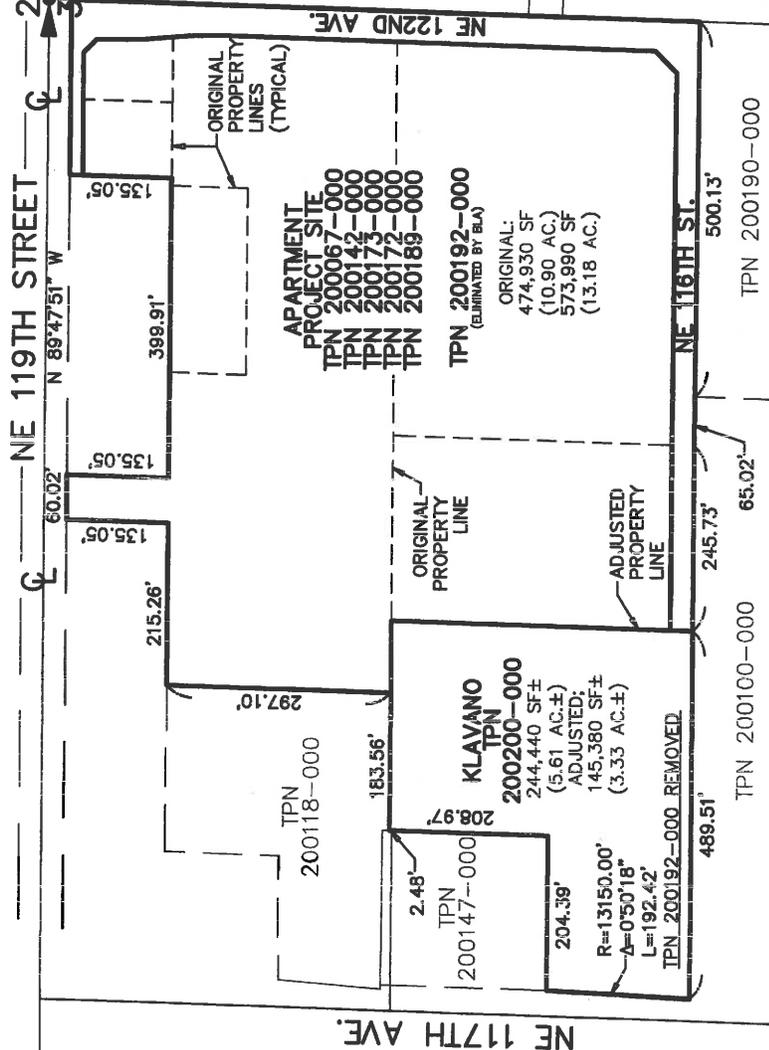
DEVELOPMENT STANDARDS (R-30):
MINIMUM AREA: 4,000 SF
MINIMUM LOT WIDTH: 40 FEET
MINIMUM LOT DEPTH: 80 FEET
DENSITY: 18-30 UNITS/ACRE

SETBACKS:
FRONT: 10 FT TO LIVING SPACE
18 FT TO GARAGE
STREET SIDE : 10 FEET
MULTIFAMILY SIDE : 10 FEET
REAR: 20 FEET
DISTANCE BETWEEN BLDGS: 8 FEET
MAX. LOT COVERAGE: 50%
MAX. BLDG. HT.: 50 FEET



TPN 200067-000

NE 116TH WAY



APARTMENT PROJECT SITE
TPN 200067-000
TPN 200142-000
TPN 200173-000
TPN 200172-000
TPN 200189-000
TPN 200192-000
(ELIMINATED BY BLA)
ORIGINAL:
474,930 SF
(10.90 AC.)
573,990 SF
(13.18 AC.)

KLAVANO TPN 200200-000
244,440 SF±
(5.61 AC.±)
ADJUSTED:
145,380 SF±
(3.33 AC.±)

TPN 200118-000
200147-000
200192-000 REMOVED
R=13150.00'
Δ=0°50'18"
L=192.42'
489.51'



PREPARED BY:
MINISTER-GLAESER SURVEYING INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WA 98661
(360) 694-3313

EXHIBIT "B"
HIGHLAND CROSSING APTS. PROJECT
BOUNDARY LINE ADJUSTMENT
PROPOSED LOT CONFIGURATION

SCALE: 1"=200'
JOB NO. 15-442
DATE: 04-03-17
DWG FILE: 15442L5
DRAWN BY: CAG

DWG FILE: 15442L5-BLA PROPOSED DRAWN BY: CAG CALC. BY: CAG