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CLARK COUNTY
WASHINGTON

STAFF REPORT

TO: Clark County Planning Commission

FROM: Mike Mabrey, Planner III

DATE: February 19, 2009

SUBJECT: AMENDMENTS TO THE 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN DOCUMENT, ARTERIAL PLAN MAP AND ZONING MAP, UDC TITLE 40 CHAPTERS 40.200.020 AND 40.250.060 REGARDING THE MILL CREEK SUB-AREA PLAN

Background

The Mill Creek sub-area is generally bounded by 179th Street on the north, 29th Avenue on the west, 50th Avenue on the east and Mill Creek on the south. The 2007 Comprehensive Plan included the Mill Creek area within the Three Creeks Special Planning Area. The Board of County Commissioners directed staff to develop a sub-area plan within one year. There is also a requirement in the Comprehensive Plan that localized critical links and intersection improvements be reasonably funded in the 6 year Transportation Improvement Plan or through development agreements prior to lifting the Urban Holding designation.

Proposed Actions

1. Amend Comprehensive Plan Text to establish a Mill Creek Overlay District and to incorporate the Mill Creek Sub-area Plan into the Comprehensive Plan.
2. Amend the Arterial Plan Map to change the location of a future north/south street connection between NE 174th and 179th Streets. A functional classification of Neighborhood Circulator is proposed for this street.
3. Amend the Comprehensive Plan Zoning map amendment to establish a Mill Creek Overlay District and change the zoning on most of the site from R1-6 to R1-7.5, R1-10 and R1-20.
4. Change the Unified Development Code to amend Table 40.200.020-1 Zoning Districts and to add a new Chapter 40.250.060 Mill Creek Overlay District

APPLICABLE CRITERIA, EVALUATION AND FINDINGS

In order to comply with the Plan Amendment Procedures in the Clark County Unified Development Code (UDC 40.560.010), amendments to the Comprehensive Plan land use map must meet all of the criteria in Section G, Criteria for All Map Changes. Comprehensive Plan Text changes must meet the criteria in UDC 40.560.010(M)(2). There are no specific approval criteria in UDC 40.560.020 for changes to the Unified Development Code text.

CRITERIA FOR ALL MAP CHANGES

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

Growth Management Act (GMA) Goals

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA goal that best applies to the re-designation of the Mill creek area is Goal 4.

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

Finding: The proposed zoning amendments are consistent with the applicable State GMA Goal. The neighborhood will have a variety of densities and housing types including multi-family housing within the Mixed Use area. Designating some of the 2 to 2.5 acre sites as R1-20 where there is an existing house near the center of the parcel will encourage preservation of existing housing stock.

Community Framework Plan and Countywide Planning Policies

The Community Framework Plan encourages growth in centers, urban and rural, with each center separate and distinct from the others. The centers are oriented and developed around neighborhoods to allow residents to easily move through and to feel comfortable within areas that create a distinct sense of place and community. Policies applicable to this proposal include the following:

Community Framework Plan Policies

- 7.1.0 Provide land for parks and open space in each urban growth area and rural centers consistent with adopted level-of-service standards. Whenever possible, the natural terrain, drainage, and vegetation of the community should be preserved with high quality examples contained within parks or greenbelts.*
- 7.1.1 Use environmentally sensitive areas (critical areas) for open space and where possible, use these areas to establish a well defined edge separating urban areas from rural areas.*

County-wide Planning Policy

- 7.0.1 The county and each municipality shall identify open space corridors, riparian areas, important isolated open space and recreational areas within and between urban growth areas, and should prepare a funding and acquisition program for this open space. Open space shall include lands useful for parks and recreation, fish and wildlife habitat, trails, public access to natural resource lands and water, and protection of critical areas.*

Finding: The proposed re-designation recognizes the presence of environmentally sensitive areas along Mill Creek and its tributaries. The sub-area plan includes special provisions that provide a means for acquiring undeveloped land for a variety of public uses, including stormwater facilities, parks and open space.

Clark County 20 Year Comprehensive Plan

The Clark County Comprehensive Plan contains many policies that guide urban form and efficient land use patterns. The most relevant goals and policies applicable to this application are as follows:

Goal: Encourage the retention of an open space system that provides parks and recreational opportunities, conserves fish and wildlife habitat, increases access to natural resource lands and provides other community benefits as identified in the Clark County Open Space Commission Report.

7.3.4 The Clark County Open Space Commission Report guiding principles shall be adopted through adoption of the 20-Year Plan.

- *Clark County should attempt to connect public ownerships within river systems, so as to create extended linear greenways.*

Finding: The sub-area plan special provisions include mechanisms to promote the acquisition of linear greenways and open spaces by cooperating agencies.

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.*

Finding: Approval of this proposal will allow public school facilities to locate within the neighborhood and frequently used commercial activities within walking distance at the corner of NE 179th St and 50th Ave.

Conclusion: Criterion 1 has been met.

2. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria in the plan.

Finding: The proposed zoning pattern is consistent with the adopted Comprehensive Plan designations of Urban Low Residential (UL) and Mixed Use (MU).

Conclusion: Criterion 2 has been met.

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.

Finding: The proposed zoning designations reflect the current Comprehensive Plan designations of Urban Low Residential (UL) and Mixed Use (MU). The limited access and the substantial environmental constraints affecting this area make it suitable for residential development at a lower density than would be expected on unconstrained urban land.

Conclusion: Criterion 3 has been met.

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.

Finding: The proposed amendments better implement the applicable comprehensive plan policies than the current zoning map designations. Much of the area designated Urban Low Density Residential is not suitable for residential development at the current R1-6 zoning. The R1-6 zoning is inconsistent with existing uses, with topographic, environmental and circulation constraints and with the zoning on adjacent residential property to the west and north. The proposed zoning designations take all of these factors into account.

Conclusion: Criterion 4 has been met.

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.

Finding: The determination was made that the full range of public facilities and services could be made available in 2007 when this area was brought into the urban growth boundary. Localized critical links and intersection improvements must be reasonably funded in the 6 year Transportation Improvement Plan or through development agreements prior to lifting the Urban Holding designation for this sub-area.

Conclusion: The applicable criteria for approval of the comprehensive plan map amendments have been met.

CRITERIA FOR COMPREHENSIVE PLAN POLICY OR TEXT CHANGES

The amendment shall meet all the requirements of and be consistent with the Growth Management Act (GMA) and other requirements, the countywide planning policies, the community framework plan, the comprehensive plan, local comprehensive plans, applicable capital facilities plans and official population growth forecasts.

Growth Management Act (GMA) Goals

The GMA goals that best apply to the Comprehensive Plan Text amendments to establish a Mill Creek Overlay District and to incorporate the Mill Creek Sub-area Plan into the Comprehensive Plan are identified below:

- (1) Urban growth: Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*
- (4) Housing: Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*
- (12) Ensure that those public facilities and services necessary to support development area adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below established minimums.*

Findings: The proposed amendment is consistent with the applicable State GMA Goals. The Mill Creek Overlay District is an urban area where adequate public facilities and services exist or can be provided in an efficient manner. The sub-area plan contains special provisions to protect adjacent properties from excessive local traffic. The County's concurrency program and Urban Holding designation ensure that public facilities are adequate to support development. The proposed sub-area plan will provide opportunities for a variety of housing densities and housing types and will promote economic development within the Mill Creek sub-area.

Community Framework Plan and Countywide Planning Policies

1.1.13 Urban Growth Area Centers (UGA) have a full range of urban levels of services and can be divided into three main categories in the following density tiers:

- Vancouver Urban Growth Area is now or will be a major urban area activity centers with a full range of residential, commercial, and industrial uses, high-capacity transit corridors, schools, major cultural and public facilities. Major urban areas centers, have or will have, urban densities of development of at least 8 units per net residential acre (6 gross units per acre) as an overall average. Areas along high capacity transit corridors and priority public transit corridors may have higher than average densities while other areas would have lower densities (e.g. established neighborhoods and neighborhoods on the fringes of the urban area). Regional institutions and services (government, museums, etc.) should be located in the urban core.*

Finding: The Mill Creek Overlay District provides for a mix of housing densities appropriate to neighborhoods on the fringe of the urban area plus supporting commercial and office uses in a neighborhood-oriented mixed use center. The planned transition of this area into a pedestrian-friendly neighborhood is consistent with the type and intensity of uses expected in the Vancouver Urban Growth Area.

Vancouver Urban Growth Area

1.2.9 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.

Finding: Public services are available or can be made available to serve the area. The proposed comprehensive plan text amendment would promote the concentration of development in areas already served by public facilities and services.

Clark County 20 Year Comprehensive Plan

Goal: Land use patterns and individual developments should be locationally and functionally integrated to reduce sprawl, promote pedestrian and transit use and limit the need for automobile trips and to foster neighborhood and community identity

1.4.2 Encourage mixed use developments, which provide opportunities to combine residential, commercial and other uses within individual structures, or within adjacent structures or developments.

Finding: Adequate services are or will be available to serve development at urban densities in this area. The proposed overlay district and sub-area plan promote a mixed use and mixed density neighborhood which accounts for the presence of significant environmental constraints and limited opportunities for circulation.

Local comprehensive plans, capital facilities plans and official population growth forecasts

Finding: City of Vancouver planning staff and all capital facilities providers were consulted prior to the inclusion of this area in the urban growth boundary. Projects to improve NE 179th Street, NE 50th Avenue and the North/South Powerline Trail are consistent with County transportation and Parks capital facilities plans. Through the use of density transfer provisions, it may be possible to accommodate official population forecasts on less land, which could reduce the demand for additional urban boundary expansions to some extent.

Conclusion: The proposed overlay district and sub-area plan are consistent with adopted plans and meet the above approval criteria for plan text changes.

The amendment, when applicable, shall address the assumptions, trends, key indicators and performance measures established in the land use element, Chapter 1, of the comprehensive plan.

Finding: The Land Use Element promotes the use of sub-area plans to better define the challenges and potential changes that may affect neighborhoods. The proposed

sub-area plan provides a more detailed picture of future land uses, recreation opportunities and transportation / infrastructure needs than are contained in the comprehensive plan.

Conclusion: The proposed overlay district and sub-area plan are consistent with the Land Use Element of the Comprehensive Plan and meet the above approval criteria for plan text changes.

The county shall assess the cumulative impacts of all plan policy or text changes against the comprehensive plan, plan text, map and relevant implementing measures.

Finding: The Final Environmental Impact Statement for the Comprehensive Plan Update dated May 4, 2007 assessed the impacts of development of this area under the Urban Low (UL) and Mixed Use (MU) designations. The plan assumed approximately 530 new households and 300 new jobs within the sub-area. The proposed overlay district and sub-area plan do not appreciably alter the projected development potential.

Conclusion: The proposed overlay district and sub-area plan impacts have been assessed. The three approval criteria for plan text changes have been met.

CRITERIA FOR ARTERIAL PLAN MAP AMENDMENTS

The following evaluation criteria are used to evaluate amendments to the Arterial Plan Map in accordance with Section 40.560.010(N) of the Unified Development Code:

- a. *There is a need for the proposed change;*
- b. *The proposed change is compliant with the Growth Management Act;*
- c. *The proposed change is consistent with the adopted comprehensive plan, including the land use plan and the rest of the Arterial Plan Map;*
- d. *The proposed change is consistent with applicable interlocal agreement; and*
- e. *The proposed change is consistent with the adopted Metropolitan Transportation Plan.*

Need for Change: A new collector street between NE 174th and 179th Streets was adopted with the circulation plan for urban holding areas around the I-5 / 179th Street Interchange in 2006. The location of this proposed road is inconsistent with the need for a more direct route to NE 179th Street and points west. A revised classification of this street to a Neighborhood Circulator is proposed in order to minimize property impacts while providing adequate mobility and accessibility.

Compliance with the Growth Management Act: The proposal is consistent with the Growth Management Act requirement that local jurisdictions plan and preserve needed transportation corridors.

Consistency with the Comprehensive Plan:

Consistency with the Land Use Plan

The proposed Arterial Plan Map amendment is consistent with the proposed land use plan and zoning.

Consistency with the Transportation Element

The proposed Arterial Plan Map amendment is consistent with the Transportation Element goals and policies cited below.

Policy Consistency

The most relevant policies in the Transportation Element are:

5.2.7 A safe and secure walkway network shall be established within urban areas and rural centers.

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

Relocating the planned connection between NE 174th Streets would provide a more convenient circulation route to primary destinations. Sidewalks are required on both sides of Neighborhood Circulator streets.

Consistency with applicable interlocal agreements

Not applicable.

Consistency with the Metropolitan Transportation Plan

Not applicable. The proposed future street is not part of the regional transportation system.

Conclusion: The proposed Arterial Plan Map amendment meets the approval criteria. It supports implementation of the adopted land use plan and is consistent with applicable portions of the Transportation Element, adopted comprehensive plan policies and the adopted Metropolitan Transportation Plan.

RECOMMENDATION AND CONCLUSIONS

Based upon the information and the findings presented in this report and in the supporting documents, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to amend the Arterial Plan Map, the Comprehensive Plan Zoning Map, Comprehensive Plan Text and Unified Development Code to adopt the Mill Creek Sub-area Plan and establish the Mill Creek Overlay District.