



Planning Commission Recommendation

TO: Clark County Council

FROM: Karl Johnson, Chair

PREPARED BY: Matt Hermen, AICP, Planner III

DATE: November 5, 2019

SUBJECT: CPZ2019-00016: COMPREHENSIVE PLAN TEXT, ARTERIAL ATLAS AND TITLE 40, APPENDIX F AMENDMENTS

PLANNING COMMISSION RECOMMENDATION

On October 3, 2019, the Planning Commission voted 5 to 0 to recommend to the County Council that it **approve** the proposal to amend the Arterial Atlas and Hwy. 99 Overlay District standards in Title 40 Appendix F.

PROPOSED ACTION

This proposal seeks to amend the Arterial Atlas and Hwy. 99 Overlay District standards in Title 40 Appendix F. The amendment will remove the future planned NE 16th Ave., NE 107th St. and NE 110th St. from the County's long-range circulation plan -- the Arterial Atlas. The future planned streets are located between NE 106th St. and NE 112th St. The amendment will add Exhibit 3 to the 2015-2035 Clark County Comprehensive Growth Management Plan as Figure 35 (Arterial Atlas Map).

BACKGROUND

NE 16th Ave. was planned to provide a secondary route parallel to Hwy. 99. The future parallel route would distribute local traffic away from the regional arterial (Hwy. 99). The extension of NE 107th St. and NE 110th St. west of Hwy. 99 is planned to connect with NE 16th Ave. The removal of NE 16th Ave. from the Arterial Atlas would no longer necessitate the need for the extensions of NE 107th St. and NE 110th St.

In 2006, Clark County Adopted Ordinance 2006-12-30. This ordinance approved docket item number CPZ2006-00035, Highway 99 Area Circulation Plan. The approval added several new streets and re-classified existing streets within the Highway 99 Focus Public Investment Area. The additional new streets included the future planned NE 16th Ave., from NE 106th St. to NE 112th St., as shown on Exhibit 1. The planned road was classified as a Local Commercial/Industrial road. Local commercial/industrial roads have a 60 feet right-of-way with 42 feet of street pavement; which includes two 14-foot travel lanes and one 14-foot center turn lane.

In 2008, Clark County adopted the Highway 99 Subarea plan. [ORD. 2008-12-15]. The Hwy. 99 Subarea Plan is implemented by CCC 40.250.050 Hwy. 99 Overlay District and Title 40, Appendix F. The planned roads, originally adopted in 2006, were depicted in the Tenny Creek Commons Activity Center of the Highway 99 Sub-area Plan. "Tenny Creek Commons is envisioned as a compact

neighborhood center emphasizing a variety of multifamily uses and supporting small scale retail uses. Redevelopment will be configured to use Tenny Creek as an amenity and provide enhanced environmental conditions.”¹

Clark County approved Ordinance 2014-12-05 on December 9, 2014, amending CCC 40.450 (Wetland Protection). The code amendment increased wetland buffers required to protect habitat functions associated with the wetlands. High intensity uses, such as public and private streets, were required to be 140-300 feet from Category I and II wetland and 120-150 feet from Category III wetlands. The current alignment on the Arterial Atlas is less than 50 feet from the modeled wetland. The close proximity of the roadway alignment with the modeled wetland would require a bridge to span the wetland or provide extensive off-site wetland mitigation.

GENERAL INFORMATION:

The proposed amendment is located in the Hazel Dell neighborhood.

Location: West of Hwy. 99, East of I-5 and Tenny Creek, North of NE 106th St., South of 112th St.

Existing land use: Commercial (GC) and Urban High Density Residential (R-43) Comprehensive Plan and zoning designations with Highway 99 Overlay District.

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

A sixty-day notice notification was sent to the Department of Commerce on April 8, 2019, under RCW 36.70A.106. Staff met with Team 99 on July 18, 2019. A Notice of Determination of Non-Significance and SEPA Environmental Checklist was published in the Columbian newspaper on August 14, 2019. Public Hearing Notice was published in the Reflector and the Columbian newspapers on Wednesday, September 4, 2019. A postcard was mailed on August 30, 2019. A notice of application and hearing was posted on the property on September 4, 2019. The council held a work session on October 9, 2019, to discuss the proposed amendments and will hold a council hearing on November 5, 2019 to consider an adopting ordinance on the proposed amendments. On October 21, 2019, a legal notice was published in the Columbian newspaper notifying the public of the Clark County Council public hearing scheduled for November 5, 2019. A postcard was mailed on October 21, 2019. A notice of application and hearing was posted on the property on October 21, 2019.

The staff report and additional project information is posted on the following link:

<https://www.clark.wa.gov/community-planning/annual-reviews-and-dockets>

Exhibit 1: Arterial Atlas Amendment

Exhibit 2: Title 40, Appendix F

Exhibit 3: Figure 35 – Arterial Atlas Map

SUMMARY OF COMMENTS RECEIVED

APPLICABLE CRITERIA, EVALUATION AND FINDINGS

CRITERIA FOR ALL MAP CHANGES

¹ Clark County Highway 99 Sub Area., August 1, 2010. Ord. 2010-7-07. Clark County Code 40, Appendix F. Page 18. CPZ2019-00016 Arterial Atlas and Title 40, Appendix F Amendments

- A. **“The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act (GMA) and requirements, the countywide planning policies, the Community Framework Plan, Comprehensive Plan, City Comprehensive Plans, Applicable Capital Facilities Plans and official population growth forecasts.” [CCC 40.560.010(G)(1)].**

Growth Management Act (GMA)

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The following statutes and regulations apply to this proposal:

Goal 3 Transportation. “Encourage efficient, multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.” [RCW 36.70A.020(3)].

A transportation element is required in Clark County’s Comprehensive Plan.² Under WAC 365-196-430(2)(b), “The transportation element should contain goals and policies to guide the development and implementation of the transportation element. The goals and policies should be consistent with statewide and regional goals and policies. Goals and policies should address the following:

- (i) Roadways and Roadway design that provides safe access and travel for all users, including motorists, transit vehicles and riders, bicyclists and pedestrians;
- (ii) Public transportation, including public transit and passenger rail, intermodal transfers and multimodal access;
- (iii) Bicycle and pedestrian travel;
- (iv) Transportation demand management, including education, encouragement and law enforcement strategies;
- (v) Freight mobility including port facilities, truck, air, rail and water-based freight;
- (vi) Transportation finance including strategies for addressing impacts of development through concurrency, impact fees and other mitigation; and
- (vii) Policies to preserve the functionality of state highways within the local jurisdiction such as policies to provide an adequate local network of streets, paths and transit service so that local short-range trips do not require single-occupant vehicle travel on the state highway system; and policies to mitigate traffic and stormwater impacts on state-owned transportation facilities as development occurs.”

Finding: The planned roads are intended to provide a secondary route parallel to Hwy. 99. The alignment depicted in the Arterial Atlas, requires public road construction between NE 106th St. and NE 112th St. The future parallel route would distribute local traffic away from the regional arterial (Hwy. 99). Hwy. 99 has bike lanes, sidewalks, public transportation access and can accommodate freight. Hwy. 99’s multi-modal transportation access in the immediate vicinity of this proposal encourages efficient travel based on regional priorities. Hwy. 99’s street classification and multi-modal access would not be affected by this proposal. If the planned road is removed from the Arterial Atlas, future redevelopment of the affected parcels will be required to build streets that serve the future land use, per Clark County’s circulation requirements. The circulation requirements ensure that development builds their proportionate share of the connected streets, forming an efficient and safe transportation network. The built streets would be required to have sidewalks that connect pedestrians to the regional network. Clark County’s circulation requirement will ensure that roadways are constructed when development occurs.

Community Framework Plan

² RCW 36.70A.070(6)

The Community Framework Plan (Framework Plan) provides guidance to local jurisdictions on regional land use and service issues. The 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. The Community Framework Plan policies applicable to this proposal include the following:

Goal 5.0 notes that “the community framework plan envisions a shift in emphases of transportation systems from private vehicles to public transit.... and non-polluting alternatives such as walking and biking.” [Comprehensive Plan, page 17]. The following transportation policies apply to the proposed action:

- 5.1.1 Encourage transportation systems that provide a variety of options (high capacity transit, high-occupancy vehicles, buses, autos, bicycles or walking) within and between and rural centers.
- 5.1.2 Streets, pedestrian paths and bike paths are to be a part of a system of fully connected and scenic routes to all destinations. Establish design standards for development to promote these options and work cooperatively with C-TRAN to ensure that programs for improvements in transit service and facilities as well as roadway and pedestrian facilities are coordinated with these standards.
- 5.1.3 To reduce vehicle trips, encourage mixed land use and locate as many other activities as possible to be located within easy walking and bicycling distances from public transit stops.
- 5.1.4 Encourage use of alternative types of transportation, particularly those that reduce mobile emissions (bicycle, walking, carpools and public transit). [Framework Plan, page 17].

These framework plan policies are implemented by Clark County Code 40.350.030 St. and Rd. Standards. It is the purpose of this section to establish minimum standards for public and private transportation facilities for vehicles, public transit, pedestrians, and bicycles, hereinafter constructed or improved as a condition of county approval of a development, or a transportation project constructed by the county. These standards are intended to preserve the community's quality of life and to minimize total costs over the life of the transportation facility.

Finding: Redevelopment of the underlying land will be required to meet Clark County circulation requirements. The circulation standards require certain redevelopment to construct public streets. All public streets are required to be built with sidewalks. The sidewalks will provide a connection to bus stops, sidewalks and bike lanes along Hwy. 99.

Countywide Planning Policies (CWPP)

The GMA, under RCW 36.70A.210, requires counties and cities to collaboratively develop Countywide Planning Policies (CWPP) to govern the development of comprehensive plans.

Finding: The planned roads in the Arterial Atlas are classified as local commercial/industrial streets. The Countywide Planning Policies are not applicable to this proposal.

Comprehensive Growth Management Plan 2015-2035 (2016 Plan)

The 20-year Comprehensive Growth Management 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: Develop a multi-modal transportation system.

- 5.2.1 Roadway improvements which provide for additional capacity for the automobile shall also accommodate alternative travel modes.
- 5.2.11 Promote bicycle and pedestrian safety and increased bicycling and walking through safety and encouragement activities.” [2016 Plan, pages 153 and 154].

Finding: The removal of the planned roads from the arterial atlas will not build additional capacity for the automobile. The development of a multi-modal transportation system will occur in the immediate vicinity along Hwy. 99.

Capital Facility Plan

The Capital Facilities Plan provides a general summary of how and when these basic services will be provided to support future growth as envisioned by the 20-Year Comprehensive Plan and proposed funding. Long-range capital improvements to the county's transportation system and their estimated costs are also included in the Capital Facilities Plan. Transportation services include provisions for roads and associated improvements, transit and pedestrian and bicycle systems. The projected revenue sources include property taxes dedicated to transportation (“road fund”), gasoline tax distributions to the county, traffic impact fees, Public Works Trust Fund loans, expected other grants and miscellaneous revenue streams that accrue for transportation purposes.

Finding: The planned local roads are not in the Capital Facility Plan. Removing the planned roads from the Arterial Atlas will not have an impact on the Capital Facility Plan.

CRITERIA FOR ARTERIAL ATLAS AMENDMENTS

- B. “Arterial Atlas amendments shall be accomplished through the changes initiated and approved by the county. These changes may occur as part of the periodic review update to occur consistent with RCW 36.70A.130, or as part of annual changes to the plan once per calendar year, or as part of emergency amendments which may be brought forward at any time, subject to applicable provisions of this chapter.” [CCC 40.560.010(O)(1)]. “Required Criteria. Arterial Atlas amendments may be approved only when all of the following are met:
 - 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 Atlas;
 - d. The proposed change is consistent with applicable interlocal agreements; and
 - e. The proposed change does not conflict with the adopted Metropolitan Transportation Plan.” [CCC 40.560.010(O)(2)].

Finding: The planned roads (NE 16th Ave., NE 107th St., and NE 110th St.) are currently required to be constructed when the underlying land redevelops. The construction of the roads must generally follow the alignment in the Arterial Atlas. The removal of the planned roads from the Arterial Atlas will eliminate the delineation of the alignment of the roads. Clark County will require the redevelopment of the underlying properties to adhere to circulations standards. The circulation standards allow the developer to plan the alignment for future roads based on their site plan, rather than the Arterial Atlas.

RECOMMENDATION AND CONCLUSIONS

All of the criteria for approval of an Arterial Atlas amendment have been met.

Based upon the findings presented in this report, the Planning Commission forwards a recommendation to **APPROVE** the proposed amendment to the Comprehensive Plan Text,

CPZ2019-00016 Arterial Atlas and Title 40, Appendix F Amendments

Arterial Atlas, and Title 40, Appendix F.

The following table lists the applicable criteria and summarizes the findings of the staff report and Planning Commission recommendation. The Planning Commission findings have been added to the table after public deliberation at the Planning Commission hearing.

COMPLIANCE WITH APPLICABLE CRITERIA		
Criteria for Arterial Atlas Changes	Criteria Met?	
	Staff Report	Planning Commission Findings
A. Compliance with GMA	Yes	Yes
B. Compliance with Arterial Atlas Amendments		
a. There is a need for the proposed change;	Yes	Yes
b. The proposed change is compliant with the Growth Management Act;	Yes	Yes
c. The proposed change is consistent with the adopted comprehensive plan, including the land use plan and the rest of the Arterial Atlas;	Yes	Yes
d. The proposed change is consistent with applicable interlocal agreements; and	Yes	Yes
e. The proposed change does not conflict with the adopted Metropolitan Transportation Plan	Yes	Yes
Recommendation:	Approve	Approve

EXHIBIT 1

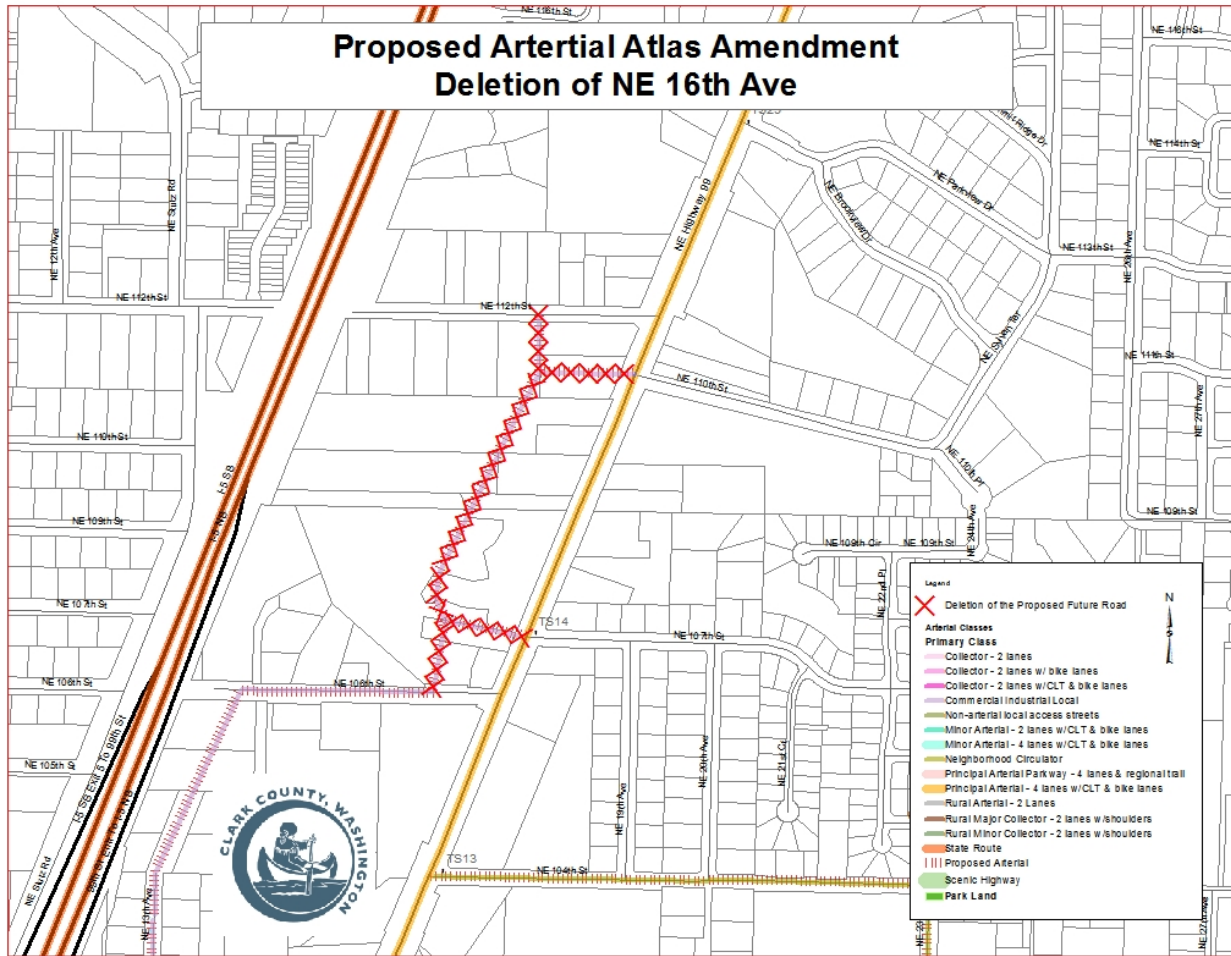
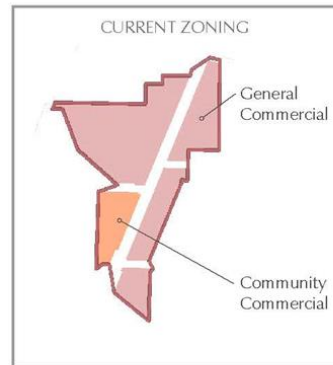


EXHIBIT 2

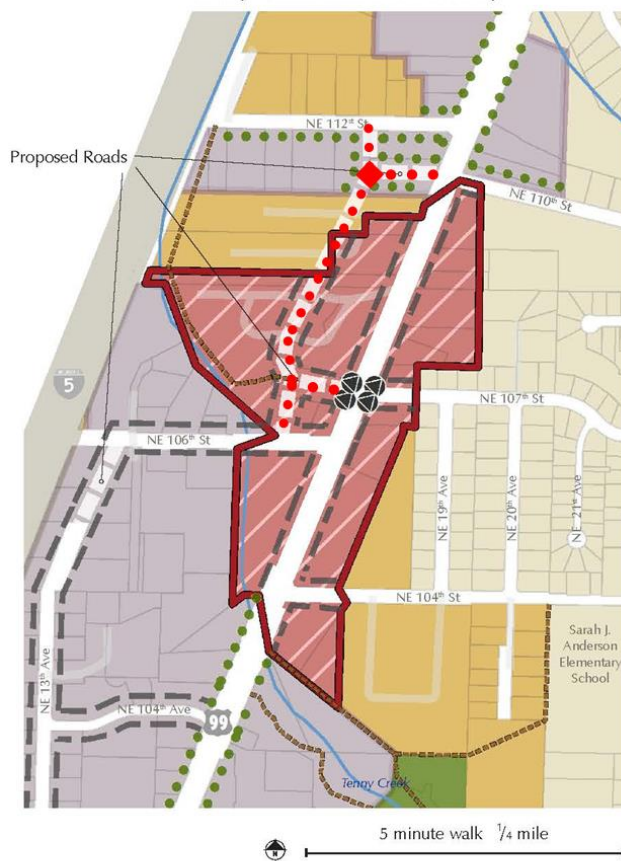
2.1.2 Tenny Creek COMMONS



Tenny Creek Commons is envisioned as a compact neighborhood center emphasizing a variety of multifamily uses and supporting small scale retail uses. Redevelopment will be configured to use Tenny Creek as an amenity and provide enhanced environmental conditions.



Tenny Creek Commons Overlay



LEGEND

- Activity Center Overlay 4
4 story height limit*
- Mixed-Use Street type
- Landscape Street type

* Six stories are permitted for vertical mixed-use.

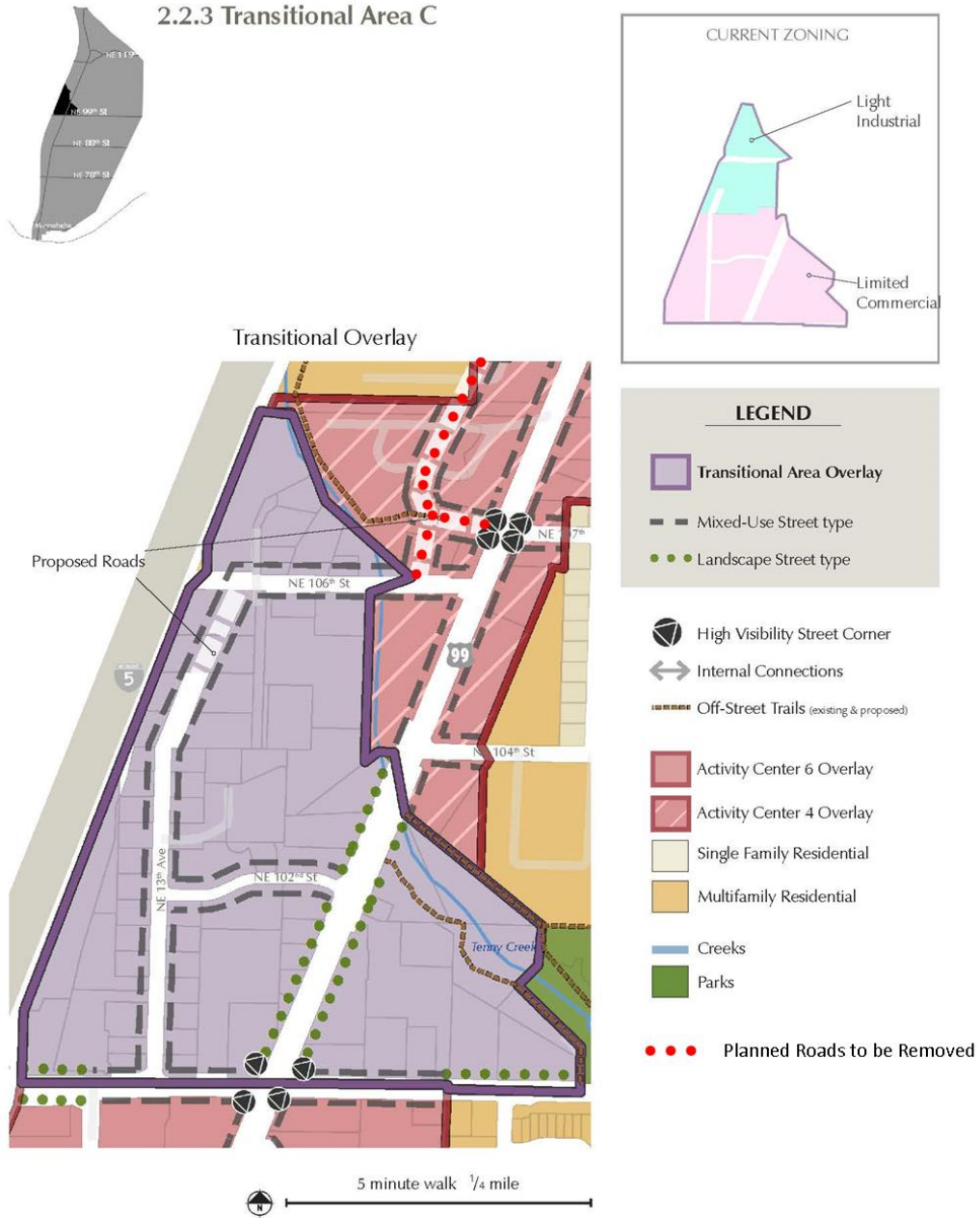
- High Visibility Street Corner
- Internal Connections
- Off-Street Trails (existing & proposed)

- Transitional Overlay
- Single Family Residential
- Multifamily Residential

- Creeks
- Parks

- Planned roads to be removed

2.2.3 Transitional Area C



Highway 99 Sub-Area Trails: Map A

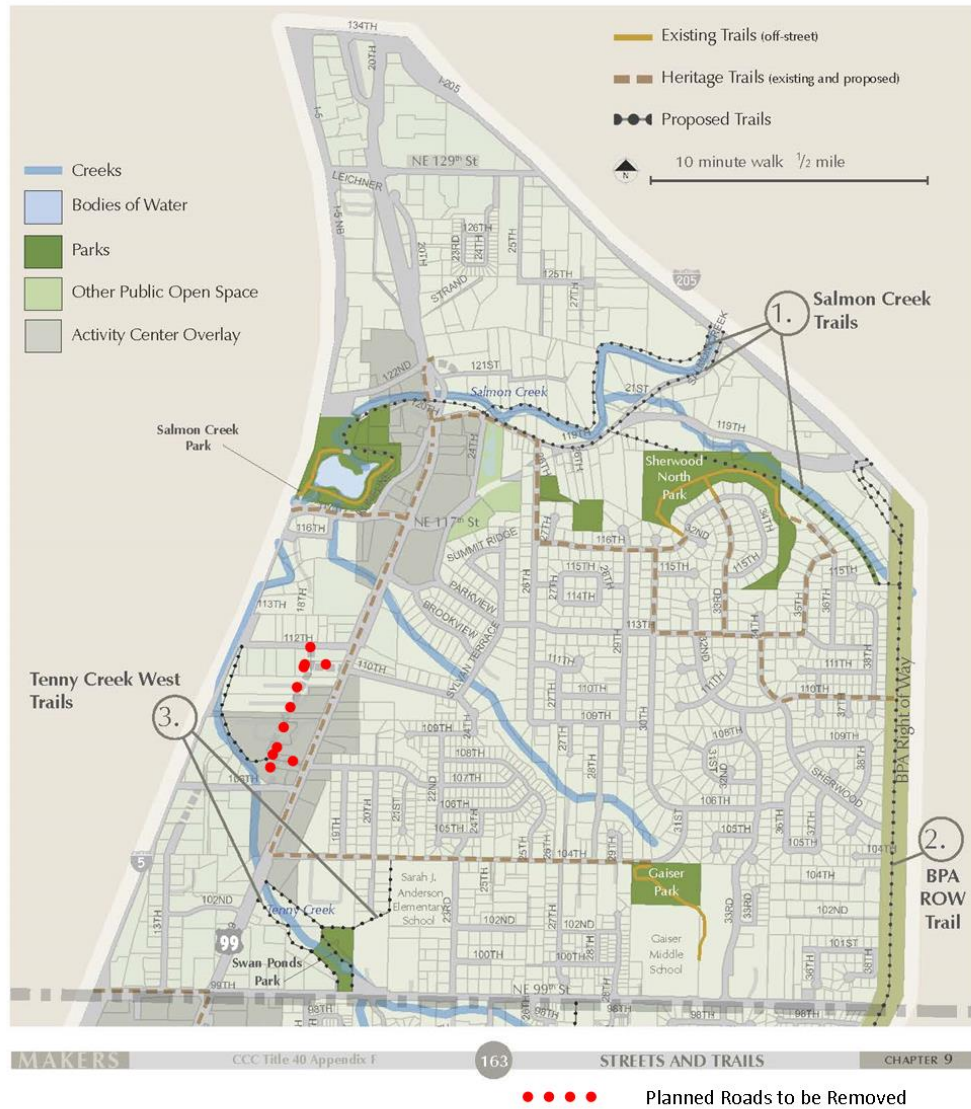
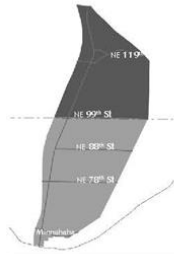


EXHIBIT 3

