

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works, Transportation Division

DATE: November 5, 2019

REQUESTED ACTION: Amend the Arterial Atlas and Title 40, Appendix F, to remove the planned NE 16th Ave., NE 107th St. and NE 110th St. from the county's long-range circulation plans.

_____ Consent X Hearing _____ County Manager

INTRODUCTION

This proposal seeks to amend the Arterial Atlas and Highway 99 Overlay District standards in Title 40 Appendix F. The amendment will remove the future planned Northeast 16th Avenue, Northeast 107th Street, and Northeast 110th Street from the county's long-range circulation plan – the Arterial Atlas. Clark County Code 40.560.010.L provides that Arterial Atlas amendments be approved by legislative decisions (Type IV Process). The decision process includes approval by the council to commence the Type IV process, public notice, a Planning Commission hearing and council hearing. The proposal to amend the Arterial Atlas and Title 40 has received council approval to proceed with the Type IV process as part of the 2019 Comprehensive Plan dockets. The Planning Commission held a public hearing on Oct. 3, 2019, which included adequate public notice. The Planning Commission's recommendation is attached to this staff report.

BACKGROUND

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 Northeast 16th Avenue, from Northeast 106th Street to Northeast 112th Street. The planned road was classified as a Local Commercial/Industrial road. Local Commercial/Industrial roads have a 60 foot 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 Highway 99 Subarea Plan is implemented by CCC 40.250.050 Highway 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 Subarea 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 Dec. 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 to 300 feet from Category I and II wetland, and 120 to 150 feet from Category III wetlands. The current alignment on the Arterial Atlas is less than 50 feet from the modeled wetland. The close

¹ Clark County Highway 99 Sub Area., August 1, 2010. Ord. 2010-7-07. Clark County Code 40, Appendix F. Page 18.

proximity of the roadway alignment with the modeled wetland would require a bridge to span the wetland or provide extensive off-site wetland mitigation.

COUNCIL POLICY IMPLICATIONS

Approval of the recommended action will advance several goals and policies of the Comprehensive Growth Management Plan. The most relevant goals and policies applicable to this application are as follows:

Goal: "Promote long-term economic development that will improve environmental quality and accommodate job generating activities." [2016 Plan, page 233]

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].

The planned road is in the vicinity of a significant wetland. The redevelopment of adjacent property would require the planned road to be constructed while maintaining the ecological function of the wetland, escalating the construction costs. Removing the planned road from the county plans would reduce the redevelopment costs, while minimizing the impacts to the wetland. The removal of the planned roads from the Arterial Atlas will not build additional capacity for motorized vehicles. The development of a multi-modal transportation system will occur in the immediate vicinity along Highway 99.

ADMINISTRATIVE POLICY IMPLICATIONS

The planned roads (Northeast 16th Avenue, Northeast 107th Street and Northeast 110th Street) 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.

COMMUNITY OUTREACH

A 60-day notice 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 were published in the Columbian newspaper on Aug. 14, 2019. A Public Hearing Notice was published in the Reflector and the Columbian newspapers on Sept. 4, 2019. A postcard was mailed to adjacent property owners on Aug. 30, 2019. A notice of application and hearing was posted on the property on Sept. 4, 2019. The council held a work session on Oct. 9, 2019, to discuss the proposed amendments and will hold a council hearing on Nov. 5, 2019, to consider adopting an ordinance on the proposed amendments. On Oct. 21, 2019, a legal notice was published in the Columbian newspaper notifying the public of the Clark County Council public hearing scheduled for Nov. 5, 2019. A postcard was mailed to adjacent property owners on Oct. 21, 2019. A notice of application and hearing was posted on the property on Oct. 21, 2019.

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS


Local Fund Dollar Amount	\$0
Grant Fund Dollar Amount	\$0
Account	Not Applicable
Company Name	Not Applicable

DISTRIBUTION:

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Attachments: (1) Planning Commission Recommendation; and (2) PowerPoint


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APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____