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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

STAFF REPORT

TO: Clark County Planning Commission

FROM: Oliver Orjiako, Director

PREPARED BY: Jose Alvarez

DATE: April 29, 2014

SUBJECT: CPZ2014-00003 NE 10th Ave

PROPOSED ACTION:

The applicant requests the Comprehensive Plan designation be amended from Rural (R-5) with Industrial Urban Reserve Overlay (UR-20) to Rural Commercial (CR) with implementing zoning designations of CR-1 on four parcels totaling approximately 20 acres.

BACKGROUND:

In 2013 the property owners of approximately 15 acres submitted a request to amend the Comprehensive Plan designation and zoning from R-5 with Industrial Urban Reserve Overlay (UR-20) to CR-1. The Planning Commission made a recommendation to the Board of County Commissioners to expand the request to include the abutting 20 acres to the north and approve the proposed amendment. The Board of County Commissioners approved the original request for the 15 acre property and requested that the northern 20 acre be considered as a docket item in 2014 citing concerns of a lack of environmental review. An environmental checklist was prepared and a Determination of Non-Significance was issued.

The site is located approximately 700 ft. north of the NW corner of the intersection of NE 10th Ave. and SR-502.

GENERAL INFORMATION:

Parcel Numbers: 216895000; 216948000; 216954000; 216955000; 216972000

Location: NW intersection of NE 10th Ave. and SR-502

Area: 20 acres

Owner(s): Carlos Benavidez;
James and Leslie Currie; and

Mark and Wanda Dougherty

Existing land use:

Site: Three residences on three lots and one vacant lot

North: One acre residential cluster subdivision

South: Vacant Rural Commercial

East: Vacant land; restaurant and gas station zoned rural commercial.

West: Vacant land

SUMMARY OF COMMENTS RECEIVED

Staff received comments from WSDOT regarding CPZ2014-00003. A copy of the letter can be found in Attachment A of this staff report. WSDOT's comments are as follows:

- The traffic impact study [for CPZ 2013-00012 Bishop] for the 15 acre rezone stated the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of those 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.
- WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection.
- When a development on this property is brought forward for review, WSDOT will request a traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

APPLICABLE CRITERIA, EVALUATION OF REQUEST AND FINDINGS

In order to comply with the Plan Amendment Procedures in the Clark County Unified Development Code (UDC 40.560.010), requests to amend the Comprehensive Plan land use map must meet all of the criteria in Section G, Criteria for all Map Changes. Requests to amend the zoning map must meet similar criteria (CCC 40.560.020H). For clarity, Criteria A-E in the following staff report summarizes all of the applicable criteria required for both plan and zoning map amendments.

CRITERIA FOR ALL MAP CHANGES

- 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, Clark County 20-Year Comprehensive Plan, and other related plans. (See 40.560.010G(1) and 40.560.020H(2).)***

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 most pertinent GMA goals that apply to this proposal are, Goal 2, Goal 3 and Goal 5.

- (2) *Reduce Sprawl. Reduce the inappropriate conversion of underdeveloped land into sprawling, low density development.*
- (3) *Transportation. Encourage efficient, multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*
- (5) *Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

Finding: The proposed amendment is consistent with State GMA Goals 2, 3 and 5. The proposal would not convert land into low density development (Goal 2). The change to Rural Commercial would permit commercial development on the site, and will allow a greater variety of uses that provide employment opportunities (Goal 5). The subject parcel is located at the NW corner of the intersection of NE 10th Ave and SR-502. The proposed amendment to the comprehensive plan map would locate allow for a small commercial development at the intersection of arterials (Goal 3).

RCW36.70A.070 Comprehensive Plan – Mandatory Elements

36.70A.070(5) Rural Element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources.

36.70A.070(5)(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

Finding: The proposed amendment is consistent with RCW36.70A.070(5)(d)(C). The amendment will allow for limited commercial uses as allowed by CCC40.210.050 Rural Commercial Districts (CR-1) this zone serves areas of existing commercial activity in the rural area outside of rural centers and is the most restrictive commercial designation in the county. The intention is to primarily serve the existing and projected rural population as addressed in the market analysis below.

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:

Policy 3.0 The County shall recognize existing development and provide lands, which allow rural development in areas, which are developed or committed to development of a rural character.

9.0 Economic Development

Policy 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.

Finding: With a location that is in close proximity to existing rural commercial, but directly on a state route, the proposed re-designation of the subject site would allow more intensive commercial development that supports the surrounding community.

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:

1.4.4 Compact nodal commercial development shall be encouraged. Strip-type commercial development shall be discouraged.

3.2.4 Rural commercial development should support the needs of rural residents and natural resource activities rather than urban uses.

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.

Finding: Re-designation of this land to expand the commercial node in the Duluth area would encourage economic development in the rural and better serve rural residents.

Chapter 5 Transportation Element

Finding: *Please refer to Transportation Impact Analysis, where transportation goals and policies are addressed.*

Conclusion: The proposed Rural Commercial designation and CR-1 zoning designation may result in increased employment opportunities on the site, due to the retail and service uses, and at greater intensities, satisfying economic development policies. The proximity to the existing commercial node should serve rural residents.

- B. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the Clark County Comprehensive Plan and the purpose statement of the zoning district. (See 40.560.010G(2) and 40.560.020H(2).)***

Rural Commercial (CR-1)

This commercial district is located in rural areas outside of urban growth boundaries in existing commercial areas and within designated Rural Centers. These are generally located at convenient locations at minor or major arterial crossroads and sized to accommodate the rural population.

Additional Commercial Criteria

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:

- 1. A market analysis using the weighted block group centroid retrieval method shall be submitted which verifies the need for the new commercial area or center; and*
- 2. A land use analysis of available commercially designated and zoned land in the market area of the proposed site shall be submitted which demonstrates that the existing commercial land is inadequate. The most recent vacant lands model must be used for the land use analysis.*

Finding:

The site is located at the intersection of arterial crossroads outside of urban growth boundaries. Staff relied on the market and land use analysis used last year to evaluate the need in the area between the Ridgefield, Battle Ground and Vancouver UGAs for small scale commercial uses, such as those allowed in the CR-1 zone. The analysis discusses factors that may contribute to the commercial success of locating a business in the vicinity, as well as why locating a small scale commercial business on the

property would not compete with other commercial activities in any of the nearby UGA's. The analysis in part provides:

Current residents and future growth within one mile of the site will drive demand for local retail goods and services. There are currently 570 residents living within one mile of the subject property. Residents have a collective Personal Income (PI) of \$21.5 million. Population within one mile of the site is expected to grow by another 70 residents and \$2.6 million of PI. The small purchasing power of the immediate area means that commercial retail will be a limited option.

The subject area does have a significant volume of pass by traffic. Its' easy access gives it opportunities for small-scale convenience retail. This drives the need for additional rural commercial services in the subject area that will complement the adjacent rural commercial uses, but not compete with or detract from larger and more intense commercial uses in the nearby urban areas. The intersection of 10th Ave. and SR-502 has an average of 16,000 vehicles passing through each day. Along I-5 at the mile Post along 219th, there is an average of 75,000 vehicles passing through each day.

The report also finds that non-retail employment opportunities would be available and should be considered for this site:

The subject site is within 3 miles of the Ridgefield junction and should indirectly benefit. Being located along I-5 and in close proximity to two major employment centers will drive market interest to the subject area. The site is well suited for small-scale technology, commercialized R&D, private data analytics, small-scale manufacturing, and other employment related office uses. The area is too small to directly compete with any existing employment centers, but is a natural start to establishing an area that can support the economic activities of Battle Ground, Ridgefield, and Salmon Creek.

Many startup companies begin within a private residence. As a company matures and establishes itself in the marketplace, business owners will consider moving the business out of their private residences into nearby established employment centers. Allowing the subject area to be designated to CR-1 would foster this economic gardening that would in turn provide neighboring urban areas a base of growing business prospects over time.

Conclusion: The proposal meets all of the locational criteria. The proposed Rural Commercial designation and CR-1 zoning meets the additional commercial criteria. The market analysis supports the need for the new commercial area and the land use analysis demonstrates that the existing commercial land is inadequate. Criterion B is met.

- C. The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. (See CCC Sec. 40.560.010G(3).)**

Finding: See discussion above of commercial demand analysis.

Conclusion: The amendment is suitable for the proposed designation. There is sufficient information to conclude that there is a lack of appropriately designated commercial sites within the vicinity. Criterion C has been met.

- D. 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. (See CCC Sec. 40.560.010G(4)and 40.560.020H(3).)**

Finding: The map amendment (a) responds to a substantial change in conditions applicable to the area within which the subject property lies. In addition to the 20 acres to the south of the site that was amended last year to CR-1 the construction of the 219th St interchange exacerbates the already less than ideal situation for residential uses on the site given its location along SR-502 and NE 10th Ave.

Conclusion: Criterion D has been met.

- E. 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. (See 40.560.010G(5)and 40.560.020H(4).)**

Finding: Criterion E is not applicable since the comprehensive plan and the GMA prohibit urban services from being extended in the rural area and no such extensions are planned or needed for the property to develop with the limited uses allowed in the CR-1 zone.

Conclusion: *Criterion E is not applicable.*

RECOMMENDATION AND CONCLUSIONS

Based upon the information provided by the applicants and the findings presented in this report, staff recommends that the Planning Commission forward a recommendation of **Approval** to the Board of County Commissioners to modify the Comprehensive Plan and Zoning Maps from a Rural designation with R-5 zoning and Industrial Urban Reserve Overlay (UR-20) to a Rural Commercial designation with CR-1 zoning.

RECOMMENDATION SUMMARY

The following table lists the applicable criteria and summarizes the findings of the staff report for Annual Review Case CPZ2014-00003. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.

COMPLIANCE WITH APPLICABLE CRITERIA		
	Criteria Met?	
	Staff Report	Planning Commission Findings
Criteria for All Map Changes		
A. Consistency with GMA & Countywide Policies	Yes	
B. Conformance with Location Criteria	Yes	
C. Site Suitability and Lack of Appropriately Designated Alternative Sites	Yes	
D. Amendment Responds to Substantial Change in Conditions, Better Implements Policy, or Corrects Mapping Error	Yes	
E. Adequacy/Timeliness of Public Facilities and Services	NA	
Recommendation:	Approval	

Transportation Impact Analysis

Annual Review Case: CPZ2014-00003 NE 10th Avenue

Introduction

This report provides a transportation analysis of the proposed comprehensive plan amendment and zone change. The report identifies the likely localized and general transportation impacts and shows how applicable adopted transportation policies have or have not been met by the applicant's proposal. Subsequent development will need to comply with applicable county development regulations, including standards governing the design of access and those that ensure transportation system concurrency.

Requested Amendment

For CPZ 2013-00012 Bishop involved changing the comprehensive designation for 15 acres of property located just north of the intersection of NE 10th Avenue and NE 219th Street. The property owners of approximately 15 acres submitted a request to amend the Comprehensive Plan designation and zoning from R-5 to CR-1. The Planning Commission made a recommendation to the Board of County Commissioners to expand the request to include the abutting 20 acres to the north and approve the proposed amendment. The Board of County Commissioners approved the original request for the 15 acre property and requested that the northern 20 acre be considered as a docket item in 2014 citing concerns of a lack of environmental review and outreach to abutting property owners.

This application is implementing the Board's direction from last year. And this proposal is to amend the Comprehensive Plan designation and zoning for five parcels number 216895000; 216948000; 216954000; 216955000; 216972000. The change would be from a Rural Residential comprehensive plan designation with R-5 zoning, to a Rural Commercial comprehensive plan designation with CR-1 zoning.

Summary of Transportation Impact Findings

The transportation analysis demonstrates that the proposed land use change would not negatively, significantly impact the transportation system. Staff recommends **approval** of the proposed comprehensive plan amendment and rezone of the subject parcel.

The following analysis shows that:

- Under the current R-5 zoning, the subject parcel would generate approximately 30 trips per day.
- Per the traffic study submitted last year for CPZ 2013-00012 Bishop, there would be 2,377 net new trips and the applicant's traffic study indicates that the intersection would operate at an acceptable level of service. This proposal more than doubles the area to be rezoned from R-5 to CR-1, it is safe to assume the net new trips would more than double net new trips.

Public Comment

Staff received comments from WSDOT regarding CPZ2014-00003. A copy of the letter can be found in Attachment A of this staff report. WSDOT's comments are as follows:

- The traffic impact study [for CPZ 2013-00012 Bishop] for the 15 acre rezone stated the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of those 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.
- WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection.
- When a development on this property is brought forward for review, WSDOT will request a traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

Staff received the following comment last year from the County Public Works Department and the same comment would apply for this land use action:

- Although a traffic profile or traffic study for specific site development uses is not required to change site zoning, a Traffic Study may be required at the time of Preliminary Site Plan/Land Division Review. Furthermore, any potential on-site/off-site mitigations will be assessed at the time of Preliminary Site Plan/Land Division Review.

Compliance with Clark County Transportation Policy

Last year's transportation analysis for CPZ2013-00012 Bishop demonstrates that application is consistent with all applicable Clark County transportation policies and the same would apply for this year's application.

The following Framework Plan transportation policies are relevant to this application:

GOAL: Optimize and preserve the investment in the transportation system.

5.3 System Preservation Policies

- 5.1.3 *When county Road Projects are designed or transportation improvements are proposed through the development review process, the design of those transportation facilities should be consistent with the current adopted Arterial Atlas, Concurrency Management System and Metropolitan Transportation Plan.*

Finding: The trip generation from this site is assumed to be approximately 60 net trips per day. Per the previously mentioned letter from WSDOT, the applicant will need to

supply a traffic study to address the potential impacts of left-turns from NE 10th Avenue into the site during the PM peak hour.

5.3.1 Development projects shall adhere to minimum access spacing standards along arterial and collector streets to preserve the capacity of the transportation system. The county shall also work with the state to ensure that minimum access spacing standards for state highways are maintained.

Finding: If WSDOT has frontage control for the subject parcels, the applicants will need to work with WSDOT regarding access issues during the development review process. If the County controls access, the same coordination will be required of the applicant with the County when a development review application is submitted.

5.3.2 The efficiency of the county's transportation system shall be optimized through the use of Transportation System Management strategies such as signal interconnection systems, signal coordination, and synchronization, and other signal improvements where appropriate.

Finding: Since this proposal more than doubles the trip generation, future development will need to address potential impacts to the intersection of SR 502 and NE 10th Avenue. Under the development process, the applicant may have to address potential signal issues.

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

Finding: If the property owner redevelops the site in the future, the existing driveways may be reviewed and possibly consolidated during the site development review process. Access to these properties is under the jurisdiction of WSDOT in some locations and the applicant would have to follow their application process. For portions of 10th Avenue under the County's jurisdiction, the applicant will follow the County's codes regarding access requirements. During the development review process, the applicant will provide a circulation plan that complies with Title 40 of the County Development Code.

5.3.6 The County will protect the public's investments in existing and planned freeway and separated grade interchanges.

Finding: WSDOT has been consulted regarding this application and provided a letter that is found in Attachment A of this staff report. As previously mentioned, WSDOT has raised concerns regarding the potential impacts of the rezone that cumulatively doubles the amount of land zoned for rural commercial.

Analysis of Trip Generation

Under the traffic study from last year's annual review, the subject parcel would generate approximately 29 trips per day for 3 home sites that would be allowed on the 15 acre site. This new proposal has more than doubled the size of the area that would be rezoned from rural residential to rural center and therefore it is assumed the cumulative net trip generation might be 4,754 daily trips. As previously mentioned, WSDOT has raised concern regarding this level of trip generation and their letter is attached to this staff report. Staff defers to WSDOT's

comments and note that any future development will be required to provide a staff report per both the County's and WSDOT's specifications.

Site Specific Impacts

Future development will need to provide a traffic report to address potential impacts on both the County and the State's transportation facilities.

System Impacts

As previously stated, future development will need to provide a traffic report to address potential impacts on both the County and the State's transportation facilities.

Report Prepared By: Laurie Lebowsky, Clark County

Date: April 30th, 2014

Disclaimer: The trip generation and system analysis in this report provides a gross estimate of the likely impacts that will result from the action of approving this Docket request. The assessment of transportation impacts from subsequent development of the site occurs with a specific development proposal and the testing of that proposal under the County's Transportation Concurrency Management ordinance. Approval of this Docket request does not ensure that the transportation system will be concurrent at the time a specific development application is submitted.



**Washington State
Department of Transportation**

Lynn Peterson
Secretary of Transportation

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April 28, 2014

Jose Alvarez, Planner
Clark County Community Development
1300 Franklin Street, PO Box 9810
Vancouver, WA 98666

Re: Annual Review CPZ2014-00003 10th Avenue
SR 502 MP 0.56

Dear Mr. Alvarez:

The Washington State Department of Transportation (WSDOT) staff has reviewed the material submitted for this annual review. It is our understanding that this application is for a Comprehensive Plan Amendment and rezone only, and no development plans have been submitted. However, WSDOT would like to make the following comments at this time.

It's our understanding the applicant is asking to use a traffic study done in 2013 for rezoning the abutting 15 acres to the south. WSDOT has concerns with this approach as it does not take into account the cumulative impact from both rezones. In addition the current application is for approximately 20 acres and therefore the trip generation should be increased to match the increase in acreage.

The traffic impact study for the 15 acre rezone showed the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of the 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.

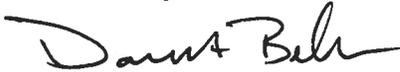
WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection. When a development proposal is brought forward for review, WSDOT will request a complete traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

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.

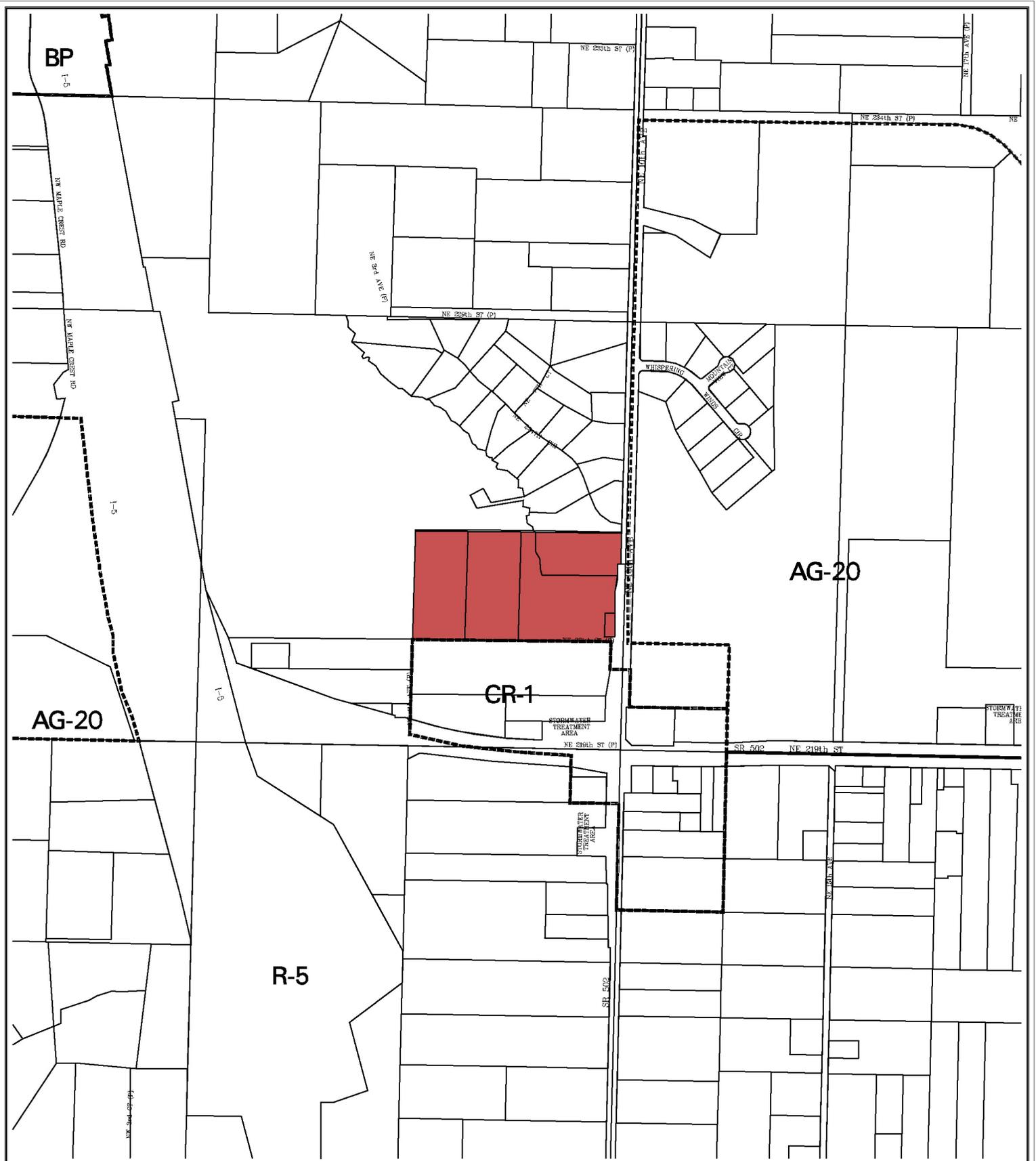
Thank you for the opportunity to comment on this project. If you have any questions or need additional information, please contact Jeff Barsness, Southwest Region Development Services Engineer, at 360-905-2059.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Bellinger". The signature is fluid and cursive, with the first name "Dave" and last name "Bellinger" clearly distinguishable.

Dave Bellinger
Design Services Engineer

DB: jb



File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

Comp Plan Change/Rezone/Text Change/Docket I

Owner: EASTER RICHARD

-  Subject Property
-  Zoning Boundary
-  Mining Combining District
-  Contingent Zoning
-  Urban Holding-10
-  Urban Holding-20



Clark County, Oregon
Order 12104 GIS Product 1_163





File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

Comp Plan Change/Rezone/Text Change/Docket I

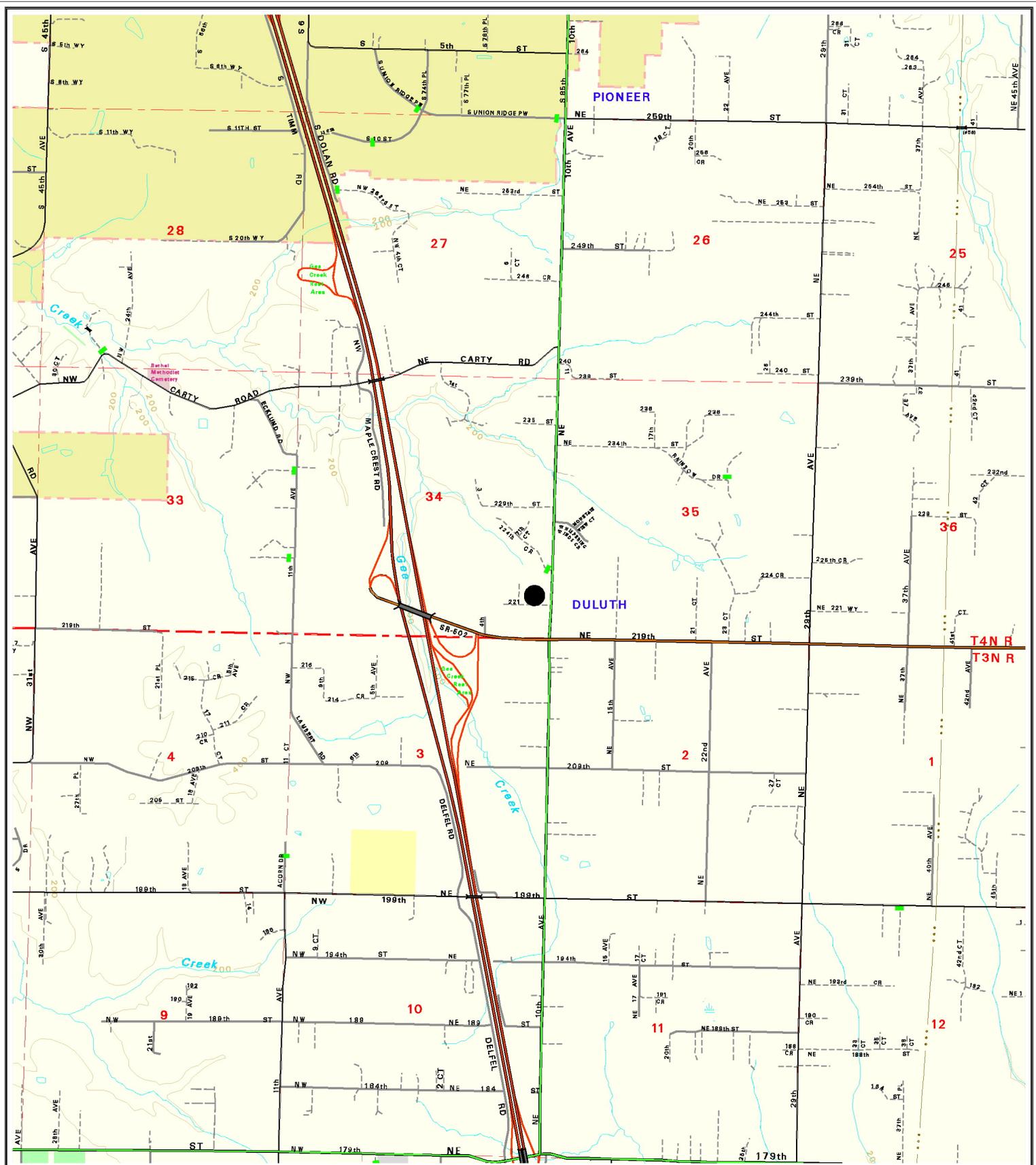
Owner: EASTER RICHARD

- Subject Property Location
-  Comp. Plan Boundary
-  Mining
-  Industrial Reserve
-  Open Space/Density Transfer
-  Columbia River Gorge N.S.A.



Order 12194 GIS Product 1_163





File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

● Subject Property Location

Comp Plan Change/Rezone/Text Change/Docket I



Order 121494 GIS Product 1_163



Owner: EASTER RICHARD