



## Staff Report

TO: Clark County Planning Commission  
FROM: Oliver Orjiako, Director  
PREPARED BY: Sharon Lumbantobing, Planner II  
DATE: August 16, 2018  
SUBJECT: CPZ2018-00002 WARD ANNUAL REVIEW FOR COMPREHENSIVE GROWTH MANAGEMENT PLAN AND MAP AMENDMENT

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## PROPOSED ACTION

The applicants are requesting to amend the comprehensive plan designation and zoning from Commercial with Community Commercial zoning (CC) to Urban High Density Residential with Residential (R-30) zoning on two parcels (104130000 and 104143000).

## BACKGROUND

The applicants own two unused vacant parcels (104130000 and 104143000) that are designated Commercial (CC). Parcel 104130000 is 2.85 acres and parcel 104143000 is 5.41 acres (totaling approximately 8.26 acres) and both are located southeast of the NE 162 Ave. and NE Ward Rd. intersection. This proposed comprehensive plan designation and zone change would allow these two parcels to develop into high-density residential dwellings (R-30).

In 2002 (CPZ2002-00003), the county amended the comprehensive plan and zoning designations from Urban Low Residential (R1-6) to Commercial (C-3). [Note that C-3 was amended to CC in the 2016 20-Year Comprehensive Growth Management Plan 2015-2035.] This action created an 11 acre Commercial (C-3) development site. Approximately 2.74 acres was developed as commercial.

The applicants' narrative states that the owners have been unable to attract prospective commercial buyers for the remaining 8.26 acres due to the lack of visibility and awkward alignment of the intersection at NE 162 Ave. and NE Ward Rd. The effect of the unusual intersection alignment is that it is not possible to make improvements to the intersection alignment to improve visibility. A second constraint is that the location of the site is on the far edge of the urban growth area, which limits the market area for retail and discourages destination commercial use. In addition, a large commercial node is less than a mile away at NE 162 Ave. and Fourth Plain Blvd.

The applicant is requesting to amend the comprehensive plan designation and zoning from Commercial (CC) to Urban High Density Residential (R-30) for parcels 104130000 and 104143000.

If the proposed amendment is approved, an applicant for high density residential development will be required to complete a site plan review and comply with all applicable code requirements.



## **GENERAL INFORMATION:**

Parcel Numbers: 104130000 and 104143000

Location: The two parcels are located west of the intersection of NE 162 Ave. and NE Ward Rd.

Area: 8.26 acres

Owner(s): Ward 162<sup>nd</sup> LLC (104130000) and GC Capital, LLC (104143000)

Existing land use:

Site: Community Commercial (CC), undeveloped  
North: Community Commercial (CC), developed  
South: Urban Low Density Residential (R1-6), developed  
East: Urban Low Density Residential (R1-6), developed  
West: Urban Low Density Residential (R1-6), developed

## **SUMMARY OF PUBLIC INVOLVEMENT PROCESS**

Sixty-day notice notification was sent to the Department of Commerce on May 10, 2018 under RCW 36.70A.106. A Notice of Determination of Non-Significance and SEPA Environmental Checklist was published in the Columbian newspaper on June 4, 2018. A legal notice was published for the Planning Commission hearing on August 1, 2018. A notice of application and hearing was posted on the property on July 20, 2018.

## **APPLICABLE CRITERIA, EVALUATION, AND FINDINGS**

### **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, 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 GMA lists thirteen overall goals in RCW 36.70A.020 plus the shoreline goal added in RCW 36.70A.480(1). The goals are not listed in order of priority. The GMA goals that apply to the proposed action are Goals 1, 2, 4, and 5.

Goal 1 Urban Growth. "Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner". [RCW 36.70A.020(1) and WAC 365-196-310(2)(i)].

Goal 2 Reduce Sprawl. "Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development." [RCW 36.70A.020(2)].

Goal 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.” [RCW 36.70A.020(4)].

Goal 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 disadvantaged persons and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state’s natural resources, public services and public facilities.” [RCW 36.70A.020(5)].

WAC 365-196-410 Housing Element section provides recommendations for meeting the element requirements. Under WAC 365-196-410 (2)(a)(iii)(B), “The housing element shows how a county or city will accommodate anticipated growth, provide a variety of housing types at a variety of densities, provide opportunities for affordable housing for all economic segments of the community, and ensure the vitality of established residential neighborhoods...

- (iii) Housing goals and policies should address at least the following:
  - (A) Affordable housing;
  - (B) Preservation of neighborhood character; and
  - (C) Provision of a variety of housing types along with a variety of densities.” [WAC 365-196-401(2)(a)(iii)(B) and (C)].

Finding: The proposed amendment is within the urban growth area and is served by public facilities and services to support the proposed amendment at urban densities. The proposed change from Community Commercial (CC) to Urban High Density Residential (R-30) zoning would increase the existing housing stock in the county and would help reduce urban sprawl by encouraging high-density residential uses by permitting between 18-30 dwelling units per acre. The proposed amendment is located in an area of existing urban development surrounded by residentially zoned and developed land. The proposed change from commercial to urban high density residential zoning would allow for short-term employment opportunities in the construction sector by developing an unused piece of property, but would reduce longer-term commercial employment in the area. The increased short-term construction employment and the development of high-density housing stock in an appropriate location, given the County’s need for housing, outweigh the expected impact to commercial employment opportunities. Therefore, the proposed amendment is consistent with the State GMA Goals 1, 2, and 4, and with WAC 365-196-410 (2)(a)(iii)(B) Housing Goals and Policies.

### **Community Framework Plan**

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. Community Framework Plan policies applicable to this proposal include the following:

Goal 2.0 states that the Housing Element is to “identify sufficient land for housing to accommodate a range of housing types and prices.” [Framework Plan, page 13].

The following housing policies apply to the proposed action:

“2.1.0 Communities, urban and rural, should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries and to ensure an adequate supply of affordable and attainable housing.” [Framework Plan, page 13]

“2.1.8 Housing strategies are to be coordinated with availability of public facilities and services, including human services.” [Framework Plan, page 14]

Goal 9.0 states that the Economic Development Element is to “ensure that the type of economic development which occurs contributes to maintaining and improving the overall quality of life in the county.” [Framework Plan, page 21]

The following Economic Development policies apply to the proposed action:

“9.1.0 Encourage a balance of job and housing opportunities in each urban center. Provide sufficient land for business as well as homes. Businesses within the community should provide a range of job types for the community’s residents.” [Framework Plan, page 21]

“9.1.4 Encourage appropriate commercial development in neighborhoods and rural centers that support the surrounding community.” [Framework Plan, page 21]

10.1.4. Establish development standards for higher densities and intensities of development along priority and high capacity transit corridors that encourage pedestrian, bicycle and public transit usage. [Framework Plan, page 22]

Finding: The subject parcels are within the urban growth area and are located in an area of existing urban development surrounded by residentially zoned and developed land. While the Community Framework Plan encourages retention of employment land for commercial development, the Framework Plan also addresses the need for an adequate supply of housing at a range of prices. The four square mile area in the vicinity of the subject parcels is predominantly zoned Low to Medium Density Residential. There are six parcels zoned Medium-Density Residential (R-12 and R-22) as follows: one R-12 property located a half mile to the northeast, one R-18 property 1.5 miles to the northwest, one R-18 property 1.5 miles to the southwest, two R-22 approximately 1.7 miles to the southwest, and one R-12 approximately one mile to the south. R-12 allows 8-12 dwelling units per acre and R-18 allows 12-18 dwelling units per acre. R-30 allows 18-30 dwelling units per acre. Both the Medium and High Density Residential zones allow duplex and multi-family dwellings. The proposed amendment is consistent with the housing policies in the Community Framework Plan. The parcel to the north and adjacent to the two subject parcels is zoned and developed as Community Commercial and is better situated at the intersection of NE 162 Ave. and NE Ward Rd. to serve the commercial needs of the neighborhood.

### **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. The WAC 365-196-305(1) defines “the primary purpose of CWPP is to ensure consistency between comprehensive plans of counties and cities sharing a common border or related regional issues. Another purpose of the CWPP is to facilitate the transformation of local governance in the urban growth areas, typically through annexation to or incorporation of a city, so that urban governmental services are primarily provided by cities and rural and regional services are provided by counties.”

Policy 2.1 in the Housing Element states the following:

- “2.1.1 The Comprehensive Plan of the county and each municipality shall identify sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing and group homes and foster care facilities. All jurisdictions will cooperate to plan for a “fair share” of the region’s affordable housing needs and housing for special needs population.
- 2.1.3 Link transportation and housing strategies to assure reasonable access to multi-modal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation.
- 2.1.5 Link housing strategies with the availability of public facilities and public services.”
- 2.1.6 Encourage infill housing within cities and towns and urban growth areas.” [CWPP, page 72].

Finding: The proposed plan amendment and rezoning is consistent with policies in the Countywide Planning Policies. The subject sites are within the urban growth area and located in an area of urban development surrounded by residentially zoned and developed land. The proposal would provide more land for high-density housing and could permit between 18-30 dwelling units per acre. High-density housing would support multi-modal transportation, reduce the inappropriate conversion of undeveloped land into sprawling low-density development, and is consistent with the county’s density goals.

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

- 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 services.” [2016 Plan, page 46].

“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.

- 2.2.2 Encourage a variety of housing types and densities, including mixed-use centers, services and amenities.” [2016 Plan, page 72].

Finding: The proposed amendment to change the zoning from Community Commercial to Urban High Density Residential (R-30) zoning would allow high-density residential use and permit between

18-30 dwelling units per acre. This will reduce urban sprawl, while encouraging a variety of housing types and densities.

Conclusion: Criterion A has been met.

**B. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan and the purpose statement of the zoning district. [CCC 40.560.010(G)(2)].**

Urban High Density Residential (UH).

This comprehensive plan designation provides land 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 appropriate, Office Residential OR-30 and OR-43 zones can be applied in this designation. [2016 Plan, page 33].

40.220.020 Residential and Office Residential Districts (R, OR)

A. Purpose. 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.

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 5 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. [2016 Plan, page 34].

Finding: The proposed comprehensive plan amendment and rezoning is consistent with surrounding land uses and is served by public sewer and water, and is in proximity to commercial services. Public open space and recreation opportunities are available to the north at the Hockinson Meadows Community Park. The two parcels are adjacent to NE Ward Rd. and NE 162 Ave., both urban arterials which have capacity. The proposed amendment is in conformance with both the locational criteria in the comprehensive plan and the purpose of the proposed zoning

districts. In the vicinity of the proposed change, the parcel to the immediate north of the subject parcels is zoned and developed as Community Commercial (with a Walgreens and several other retail establishments) and is better situated at the intersection to meet the commercial needs of the neighborhood. Within less than a mile to the south, there is a large commercial development with a Safeway and other retail establishments on NE 162 Ave. and Fourth Plain Blvd.

Conclusion: 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. [CCC 40.560.010(G)(3)].**

Finding: The proposed map amendment is suitable for the proposed designation. The adjacent property to the north of the subject parcels is zoned and developed as Community Commercial and is located at the intersection of NE 162 Ave. and NE Ward Rd. and is better suited to serve the commercial needs of the community. The applicant submitted several recent newspaper and magazine articles that indicate an overall decline in commercial-retail development nationally. The applicant stated that there is a lack of interest among commercial buyers for this property due to visibility constraints from the intersection and its location at the edge of the urban growth area.

Within a four square mile area in the vicinity of the subject parcels, there are no parcels zoned for high density residential. Development of R-30 would address a need for high-density multi-family housing and is compatible with other nearby residential land uses.

**Conclusion:** The site is suitable for the requested Urban High Density Residential comprehensive plan designation with R-30 zoning. 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. [CCC 40.560.010(G)(4)].**

The proposed land use amendment (b) better implements applicable comprehensive plan policies than the current land use designation. The applicant submitted several articles on national commercial market trends, which state that there is a reduced demand for brick-and-mortar retail that is resulting from the rise of e-commerce. According to the applicant, many retail properties, both developed and undeveloped, are suffering from this market trend. In the vicinity of the proposed change, the parcel to the north of the subject parcels is zoned and developed as Community Commercial (with a Walgreens and several other retail establishments) and is better situated at the intersection to meet the commercial needs of the neighborhood. Within less than a mile, there is a large commercial development with a Safeway and other retail establishments on NE 162 Ave. and Fourth Plain Blvd. The two subject parcels have remained undeveloped as commercial properties since 2002. The applicant's narrative states that they have been unable to attract commercial buyers due to two site constraints. The first is that the property lacks visibility from the road due to the awkward alignment of the intersection of NE 162 Ave. and NE Ward Rd. The second constraint is that the location of the site is on the far edge of the urban growth area, which limits the market area for retail and discourages destination commercial use.

Rezoning these lands for high density residential development would help address the need for more variety of housing at various price points. R-30 zoning addresses a need for added multi-

family housing in Clark County, is compatible with other nearby land uses, and is consistent with the way the area is developing with residential uses.

**Conclusion:** The proposed land use amendment (b) better implements applicable comprehensive plan policies than the current land use designation. The need for residentially zoned land to develop housing would better implement the comprehensive plan policies than maintaining these two parcels as Community Commercial. 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. [CCC 40.560.010(G)(5).**

Finding: The full range of urban public facilities and services are available to serve residential uses at the site. The site is in the Vancouver Urban Growth area. Water and sewer service in this area is provided by the City of Vancouver. Future development of all lots in the urban area will be required to provide a separate stormwater system at the time of development. It is in the Hockinson School District. The site is currently in the C-Tran service area and is served by Fire District 5. Public open space and recreation opportunities are available to the north at the Hockinson Meadows Community Park. The Transportation Impact Analysis shows a decrease in trips as a result of this request from 8,310 daily trips in General Commercial zoning to 1,640 daily trips in the R-30 zoning, a decrease of 2,300 trips per day.

Conclusion: Criterion E has been met.

## RECOMMENDATION AND CONCLUSIONS

ased on the information and the findings presented in this report, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to Clark County Councilors. The following table lists the applicable criterion and summarizes the findings of the staff report for CPZ2018-00002. 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
<b>Criteria for All Map Changes</b>		
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	YES	
<b>Recommendation:</b>	<b>APPROVAL</b>	