



CITY COUNCIL MEETING MINUTES

Vancouver City Hall - Council Chambers - 415 W.
6th Street

PO Box 1995 - Vancouver, Washington 98668-
1995

www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor

Bart Hansen | Bill Turlay | Alishia Topper | Ty Stober | Linda Glover | Laurie Lebowsky

November 19, 2018

WORKSHOPS

Vancouver City Hall - 415 W 6th Street, Vancouver WA

Councilmember Turlay, Mayor McEnerny-Ogle absent from workshops.
Mayor Pro Tem Bart Hansen presided.

5:00-6:00 p.m. Housing Options and Affordability

*Presenters: Peggy Sheehan, Community Development Program
Manager, 487-7952; Danell Norby, Community Development
Coordinator, 487-7953*

Summary

Staff provided Council with an update on current housing market conditions and challenges and the City's efforts to promote housing options and income-based housing.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6 PM)

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 7 p.m. by Mayor McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Lebowsky, Glover, Stober, Topper, Turlay, Hansen, Mayor McEnerny-Ogle

Absent: Councilmember Turlay

Motion by Councilmember Topper, seconded by Councilmember Hansen, and carried unanimously to excuse Councilmember Turlay

Approval of Minutes

Minutes - November 5, 2018

Motion by Councilmember Glover, seconded by Councilmember Hansen, and carried unanimously to approve the meeting minutes of November 5, 2018.

Citizen Communication (Items 1-9)

Mayor McEnerny-Ogle opened Citizen Communication and received the following testimony:

- Elizabeth Fitzgerald, Executive Director of the Volunteer Lawyers Program, spoke regarding Item 7 and spoke in support of ordinance Option B, stating Option A only creates further obstacles for human service agencies.
- Kate Budd, Executive Director of Council for the Homeless, spoke regarding Item 7 and spoke in support of repealing the City's current Human Service Facilities Siting ordinance and supported replacement Option B.
- Amy Reynolds, Deputy Director of Share, spoke regarding Item 7 and spoke in support of repealing the City's current Human Service Facilities Siting ordinance and supported replacement Option B.
- Eric Lambert, Vancouver, spoke regarding Item 7 and encouraged the Council not to repeal the Human Service Facilities Siting ordinance, stating that removing the barriers of that ordinance would result in such facilities inordinately locating in already disparaged neighborhoods, further increasing the burden on these areas.
- Fred Meurer, Vancouver, spoke in opposition to any efforts to increase sensitivity toward people experiencing homelessness, stating such efforts would just result in more people moving to Vancouver.

There being no further testimony, Mayor McEnerny-Ogle closed Citizen Communication.

Consent Agenda (Items 1-9)

Council requested that Item 7 be pulled from the agenda for separate consideration.

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to approve Items 1-6 and 8-9 of the Consent Agenda.

1. **Extension of Interlocal Agreement with Clark County for Therapeutic Recovery Court Services**

Staff Report 170-18

Summary

Clark County, as part of its criminal justice system, has District Court Recovery Courts, including Substance Abuse Court and Veteran's Therapeutic Court, designed to assist indigent misdemeanor clients who have substance abuse issues. In 2007, Clark County increased its sales tax by 1/10th of 1% with the proceeds dedicated to support substance abuse treatment. Part of this tax increase was used to expand the Recovery Court program. To support that expansion, both the County and City received additional funds from the sales tax increase in order to help offset additional costs associated with staffing Recovery Courts.

In 2008, the City and County determined that combining their Recovery Court funds provided sufficient funding to hire one full-time attorney to service both City and County clients. The County, which handles both felony and misdemeanor cases and consequently has a much more extensive indigent defense program, agreed to bid out and manage a combined contract for Recovery Court services. The initial interlocal agreement was from 2009-2016. In 2017, the City and County councils approved a new interlocal, continuing this combined effort. The current term of the interlocal expires December 31, 2018, but can be extended for three additional two-year terms. Council is being asked to approve a two-year extension of the interlocal from January 1, 2019-December 31, 2020.

Request: Authorize the City Manager or his designee to sign an amendment to the existing Recovery Courts interlocal with Clark County extending the agreement until December 31, 2020.

Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606

Motion approved the request.

2. **Extension of Interlocal Agreement with Clark County for Mental Health Therapeutic Court Services**

Summary

Clark County, as part of its criminal justice system, has a District Court Mental Health Therapeutic Court designed to assist indigent misdemeanor clients who have mental health issues. The City is providing public defense services to Mental Health Court through an interlocal agreement with Clark County. The combined contract provides sufficient funding to hire an attorney who specializes in mental health cases, which provides better client services. The County, which handles both felony and misdemeanor cases and consequently has a much more extensive indigent defense program, bids out and manages the combined contract for Mental Health Court services. The initial contract period was for two years, 2015-2016 and with two (2) additional two- (2) year terms. On October 10, 2016, the City Council approved the first two-year extension for 2017-2018.

Mental Health Court historically had been limited to misdemeanor cases. In 2018, felony cases, which are handled by the County, began to be included. With the addition of felony cases, the City's caseload for 2019 and 2020 is projected to be only 25% of Mental Health Court cases so the City's quarterly payment for the service will be reduced from \$6,000 to \$2,250. Staff is recommending extending the interlocal for the remaining two-year term, 2019-2020, with the revision in payment schedule.

Request: Authorize the City Manager or his designee to sign an extension to the interlocal agreement with Clark County for public defense services for clients who are assigned to District Court Mental Health Therapeutic Court.

Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606

Motion approved the request.

3. **Extension of Interlocal Agreement between Clark County, the City of Vancouver, the Evergreen School District and the Vancouver School District for the Clark County Safe Communities Task Force**

Staff Report 172-18

Summary

The Clark County Safe Communities Task Force was originally formed to coordinate youth gang crime and violence prevention programs and was supported by federal grants from 2009-2012. After 2012, the Clark County Safe Communities Task Force continued to coordinate youth gang crime and violence prevention programs through funding from the City of

Vancouver, Clark County and the Evergreen and Vancouver School Districts. The current Interlocal Agreement expires December 31, 2018, but has an optional two-year extension through 2020.

Request: Authorize the City Manager or designee to sign an amendment to the Safe Communities Task Force interlocal extending the agreement until December 31, 2020.

Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606

Motion approved the request.

4. **Second Amended Interlocal Agreement with Clark County Public Health for implementation of Kaiser Healthy Eating Healthy Living Grant and associated efforts, including installation of bike racks.**

Staff Report 173-18

Summary

In 2015, Clark County Public Health was successful in applying for a Kaiser Healthy Eating Healthy Living (HEAL) grant with the objective of reducing obesity and chronic disease among residents living in the Fourth Plain corridor area through increased physical activity. Working with Clark County Public Health and other project partners, two work plan elements were identified for which the City of Vancouver is the project lead: (1) evaluating strategies to prioritize pedestrian safety and access, consistent with the Fourth Plain Forward Action Plan; and (2) offering physical activity classes in City parks and/or the Marshall Center for program participants. The City and CCPH entered into an Interlocal Agreement in 2017, memorializing their partnership in administering the program and use of grant funds. The parties amended the agreement earlier this year to provide for development and coordination of an "Rx Play Program," which offers certain youth who would benefit from more physical activity access to the Marshall Center. City Staff and CCPH now wish to amend the agreement again to allow for the installation of bike racks along the Fourth Plain corridor and The Vine route and in Downtown Vancouver. Up to 21 bike racks will be purchased by Clark County Public Health utilizing a grant from Southwest Washington Accountable Community of Health (SWACH), which supports environmental changes that encourage healthy eating and physical activity. The City will receive the bike racks and install them at mutually agreed upon locations.

Request: On November 19, 2018, authorize the City Manager or his designee to sign the Second Amended Interlocal Agreement

with Clark County Public Health to allow for the installation of bike racks.

David Perlick, Recreation Manager, 487-9314

Motion approved the request.

5. **Amendments to City of Vancouver Financial Policies**

Staff Report 174-18

A RESOLUTION adopting and modifying certain City of Vancouver Financial Policies.

Summary

Several minor changes to the financial policies are proposed:

- *Changed the revenue recovery target for the Building Fund to 100% of the costs.*
- *Inflationary index, CPI that many of the City contracts are indexed to is proposed to be changed to Seattle-Tacoma-Bellevue, since the Portland-Vancouver-Salem index will no longer be published.*

Request: Adopt a resolution amending the City of Vancouver Financial Policies.

Natasha Ramras, Chief Financial Officer, 487-8484

Motion adopted Resolution M-3985 to approve the request.

6. **Affinity Right-of-Way Vacation**

Staff Report 175-18

A RESOLUTION fixing December 17, 2018, as the date for a public hearing on a proposal to vacate a portion of public rights-of-way associated with NE 51st Circle, located west of NE 112th Avenue, east of I-205, and south of SR-500, and within the Northeast Quarter and the Southeast Quarter of Section 16, Township 2 North, Range 2 East, Willamette Meridian, and within the Thomas Nerton Donation Land Claim.

AN ORDINANCE vacating a portion of the public right-of-way associated with NE 51st Circle located west of NE 112th Avenue, east of I-205, and south of SR-500, which is within the Northeast Quarter and the Southeast Quarter of Section 16, Township 2 North, Range 2 East, Willamette Meridian, and within the Thomas Nerton Donation Land Claim, City of Vancouver, Clark County,

Washington; and providing for an effective date.

Summary

Staff has received a request from Affinity at Vancouver LLC and Weston Investment Company LLC (the Applicants) to vacate a portion of the loop at the west dead-end of NE 51st Circle, located west of NE 112th Avenue, east of I-205, and south of SR-500. The right-of-way is specifically located within the Northeast Quarter and the Southeast Quarter of Section 16, Township 2 North, Range 2 East, Willamette Meridian, and within the Thomas Nerton Donation Land Claim (DLC).

The right-of-way proposed to be vacated currently serves as part of a turnaround loop at the dead end of NE 51st Circle. The loop provides public street and utility services to five parcels; four of these parcels are owned by the Applicants, the fifth parcel is owned and maintained by the City and constitutes a portion of Kevanna Neighborhood Park.

The Applicants intend to combine the vacated area with their three adjacent parcels to create a single lot for the development of a 170-unit senior housing community. The three project parcels are located at 10400, 10420, and 10500 NE 51st Circle (parcel numbers 159849000, 159848000, 159847000). The proposed area of vacation is less than half the existing right-of-way frontage of the Applicants' properties, the remainder of the half will be kept as right-of-way to protect existing trees.

In exchange for vacation of the right-of-way, the Applicants will convey a nearby parcel to the City. The Applicants will also remove the existing loop road, construct a standard cul-de-sac turnaround to replace the loop road, and construct a new access and parking for Kevanna Neighborhood Park.

Staff recommends that the petition to vacate be approved. Staff has reviewed the City's Transportation Systems Plan and determined there is no future need for this right-of-way. Therefore, vacation of this right-of-way will have no adverse impact on City transportation assets. Further, vacation of this right-of-way will relieve the City from ongoing surface maintenance responsibilities typical for commercial streets; including regular pavement maintenance, repair of concrete structures, street sweeping, and other services.

Staff has contacted all utility owners with facilities potentially located within the subject area. The City of Vancouver has utilities within the area of the proposed vacation, including a domestic water main, sanitary sewer main, and associated appurtenances. In addition, Clark Public Utilities has electrical lines running through a portion of the subject area. Therefore, the City will retain a public utility easement under and over the entire vacated area for the construction, repair and maintenance of all public utilities and services.

RCW 35.79.030 and VMC 11.05.120 allow the City to collect compensation for the value of public right-of-way that is vacated. VMC 11.05.120(F) authorizes the City to accept conveyance of other property in lieu of the payment required. As previously noted, the Applicants are proposing to convey a nearby parcel in exchange for the vacated right-of-way. This parcel is located at 10601 NE 51st Circle (parcel number 159851000), on the other side of the right-of-way that is proposed to be partially vacated, and adjacent to Kevanna Park. The City's Parks Department believes parcel 159851000 would provide a public benefit as additional green space and for potential park expansion.

In support of this proposal, the Applicants have provided an appraisal from a certified professional land appraiser. Based on the information provided in the appraisal, the market value of the proposed vacation area is \$230,000, while the total market value of parcel 159851000 is estimated to be \$210,000. In addition to conveying parcel 159851000 to the City, the Applicants will pay the difference in property value (\$20,000) to the City prior to the right-of-way vacation becoming effective.

As previously noted, the right-of-way has historically been used to provide public street and utility services to the adjacent commercial parcels and the City park property. The City has maintained this portion of NE 51st Street in a fashion similar to that of other commercial streets, performing regular maintenance to the pavement, street sweeping and other services. Also, the street has been part of a dedicated public right-of-way for 25 years or more, and the vacated area will be utilized by the applicant for their proposed senior housing development. Based on these circumstances and the investment made by the City, staff recommends acceptance of parcel 159851000 and payment of \$20,000 as compensation for the full value of the right-of-way vacation area. The parcel should be conveyed and the \$20,000 paid to the City prior to the right-of-way vacation becoming effective.

Request: On Monday, November 19, 2018, adopt a resolution fixing the time to hear and determine the petition to vacate a portion of street right-of-way associated with the turnaround loop at the west dead-end of NE 51st Circle located west of NE 112th Avenue, east of I-205, and south of SR-500, within the Northeast Quarter and the Southeast Quarter of Section 16, Township 2 North, Range 2 East, Willamette Meridian, and within the Thomas Nerton DLC, setting the date of public hearing for December 17, 2018

Eric Hahn, Senior Civil Engineer, 487-7702

Mayor McEnemy-Ogle read the title of the ordinance into the record.

Motion adopted Resolution M-3986 to approve the request.

7. **Repeal and Replacement of VMC 20.870 Human Services Facilities Siting Ordinance**

Staff Report 176-18

A. AN ORDINANCE of the City of Vancouver, Washington regarding the siting of Human Service Facilities; Repealing VMC 20.870 “Human Service Facilities”; Amending VMC 20.160.020 “Listing of Use Classifications”, VMC 20.180.060 “Planning Fees”, VMC 20.210.020 “Types of Development Applications”, VMC 20.410.030 “Uses” of Lower Density Residential Districts, VMC 20.420.030 “Uses” of Higher Density Residential Districts, VMC 20.430.030 “Uses” of Commercial and Mixed Use Districts, VMC 20.440.030 “Uses” of Industrial Districts, VMC 20.450.030 “Uses” of Open Space Districts, VMC 20.895 “Miscellaneous Special Use Standards”, VMC 20.945.070 “Minimum Off-Street Parking Requirements”; providing for severability; and providing for an effective date.

B. AN ORDINANCE of the City of Vancouver, Washington regarding the siting of Human Service Facilities; Repealing VMC 20.870 “Human Service Facilities”; Amending VMC 20.160.020 “Listing of Use Classifications”, VMC 20.180.060 “Planning Fees”, VMC 20.210.020 “Types of Development Applications”, VMC 20.410.030 “Uses” of Lower Density Residential Districts, VMC 20.420.030 “Uses” of Higher Density Residential Districts, VMC 20.430.030 “Uses” of Commercial and Mixed Use Districts, VMC 20.440.030 “Uses” of Industrial Districts, VMC 20.450.030 “Uses” of Open Space Districts, VMC 20.945.070 “Minimum Off-Street Parking Requirements”; providing for severability; and providing for an effective date.

Summary

In 1991 following an extensive public process to address a perceived over-concentration and corresponding negative effects of homeless shelters, soup kitchens and related services in the downtown, and upon recommendations from a task force commissioned by the City Council, the City adopted a set of zoning laws that resulted in the mandatory dispersal of and operational requirements for new Human Service Facilities - uses that serve the poor such as shelters, food pantries, day centers, group meal service, counseling, etc. The siting restrictions of VMC 20.870 “Human Services Facilities Siting” make it more difficult for service providers to find a suitable location for their use, and require compliance with certain operational standards.

At a May 2, 2016, Council workshop, the City Attorney’s Office raised concerns with the Human Services Facilities (HSF) Siting Ordinance in regard to applicable laws that prohibit discrimination against people based

on their familial status or disabilities, including Title VIII of the Civil Rights Act, the Fair Housing Act, and a ruling from the 9th Circuit federal Court of Appeals. The attorney's analysis noted that the conclusions of the task force and the subsequently adopted ordinance had been based at least in part on stereotypes of clientele who utilize such services, as opposed to data that showed a close correlation to perceived impacts.

At the same workshop, City Council directed staff to bring forward an ordinance that would repeal and replace the Human Services Facilities (HSF) Ordinance in order to insulate VMC Title 20 from possible legal challenge. Additionally, City Council directed staff that, to the extent possible, such replacement language should address neighborhood concerns with respect to any identified adverse effects from the siting of such uses, and that new regulations should further seek to minimize unintended impacts on existing businesses.

For the past two years, city staff has worked with service providers and neighborhood and business stakeholders to understand concerns and draft ordinance language. Staff has also discussed options with city leaders at six Planning Commission workshops and a public hearing, and five City Council workshops. Two separate ordinances have been drafted (Option A and Option B), both of which would a) repeal the current Human Services Facilities Siting Ordinance, VMC 20.870, b) eliminate the minimum spacing requirement between such uses, and c) integrate all human service uses into the most similar use classification, so that wherever the most similar use is permitted, the human service use would also be permitted. Both options would make it easier for service providers to locate their facilities in the City.

The key difference between Option A (which the Planning Commission recommended Council approve at their September 25, 2018, public hearing) and Option B (which was developed based on Council feedback at a May 2018 workshop) is that Option A would require more public notice and opportunity to comment on potential impacts to the surrounding area from proposed new shelters, group meal service uses, and community centers before such projects are approved, and would also apply a set of performance standards to address potential impacts from clients congregating outside of such facilities. Option B would not impose any additional performance standards on these uses, and in most commercial districts these three uses would be permitted outright.

In order to address a concern raised by both Planning Commission and City Council regarding a large application fee for a conditional use permit that service providers would need to pay, both Option A and B ordinances include a reduced conditional use permit application fee for shelters, group meal service, and community centers (reduced from \$7,450 to \$1,328).

Request: On Monday, November 19, 2018, approve Ordinance Option A or Option B on first reading, setting date of second reading and public hearing for Monday, December 3, 2018.

*Chad Eiken, Community & Economic Development Director,
487-7882*

Mayor McEnemy-Ogle read the titles of both ordinances into the record.

Chad Eiken, Community & Economic Development Director, and Jonathan Young, Chief Assistant City Attorney, were available to provide staff comments.

Mr. Eiken provided the background on this project, explaining that the Planning Commission had developed ordinance Option A, which included more restrictions on human service facilities. Based on the City Council's feedback, staff had developed Option B, which treats human service facilities the same as other comparable commercial and community uses under the code.

Mr. Young explained the Council could move either ordinance forward to second reading and public hearing, or they could move both forward.

Mr. Eiken provided the details as to the key differences between both ordinances.

Councilmember Topper stated that she understands the concerns neighbors might have regarding the locating of shelters close to homes and neighborhoods, but the zoning districts proposed to allow such facilities do not include residential zones.

Councilmember Lebowsky noted that in commercial zones, there are buffering and setback requirements. She asked if there would be any public notice or involvement opportunities under Option B during the permitting process for a potential facility. Mr. Eiken stated that under Option B, there would be more instances where a project would be allowed outright, but depending on the details of the project, the site plan review process may be triggered.

Councilmember Stober asked if the Planning Commission had discussed applying the same restrictions proposed for human service facilities on all types of businesses within the same class, noting that many neighbors would appreciate more notice and opportunity for public comment on proposed projects, regardless of the type of facility. Mr. Eiken stated that was discussed by the Planning Commission, but the conclusion was it would create an undue burden on other commercial uses and would essentially clog up the City's permitting system.

Motion by Councilmember Topper, seconded by Councilmember Glover, and carried unanimously to approve ordinance Option B on first reading, setting date of second reading and public hearing for Monday, December 3, 2018.

8. **Appointment to the Vancouver Public Facilities District Board**

Request: Appoint Abbie Layne to the Vancouver Public Facilities District Board, term beginning immediately and expiring November 20, 2022.

Council Committee 1 (Hansen, Stober, Glover)

Motion approved the request.

9. **Approval of Claim Vouchers**

Request: Approve claim vouchers for November 19, 2018.

(Copy available upon request)

Motion approved claim vouchers for November 19, 2018, in the amount of \$12,027,252.30.

Public Hearings (Item 10-15)

10. **Property Tax Affordable Housing Levy for 2019**

Staff Report 164-18

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 0.0% in the City's Affordable Housing Fund levy from the amount levied the previous year; and providing for an effective date.

Summary

Proposition 1 was approved by the citizens of Vancouver in November 2016, and authorized a \$6,000,000 annual property tax levy for 7 years, beginning in 2017. Information provided by the Washington State Department of Revenue states that the dollar amount stated in the ballot title is limiting amount, and the highest lawful levy amount is \$6,000,000.

Staff recommends that City Council approve a 0.0% increase in the property tax levy for the Affordable Housing Levy. Based on last year's Affordable Housing Fund levy of \$6,000,000, the increase will be \$0.00. Authorization of this requires a simple majority vote of City Council.

Staff estimates that the City's Affordable Housing Fund property tax levy rate in 2019 will range between \$0.23 per \$1,000 of assessed value to

\$0.27 per \$1,000 of assessed value, compared to the actual 2018 affordable housing fund property tax levy rate of \$0.286 per \$1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 12.7% compared to the prior year. Because of the limit on property tax increases, as discussed above, the property tax levy rate declines as assessed value increases. The statutory cap for the City's levy rate is \$3.325 per \$1,000 of assessed value.

<i>Assessed Value 2018 \$287,100</i>	<i>Levy Rate 2018 \$0.2859919 (per \$1,000 assessed value; Affordable Housing Levy only)</i>	<i>2018 City Property Tax = \$82.11</i>
<i>Assessed Value 2019 \$323,562 (assumes assessed value increases 12.7%)</i>	<i>Estimated Levy Rate 2019 \$0.25377 (per \$1,000 assessed value; Affordable Housing Levy only)</i>	<i>2019 City Property Tax (hypothetical) = \$82.11</i>
<i>AV increases 12.7%</i>	<i>Levy Rate declines</i>	<i>Annual tax increase \$0.00 for this example taxpayer*</i>

**If the assessed value of the resident's property as a percentage increased by less than 12.7%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2018. If the assessed value of the resident's property increased by more than 12.7% from the previous year, the increase in the annual taxes would be slightly higher.*

Some citizens may qualify for tax relief, or qualify for a deferral program. To find out more information about this, residents should contact the Clark County Assessor's Office at 564-397-2391 or visit their website at <http://www.clark.wa.gov/assessor/taxrelief/index.html>.

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance.

Carrie Lewellen, City Treasurer, 487-8482

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed action.

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Stober, seconded by Councilmember Hansen,

and carried unanimously to approved Ordinance M-4244.

11. **Property Tax Levy for 2019**

Staff Report 165-18

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 1.0% in the City's regular levy from the amount levied the previous year; and providing for an effective date.

Summary

On November 6, 2001, Washington voters approved Initiative 747 (I-747), which limits the allowable increase in the property tax levy to 1.0%, or the rate of inflation, whichever is less. The intent of the Initiative was reaffirmed by the Legislature in November 2007. The measure of inflation used under this law is the Implicit Price Deflator (IPD). The IPD inflation rate for 2019 levy calculations is 2.169%.

Staff recommends that City Council approve a 1.0% increase in the property tax levy. Because the inflation rate is higher than the 1.0% limit, the 1.0% increase is the maximum increase allowed. Based on last year's General Fund levy of \$48,770,483.97, the increase will be \$487,704.84. Authorization of this increase requires a simple majority vote of City Council.

Staff estimates that the City's general fund property tax levy rate in 2019 will range between \$2.08 per \$1,000 of assessed value and \$2.12 per \$1,000 of assessed value, compared to the actual 2018 general fund property tax levy rate of \$2.325 per \$1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 12.7% compared to the prior year. Because of the limit on property tax increases, as discussed above, the property tax levy rate declines as assessed value increases. The statutory cap for the City's levy rate is \$3.325 per \$1,000 of assessed value.

Example calculation of City Property Tax:

Assessed Value 2018 \$287,100	Levy Rate 2018 \$2.325 (per \$1,000 assessed value; General Fund Levy only)	2018 City Property Tax = \$667.51
Assessed Value 2019 \$323,562 (assumes assessed value increases 12.7%)	Estimated Levy Rate 2019 \$2.08 (per \$1,000 assessed value; General Fund Levy only)	2018 City Property Tax (hypothetical) = \$673.01

AV increases 12.7%	Levy Rate declines	Annual tax increase \$5.50 for this example taxpayer*
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**If the assessed value of the resident's property as a percentage increased by less than 12.7%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2018. If the assessed value of the resident's property increased by more than 12.7% from the previous year, the increase in the annual taxes would be slightly higher.*

Some citizens may qualify for tax relief, or qualify for a deferral program. To find out more information about this, residents should contact the Clark County Assessor's Office at 5640-397-2391 or visit their website at <http://www.clark.wa.gov/assessor/taxrelief/index.html>.

In addition to the base levy, the City collects new property tax revenue based on the value of new construction added to the assessment rolls during the prior year. The revenue to the City is calculated using the assessed value of new construction multiplied by the prior year's levy rate. The value of new construction is still being finalized by the County Assessor's Office and includes the value of utility new construction provided to the County Assessor by the State. The most recent estimate from the County Assessor's Office indicates more than \$309 million of new construction, which translates into \$718,000 of additional City property tax revenue, which is slightly more than the \$601,400 received for new construction values for 2018 taxes. The City's ordinance states the percentage and dollar amount increase in the City's base property tax levy as required by RCW 84.55.120. The County Assessor will determine the levy amount for new construction based on their final calculations.

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance.

Carrie Lewellen, City Treasurer, 487-8482

Mayor McEnemy-Ogle read the title of the ordinance into the record.

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed action.

Mayor McEnemy-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to approved Ordinance M-4245.

12. **Ad Valorem Taxes for 2019**

Staff Report 166-18

AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2019-2020 Budget for the City of Vancouver; providing for an effective date.

Summary

Pursuant to RCW 35.33.135, Council must approve an ordinance to fix and authorize the Clark County Assessor's Office to levy ad valorem taxes necessary to fund the City of Vancouver's 2019-2020 Biennial Budget.

An ad valorem tax (Latin for "according to value") is defined as a tax based on the value of real estate or personal property. An ad valorem tax is typically imposed at the time of a transaction(s) (a sales tax or value-added tax (VAT)), but it may be imposed on an annual basis (real or personal property tax) or in connection with another significant event (i.e. inheritance tax).

Staff currently estimates the 2019 real and personal property tax levy as \$56.7 million, which includes a preliminary estimate of \$719,000 in property tax revenue from new construction. The estimate of property tax from new construction will be updated based on the final new construction valuation provided by the Assessor's Office. The estimate of property tax revenue does not include the change in value of state-assessed utility property. Both of these amounts will not be final until December 2018.

City staff recommends that Council approve ad valorem taxes in the amount of \$56.7 million, which is needed to fund the City's 2019-2020 biennial budget. Of the total, \$50.7 million is for general fund purposes, and \$6 million is for the affordable housing fund. Approving ad valorem taxes of \$56.7 million allows the County Assessor's Office to levy real and personal property taxes to the full extent allowed under Washington State law. Staff anticipates that the final certified levy will be between \$56.1 million and \$56.7 million in 2019. If Council authorizes the ad valorem tax amount too low, the County Assessor's Office will only be allowed to levy up to the amount authorized by Council.

Staff recommends that City Council approve ad valorem taxes in the amount of \$56.7 million for the 2019 real and personal property tax levy within the city limits of Vancouver. This estimated revenue source is necessary to fund the 2019-2020 Biennial Budget for the City of Vancouver.

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance..

Carrie Lewellen, City Treasurer, 487-8482

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed action.

Mayor McEnerny-Ogle opened the public hearing and received the following testimony:

- Fred Meurer, Vancouver, asked for further explanation as to what the proposed action is.

There being no further testimony, Mayor McEnerny-Ogle closed the public testimony.

Ms. Ramras explained the state requires the cities to levy ad valorem taxes as a verification of the property taxes being levied to support that city's budget.

Motion by Councilmember Topper, seconded by Councilmember Glover, and carried unanimously to approved Ordinance M-4246.

13. **Amendments to VMC Titles 16 and 17 to implement fire and life safety program fee increases**

Staff Report 167-18

AN ORDINANCE amending Vancouver Municipal Code (VMC) Sections 16.04.280 and 17.08.130 relating to the Vancouver Fire Department cost recovery amounts; increasing existing permit and fee schedules and providing for the implementation of a fee schedule for services; indexing applicable fees to the Seattle Consumer Price Index to account for inflation; and providing for savings and an effective date.

Summary

The proposed revision of VMC Titles 16 and 17 will re-align fees for increased costs associated with fire inspections, construction/operational permits, and fire plans review.

VMC Title 16 has been in effect for more than ten years; with this long-term experience Fire staff has identified the need to increase certain fees to account for higher program costs associated with fire and life safety inspections, fire protection system report reviews and operational fire code permits.

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance.

Heidi Scarpelli, Vancouver Fire Marshal, 487-7202

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Heidi Scarpelli, Vancouver Fire Marshal, provided a summary of the proposed action.

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Glover, seconded by Councilmember Stober, and carried unanimously to approve Ordinance M-4247.

14. **Amendment to VMC 16.16.40, Hazardous Materials Regulatory Fee**

Staff Report 168-18

AN ORDINANCE amending Vancouver Municipal Code Section 16.40.070 relating to hazardous materials regulatory fees; increasing such fees and indexing such fees to the Seattle Consumer Price Index to account for inflation; and providing for an effective date.

Summary

VMC Title 16, Chapter 16.40 has been in effect for more than ten years with no increase in the hazardous materials regulatory fee since inception, while CPI has increased more than 21% during this same time period. The proposed amendment of VMC Chapter 16.40 updates the regulatory fee for increased costs associated with hazardous materials emergency response plan inspections, evaluations and exercises, training of emergency response personnel, and acquisition, maintenance and operation of emergency response equipment.

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance.

*Tom O'Connor, VFD Special Operations Division Chief,
487-7206*

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Tom O'Connor, VFD Special Operations Division Chief, provided a summary of the proposed action.

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve Ordinance M-4248.

15. **2019-2020 City of Vancouver Biennial Operating and Capital Budget**

Staff Report 169-18

AN ORDINANCE relating to and adopting the budget for the City of Vancouver for the 2019-2020 fiscal biennium; creating a new fund; providing for ratification and for an effective date.

Summary

The City of Vancouver 2019-2020 Biennial Budget has been prepared for approval. The Recommended Budget was published by the City Manager on October 1, 2018, and was presented to Council in workshops held on October 15 and 22.

The 2019-2020 Biennial Budget appropriates \$1.2 billion for both operating and capital expenses, a 3.7% increase over the current 2017-18 budget. A total of \$954.8 million is appropriated for all City operating funds and \$245.4 million for capital funds and related funding. There are 79.5 full time equivalent (FTE) positions added bringing the total to 1,180.4 FTEs by the end of 2020, a 6% increase over the 2018 current budget.

The 2019-2020 Budget is balanced by ongoing revenues and available cash resources. The Budget relies on new revenues generated by a 1% property tax increase and from a previously adopted utility tax rate increase of approximately 4% in Water, Sewer and Drainage and 3% in Solid Waste in each year of the biennium.

A total of \$458.7 million is appropriated in the General, Street, and Fire operating funds, and an additional \$496.1 million is appropriated in all other operating funds. All appropriations are consistent with the budget framework reviewed and affirmed with Council at the beginning of the year as well as with relevant workshops over the course of the year regarding capital investments and certain operating programs.

A prolonged period of relative fiscal stability has allowed the City to reassess the community's greatest needs and respond by continuing to improve service levels in key areas during the 2019-2020 biennium, including: police, fire inspections, parks greening and maintenance, construction and utilities and administrative services. The City continues to make progress in funding deferred maintenance and asset replacement on a pay-as-you-go basis.

Following are highlights of the additional programs added or expanded in the 2019-2020 Budget in the General, Street and Fire funds:

- A total of 17.0 new FTEs were added to the Police Department, including Police Officers, Police Service Technicians, and police support positions to address specific staffing and administrative*

requirements. These new positions represent the last phase of the increase in traffic, investigative and community engagement police services funded by dedicated revenue increases over the 2017-2020 time period.

- A cross-department team, including a 1.0 FTE Coordinator in the City Manager's Office, 0.5 FTE in Legal, 1.0 FTE in Code Enforcement and one additional 1.0 FTE Police Officer position, along with mental health and substance addiction case management services, will provide a more focused and coordinated response addressing issues related to homelessness in the City. The Budget also includes funding for maintenance of the homeless day center and other resources to continue addressing issues related to homelessness.*
- Budget to complete the Heights District plan as well as demolish the former Tower Mall structure, which will create a blueprint and begin preparation of the site for reinvigorating central Vancouver and capitalizing on the planned Mill Plain Corridor Bus Rapid Transit investments.*
- A total of 13.0 new FTE positions to staff the new Fire Station 11 that is anticipated to be completed by the end of the biennium. The new positions as well as the construction of Fire Station 11 are funded largely by Fire District 5.*
- The Budget re-establishes an Arts and Cultural program by creating a dedicated 1.0 FTE to act as a dedicated resource for a new Vancouver Cultural Commission, help with creation and administration of an art grants program, and coordinate public art maintenance. The Budget also appropriates seed dollars to partner with the Vancouver school District in building the Art and Innovation Campus as well as a possible community arts center.*
- A total of 2.0 new FTE positions in parks maintenance were added in 2020 to continue the effort of keeping turf in city parks green and maintained.*
- The Pavement Management program added 2.0 new FTE positions to match a planned increase in size and scope of the Pavement Management program. The project increase as well as the new positions are fully funded by the dedicated Street Funding Initiative revenues.*
- The SUV pilot project in the Fire Fund has proven to be a cost effective method of augmenting high priority medical call response, and the Budget converts these limited-term staff to regular positions. The Budget also adds 5.0 new FTEs in the Fire Marshal's Office to continue working through the fire inspection backlog with the goal of achieving a regular two-year re-inspection cycle of city's businesses. The program is almost fully self-sufficient.*

Major budget changes in other City Funds include:

- A total net new 7.5 FTE positions is added in the Internal*

Administrative Services fund to support the increased demand for services driven by the City's expanding capital and operating programs. Of these new positions, 2.0 of the FTEs will implement the expanded citywide GIS program, 1.0 FTE and a 1.0 FTE will be dedicated to improving the City's records program. Staffing was also added in Information Technology, Human Resources and procurement.

- *One FTE position was added to the Building fund to address the increased complexity of development projects. The construction activity is scheduled to significantly increase over the next few years due to a number of multi-story buildings and new school buildings that are currently in permitting.*
- *17.5 new FTE positions were added in Public Works to support the increasing demand from the Utilities capital program and service level demands.*
- *Grounds and facilities maintenance function is being moved to a new internal services fund and Civil Legal is being moved to the Support Services Fund.*
- *The Budget maintains market relevance for compensation to ensure that the City maintains the competitiveness needed to retain and recruit its workforce, and affirms the 2017-2018 staffing levels as a baseline in other service areas.*

2019-2020 Capital Budget

Of the City's nearly \$1.5 billion in assets, approximately 80% are capital (building, streets, land, utility lines, etc.). Stewardship of these capital assets is critical to efficient, effective, and sustainable service delivery. While the true cost to manage these assets through their lifetime is daunting, the City has been making meaningful, strategic investments in our assets without adding new debt. The same trend is evident in the 2019-2020 Biennial Budget.

Attachment C to the Budget Ordinance includes a list of all projects included in the City of Vancouver's 2019-2020 \$245.4 million capital program, of which \$98.6 million is related to funding transfers. Below are some highlights:

- *Utilities projects totaling \$89.3 million, include:*
 - *Water fund projects totaling \$42.7 million for the Water Works Park reservoir and seismic upgrade of \$19.0 million, continuing Operations Center design of \$6.2 million, Water Stations improvements, and other smaller projects.*
 - *Sewer utility appropriation totaling \$41.9 million includes an \$8.4 million two-year Sewer Connection Incentive Program (SCIP) to expand sewer service to 600 new homes, \$9.4 million for process controls electronics upgrades, \$3.5 million for a*

westside electrical upgrade design, and a variety of other collection and treatment projects.

- *A \$4.7 million two-year program in Drainage to keep up with the NPDES regulations.*
- *New Fire Station 11 construction primarily funded by Fire District 5 expected to be completed in 2020-2022.*
- *General Capital asset management program of \$10.3 including roof replacements, major maintenance, pervious surface upgrading, sealing, painting, and HVAC repairs at various city facilities.*
- *The Budget allocates \$21.4 million for transportation funding, including the following projects:*
 - *Mill Plain Blvd from 104th St to NE Chkalov Dr.;*
 - *137th Ave corridor between 49th St and Fourth Plain;*
 - *18th St from NE Four Seasons Lane to NE 136th Ave;*
 - *LED street light retrofit of 13,000 City lights;*
 - *\$4.0 million in projects funded by the Street Funding Initiative capital program.*
- *A \$1.8 million Pearson Airfield phase one of the mostly federally-funded runway replacement project.*
- *Parks and Trails capital program totaling \$8.7 million including major renovations and expansions at the North Image Park, Dubois Park, First Place Park, Clear Meadows Park, Summers Walk Park, and new land acquisitions using the City's PIF resources.*

Proposal: *To approve the 2019-2020 Biennial Operating and Capital Budget Ordinance.*

Request: On Monday, November 19, 2018, subject to second reading and public hearing, approve ordinance.

Natasha Ramras, Chief Financial Officer, 487-8484

Mayor McEnemy-Ogle read the title of the ordinance into the record.

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed action.

Mayor McEnemy-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Topper, and carried unanimously to approve Ordinance M-4249.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

a) Affordable Housing in Commercial Zones

Bryan Snodgrass, Principal Planner, and Peggy Sheehan, Community Development Programs Manager, provided Council with additional information pertaining to a proposed provision in the 2019 Comprehensive Plan and Zoning Code text amendments that would allow some affordable housing to be developed in commercial zones under restrictive conditions.

b) City Council Vacancy Process

Bronson Potter, City Attorney, and Amanda Delapena, Assistant to the City Council, provided an overview of the proposed process and timeline for recruiting and appointing a Councilmember to fill Council Seat 2, which will be vacated by Councilmember Topper on Dec. 31, as she has submitted her resignation to fulfill her new duties as Clark County Treasurer.

Adjournment

8:52 p.m.

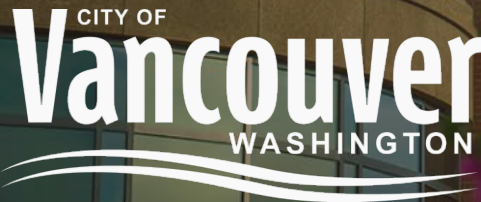
Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Meetings of the Vancouver City Council are electronically recorded on audio and videotapes. The audio tapes are kept on file in the office of the City Clerk for a period of six years.

Downtown Parking Investment Policy Recommendations



City Council
December 3, 2018

Chad Eiken, CED Director
Rick Williams, Rick Williams Consulting

Presentation Overview

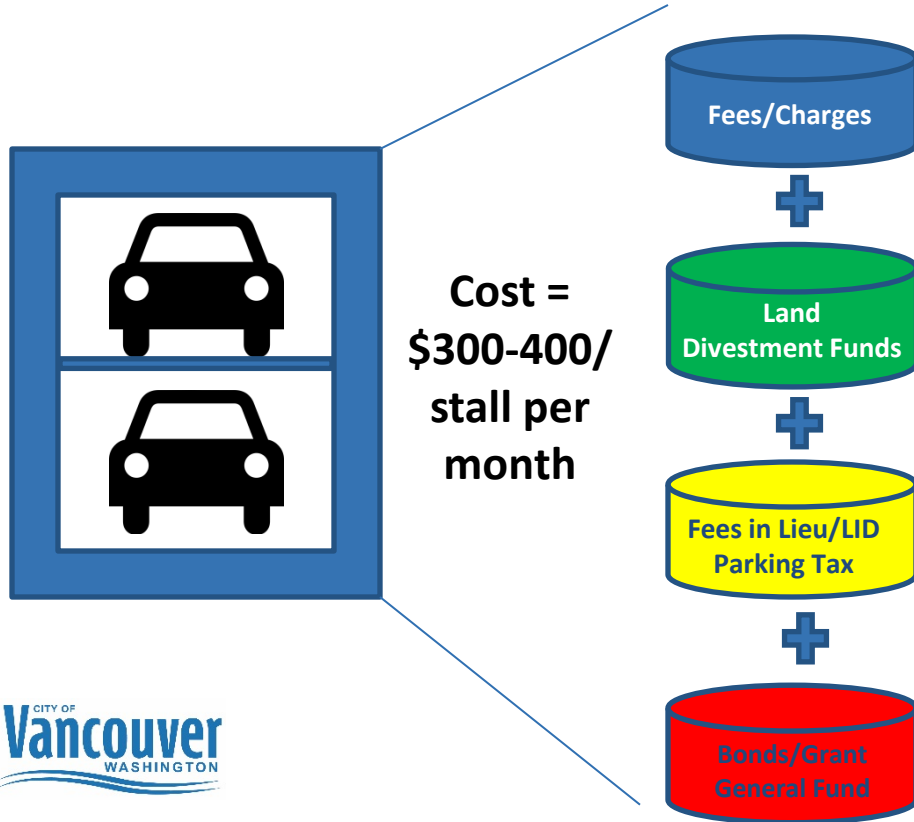
- Current policy recap
- Cost of funding new supply
- Summary of options explored
- Recommended policy approach
- Summary
- Next Steps

Current Parking Investment Policy (new supply)

- Focuses public parking investments on patron (visitor) parking
- Discourages City role in investing public funds to provide employee or resident parking
- Employee and residential parking is the responsibility of the private sector
- Pay as-you go (low debt risk); financially sustainable



Cost and Funding of New Supply

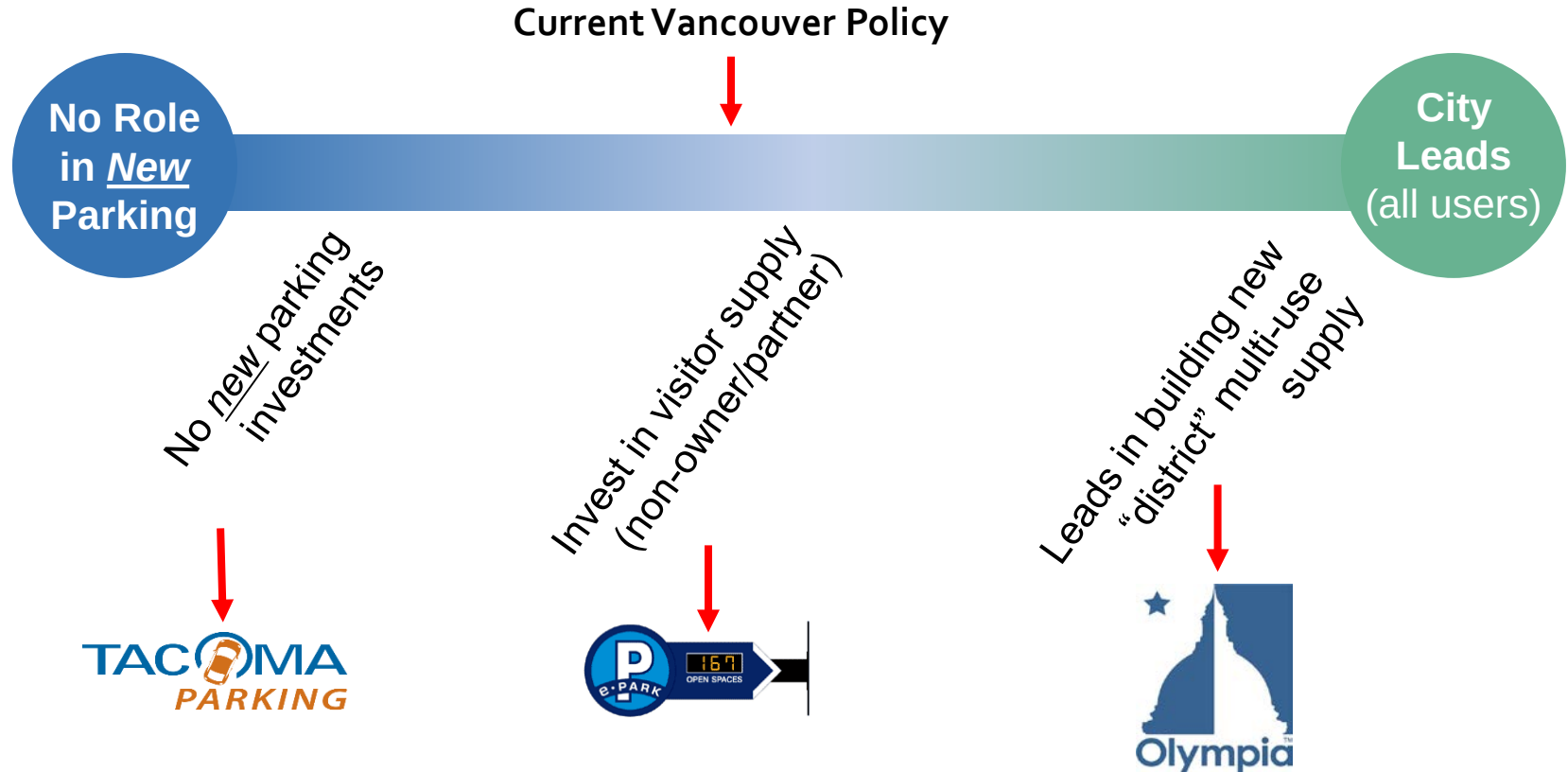


- Estimated @ \$45K per stall (5%/20years)
- Requires multiple funding sources
- Currently very difficult in Vancouver market (@ about \$100 per stall/per mo./gross)
- General fund is a backstop if City owns

Three Main Policy Options for Investment in Parking

1. **Private Sector (Hands Off) Approach:** City Maintains Existing Assets as Visitor Parking
2. **Partner Approach:** Public Investment in Visitor Parking Only (non-ownership position)
3. **Public “All-in” Approach:** Proactive/lead role in Public Investment in Parking Facilities that serve all types of users (visitor, employee, residents)

Investment Strategy Options



Recommendation: Invest only in Visitor Parking (Partner)

Investment Strategy

- Strategically invest in private parking developments to ensure visitor access as opportunities present themselves.
- Funding tied to operating agreement for visitor access management (no ownership position).

Implications for existing assets

- Phased transition of existing off-street supply to higher mix of visitor use.
- Evaluate divesting of existing off-street facilities with little visitor demand potential.

Recommendation: Invest only in Visitor Parking (Partner)

Code implications

- Reduce or eliminate minimum parking requirements / eliminate accessory designations for parking

Funding sources

- Parking fund, general fund, funds from property divestment, on-street surpluses

Risk Level

- Low to Moderate (all risk to private owner / enforcement of development agreement)

Recommendation: Invest only in Visitor Parking (Partner)

Pros

- Elimination of parking minimums promotes shared use
- Buys down cost of parking in new developments. **Keeps City at table**
- City may use public property (land) as contribution to project in exchange for visitor parking
- **All financial risk assumed by private sector**
- “Full sign never goes up” approach to development agreements

Cons

- May still not provide enough “discount” for new garages to be viable
Enforcement of operating agreements is required
- **Requires on-going public/private operating partnership and marketing/communications coordination**
- Current demand for parking is more for employee, less so visitor; however, could transition to visitor parking over time

Why Options 1 and 3 are not recommended

Option 1 (Hands Off)

- Parking garage development by private sector is still not financially feasible in Vancouver market
- City needs to be at table and in a position to support development and growth of downtown

Option 3 (All In)

- High financial risk / general fund is ultimately responsible
- Need to assemble multiple funding sources; highly complicated
- Sites must be available / possible need to front-end facility ahead of “entitlements”
- Entitlements for guaranteed parking must be managed in perpetuity
- Private sector may not agree to fees-in-lieu (even if discounted)

Summary

- Seek opportunities to invest in new parking structures downtown with the following criteria:
 - ✓ Limit COV investments to short-term visitor parking or parking for City employees (may include land, construction funds, etc.)
 - ✓ Strong preference for public/private partnership in new garages that are tied to private investment in new mixed use development
 - ✓ City's investment results in operating guarantees (visitor access to parking) versus ownership position

Summary (continued)

- Manage existing parking assets to accommodate a higher percentage of visitor demand/shared use over time, or look to divest from any commuter/resident-only parking
- Implementation will involve reduction or elimination of parking minimums, as well as regular occupancy studies to determine supply of visitor parking

Next Steps

- Following Council feedback, staff will draft a resolution to formalize Council's policy regarding investment in public parking
- Tentative Council date for consideration of a resolution would be January 7, 2019
- Any code changes required to implement policy will be proposed as part of the VCCV Plan Update in 2019-20

Questions and Discussion

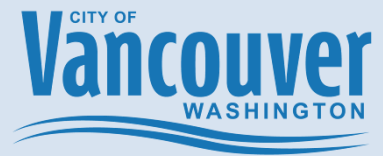
VANCOUVER
CITY HALL

Chad Eiken, Community and Economic Development Director,
chad.eiken@cityofvancouver.us

Rick Williams, Rick Williams Consulting

CITY OF
Vancouver
WASHINGTON

CITY OF VANCOUVER 2019 FEDERAL LEGISLATIVE AGENDA



GROW A MORE PROSPEROUS CITY

I-5 Bridge Replacement | Policy Item

Support interstate efforts for an I-5 bridge replacement consisting of a replacement bridge and high-capacity transit with a dedicated guideway. Project should include highway, high-capacity transit, bicycle and pedestrian improvements to support Vancouver and the regions travel needs.

Brownfield Grant | \$600,000

The City is leading a coalition application with Clark County Public Health and the Vancouver Housing Authority for a US Environmental Protection Agency (EPA), Community-Wide Assessment Brownfield grant. The grant will focus on brownfield redevelopment of targeted economic development sites countywide, with an emphasis in Vancouver on the Mill Plain and Fourth Plain corridors with the goal of improving employment and education opportunities for low and middle income residents.

Support C-TRAN's BRT Request | \$50 million

The City supports C-TRAN, Clark County's public transportation agency, in their forthcoming application for a Federal Transit Administration (FTA) Small Starts Grant, which would provide funding to expand their Bus Rapid Transit (BRT) system to Mill Plain Boulevard, one of the city's major east/west corridors.

Southeast 1st Street | \$7 million

The Southeast 1st Street Improvement Project, from Northeast 162nd Avenue to Northeast 192nd Avenue, would catalyze economic growth by increasing multi-modal accessibility to the 450-acre Columbia Tech Center (7,000 existing jobs and 2,000 additional jobs projected at full build out) and the 533-acre Section 30 redevelopment site (9,400 future jobs), providing for the creation of new businesses. The project will also enhance safety and livability for all modes of travel and increase capacity to accommodate mobility needs for the next twenty years. The City is seeking \$7 million through a federal Better Utilizing Investments to Leverage Development (BUILD) grant to match local and private developer contributions.

Taxes: Protect Municipal Bonds; Restore SALT Deduction and Advanced Refunding | Policy Item

Municipal Bonds: The City strongly supports protecting tax exempt municipal bonds from being eliminated or limited. Since the federal income tax was instituted in 1913, interest earned from municipal bonds issued by state and local governments have been exempt from federal taxation.

GROW A MORE PROSPEROUS CITY CON'T

Restore Full SALT Deduction: The City is concerned about the impact on lower and middle income families of the \$10,000 cap on deductions for property, state and local taxes. The City supports full restoration of the SALT deduction.

Advanced Refunding: The City supports refinancing of municipal bonds which was eliminated in the 2017 tax bill. Refinancing bonds lowers the debt service for local governments and is a financing tool that reduces the burden on local residents.

Protect CDBG, HOME, Section 108, BUILD and EDA Funding | Policy Item

The City supports maintaining funding levels for these critical infrastructure programs. The City is a CDBG and HOME entitlement community and utilizes these formula funds on low-income programs that both grow the economy and serve as a community safety net.



Support Job Creation Through Workforce Training Programs | Policy Item

The skills gap in the U.S. is substantial. In 2017, 45 percent of small businesses reported that they were unable to find qualified applicants to fill job openings. Middle-class jobs are increasingly requiring higher skill levels among workers. Continued investment in innovative strategies for training new, returning, and incumbent workers is critical to ensure successful business growth and expansion.

INVEST IN A SAFE AND WELCOMING COMMUNITY

ASSISTANCE TO FIREFIGHTERS GRANT

Ladder Truck | \$738,000

Vancouver Fire Department (VFD) is seeking funds to replace the oldest of three aerial ladder units. Given VFD's urban service area, a reliable fleet of aerial ladder trucks is critical to adequately protecting the City and its mutual aid partners. VFD's standard of cover includes the assignment of an aerial unit to every structure fire.

In 2017, VFD responded to 227 structure fires and provided mutual aid on an additional 225. Two aerial units and eight personnel are required daily as part of departmental minimum staffing. VFD's oldest ladder unit, manufactured in 1996, has traveled 100,104 miles and been in use for 11,080 responses. It was rebuilt to extend its useful life

and delay the cost of full replacement but a second rebuild is not recommended due to safety and reliability concerns.

Self Contained Breathing Apparatus (SCBA) | \$799,000

VFD is seeking funding to replace 107 SCBA units that do not meet the current NFPA standard. A device worn by firefighters to provide breathable air in dangerous atmospheres, the SCBA is one of the most essential pieces of PPE in fire service today.

Hazardous Materials Training | \$209,000

VFD is seeking grant funding to support sending department staff to specialized training in hazardous materials response and incident management. VFD will use the training to create response plans for addressing these types of risks.

INVEST IN A SAFE AND WELCOMING COMMUNITY CON'T

Project Home Safe | \$252,000

VFD is seeking grant funding to support risk reduction through fire prevention and life safety education. Project Home Safe identifies and employs zero-ignition strategies to prevent fire incidents, reduce injuries and property loss. The program utilizes VFD staff and volunteers to educate citizens, including at-risk populations like the hearing impaired, on changing risky behaviors and installing free smoke alarms. VFD is closely monitoring the outcomes and the results are being validated by the Washington State University, Mathematics Department.

Investment Package, Transportation, Housing and Water Infrastructure | Policy Item

The City supports additional transportation, housing and water infrastructure spending to help address the growing infrastructure backlog in our community and communities around the country. City projects that could benefit from an infrastructure package could include:

- **32nd Ave. Extension and Fruit Valley Road Bridge Improvement | Proposed Project**

This project will provide the Port of Vancouver with better freight access to I-5, catalyze new development on industrial lands, protect communities by diverting freight traffic and enhance safety of the pedestrian and bike network.

- **Replacement of Water Station 5 Reservoir | Proposed Project**

This is a ground level, reinforced concrete reservoir built in the mid-1940's. A seismic evaluation in 2015 determined that it is in need of replacement. Project will include installation of an emergency power supply to operate the pumps. Cost estimate is \$24 million.

- **Industrial Pre-Treatment Lagoon | Proposed Project**

Vancouver's industrial pretreatment lagoon receives and treats food-process wastewater from three significant employer industries. The nearly 40-year old lagoon is integral to Vancouver's wastewater treatment strategy and providing an efficient treatment option for those three industries. It is currently operating with equipment at the end of its service life. Equipment replacement and related construction is estimated to be \$2 million.

Crude-By-Rail Transport | Policy Item

The Department of Transportation's final rule on Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains includes a new, enhanced tank car standard and a risk-based retrofitting schedule for older tank cars; a new braking standard requirement; institution of speed restrictions (40 mph), and a requirement to provide more information on the transport of flammable materials to local government agencies.

The City of Vancouver supports additional action to address the rule's shortcomings, which include:

- An immediate phase out of DOT 111s and CPC 1232s, which have poor safety records and remain a threat
- Increased volatility standards

Preserve States Rights | Policy Item

In 2012, the citizens of Washington State approved the legalization of recreational marijuana. Since then, the City of Vancouver has experienced minimal nuisance issues but no material negative impact to the community from marijuana sales and approximately \$800,000 per year in tax revenue has gone to support increased police staffing. The City supports efforts in Congress to preserve and protect the rights of Washington State voters.



BECOME A MORE VIBRANT CITY

Evergreen Highway Pedestrian Pathway— SE Image Road to SE 100th Court | \$1 million

The Evergreen Highway project will complete an additional segment of pedestrian pathway along SE Evergreen Highway from SE Image Road to SE 100th Court.

First planned in the 1850's the roadway served as the County's first major east-west highway connecting Vancouver to eastern Washington. Long since converted to local access function, the road way is a historic corridor within predominantly urbanized neighborhoods and is very substandard with two ten foot travel lanes and open ditch drainage system. The corridor is absent of facilities for people walking and riding their bikes and is not ADA accessible.

The City's Evergreen Corridor Management Strategy identifies the pathway as a top priority for improving safety and accessibility for all users in the corridor.

Regulatory Concerns and Unfunded Mandates | Policy Item

The City opposes legislative or regulatory initiatives that undermine local government decision making and contributes to reduction in our workforce. The partnership with federal policy makers should recognize local government roles and not preempt city authority on issues such as land use, rights of way and other local functions.



CONTACT INFORMATION

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Introduction

- Recent Project and Policy Successes
- 2019 Federal Agenda
- Election Results
- Capitol Hill Update
- 2019 Preview



History of Success

Over \$27.5 million in federal earmarks and grants secured since 2008
(\$2.5 million/year)

▪ Waterfront Access	\$11.5million
▪ Waterfront Trail	\$1.85 million
▪ 10 Police Officers	\$1.25 million
▪ Brownfields Assessment	\$400,000
▪ Evergreen Trail Planning	\$100,000
▪ Firefighter Equipment	\$747,328
▪ Police Records Management	\$1 million
▪ 13 Firefighters	\$2.3 million
▪ Mill Plain/SE 136 th	\$300,000
▪ Child Sexual Predator Grant	\$493,000
▪ Competitive ARRA grants	\$8.6 million

Policy Items

Stormwater Fee (Save \$100k/year)

3% Withholding Tax Eliminated

Pearson Box Eliminated

Extended COPS Hiring Grant (\$80,000)

New Freight Program (I-5 Bridge)

D Block Spectrum

DOT Crude-by-Rail Improvements

Molina on Rail Safety Board



2018 Successes and Advocacy

- East 5th Street and NPS Parking Improvement **\$1.8 million**
- Fire Hazardous Materials Training **\$196,000**
- 2018 Total** **\$1.99 million**

- Community Development Block Grant **\$3.3 billion**
- HOME Funding (housing) **\$1.36 billion**
- Byrne Justice Assistance Program **\$416 million**
- Crude-by-Rail Track Inspections/Tank Car Research **\$18.5 million**
- Increase Low Income Housing Tax Credit **12.5%**
- Internet Sales Tax Supreme Court Ruling **\$400k/year**

Areas of Activity

- Oregon Value Pricing
- I-5 Bridge – Laying the Groundwork in DC
- FCC Small Cell Deployment, Franchise Fee and Local Preemption



2019 Federal Agenda

Grow a More Prosperous City

- | | |
|--|--------------|
| ■ I-5 Bridge Replacement | Policy Item |
| ■ Brownfield Assessment – Mill Plain/Fourth Plain | \$600,000 |
| ■ Support C-TRAN's BRT – Mill Plain | \$50 million |
| ■ SE 1 st Street Improvement | \$7 million |
| ■ Municipal Bonds; Restore SALT/Advanced Refunding | Policy Item |
| ■ Protect CDBG, HOME, Section 108, BUILD and EDA | Policy Item |
| ■ Support Workforce Training | Policy Item |



2019 Federal Agenda

Invest in a Safe and Welcoming Community

■ Firefighter Ladder Truck	\$738,000
■ Firefighter Equipment – SCBA	\$799,000
■ Hazardous Materials Training	\$209,000
■ Project Home Safe	\$252,000
■ Infrastructure Package	Policy Item
■ Crude-by-Rail Transport	Policy Item
■ Preserve States Rights	Policy Item

2019 Federal Agenda

Become a More Vibrant City

- Evergreen Highway Pedestrian Pathway \$1 million
- Regulatory Concerns Policy Item
- Oppose Unfunded Mandates Policy Item



Election Results

- Blue Wave(ish)
 - Democrats gain 39 House seats, 7 governorships but lose Senate seats
 - House 234 (D) – 200 (R)
 - Senate 47 (D) – 53 (R)
- Washington Delegation
 - Cantwell cruises, JHB hangs on
 - Schrier turns Reichert's seat blue



2019 Preview

- FY19 Appropriations (December 7)
 - *Border Wall/Mueller Probe*
- FY 2020 Appropriations
 - *Bipartisan Budget Deal?*
- House Investigations
- Infrastructure Package
- Taxes, Immigration, Prison Reform
- Return of Earmarks?
- 2020 Presidential Election Begins



strategic communications, inc.



Questions?

Vancouver City Council/Transportation Benefit District Workshop – 2018 recap

VANCOUVER
CITY HALL



December 3, 2018

Vancouver City Council
Transportation Benefit District Board

Chris Malone

Public Works Finance & Asset Manager

Presentation overview

- Guiding principles and key outcomes
- 2018 Street Funding Strategy (SFS) revenues/expenses
- 2018 outcomes
- 2018 and 2019 Transportation Benefit District (TBD) expenses
- Next steps

Guiding principles

- Supplement – not Supplant – current street funds
- Equitable responsibility for supporting Vancouver's streets
- Predictability of funds
- Provide annual reporting to Council and community
- Require public process/review of any proposal to shift recommended revenues to anything other than streets
- Reinvest retired transportation debt service into SFS

Key outcomes

- Right-of-way maintenance (restored historic levels)
- Pavement preservation
- Pavement reconstruction
- Asset replacement
- Mobility, accessibility, and safety
- Grant-funded projects
- Sidewalk maintenance (added in 2017)

Projected 2018 SFS revenues/expenses

Funding Source	2018 Revenue (Millions)	
	Estimated	by year end (est.)
TBD Vehicle License Fee	\$3.60	\$3.48
Utility Tax	\$1.50	\$1.84
Business License Surcharge	\$0.88	\$0.91
State Gas Tax	\$0.20	\$0.43
Paid-off Debt	\$1.00	\$1.00
Total	\$7.18	\$7.66

Key Outcomes	2018 Expenses (Millions)	
	Estimated	by year end (est.)
Pavement Management	\$3.60	\$3.60
Pavement Reconstruction	\$0.00	\$0.00
Grant Funded Projects	\$2.40	\$2.40
Multimodal Safety and Access.	\$0.50	\$0.50
Neighborhood Traffic Calming	\$0.10	\$0.10
Asset Replacement	\$0.20	\$0.20
ROW Maintenance and Sweeping	\$0.75	\$0.75
Sidewalk Management	\$0.25	\$0.12
Total	\$7.80	\$7.67

Pavement management outcomes - 2018

Total 2018 expenses = \$11.3 million

- \$3.6 million from Street Funding Strategy
- Paved/resurfaced: 24 lane-miles
- Preservation treatments: 98 lane miles
- ADA Accessible Ramps: 189 constructed

Note: Dollars shown above are end-of-year projections



Mobility, accessibility, safety outcome - 2018

- \$0.6 Million from street funding strategy.
 - \$0.5 Million to multimodal safety and accessibility
 - NE 112th Avenue sidewalk infill (\$200k with \$120k TIB grant)
 - Devine Road sidewalk infill (\$330k would be used for grant match)
 - Quick response improvements (\$30k)
 - \$0.1 Million to Neighborhood Traffic Management Program
 - Radar feedback signs: (\$66k)
 - Fourth Plain Boulevard near F Street
 - NE 9th Avenue at NE 9th Street
 - NW Lincoln Avenue near NW 50th Street

Note: Dollars shown above are end-of-year projections



ROW maintenance outcomes - 2018

\$0.75 Million from Street Funding Strategy

- Continued arterial sweeping on two-week cycles
- Restored levels of ROW maintenance: Emphasis on weed management, sight distance, and health of trees
- Continued work with Urban Forestry to replace dead/damaged trees

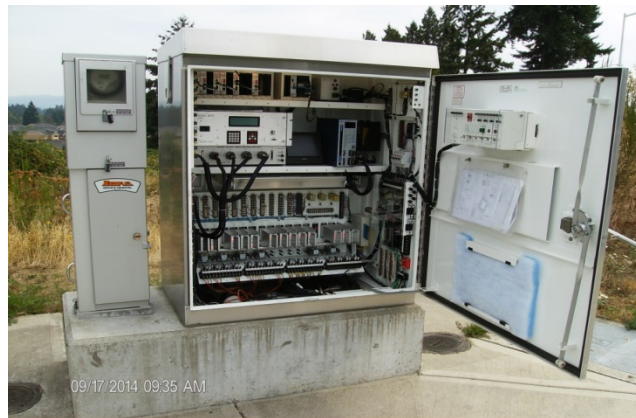
Note: Dollars shown above are end-of-year projections

Asset replacement outcomes - 2018

2018 asset replacement expenses = \$0.13 million

- Annual funding = \$0.2 million SFS + \$0.215 million existing funds
- Saving for St. Johns/42nd and Fourth Plain/Norris signals to be built in 2019

Note: Dollars shown above are end-of-year projections



Grant-funded program outcomes - 2018

- 2018 grant-funded expenditures = \$2.4 Million
 - No grant funded money spent in 2017
- Grant funded projects take years - apply/design/construct
- Building up reserves to spend in future years (construction)
 - NE 1st Street (164th to 192nd)
 - NE 137th Avenue (49th to 4th Plain Blvd)
 - Jefferson Street (Evergreen to Mill Plain Blvd)
 - NE 18th Street (97th to 107th)
 - W 32nd Avenue (SR501 to Fruit Valley Road)



Planned SFS expenses (grant-funded projects)

Grant Funded Projects (local match only)	2018 (millions)	2019 (millions)	2020 (millions)	2021 (millions)	2022 (millions)	2023 (millions)
MaCarthur St. and Lieser Rd. Intersection Improvement (See TIP # TRANS-603)	\$0.45					
Evergreen Hwy Trail -- Image to Chelsea (See TIP # TRANS-740)	\$0.45					
4th Plain Blvd. & Caples (see TIP # TRANS-A-844)	\$0.06					
Evergreen Hwy Trail -- Weber Arboretum to 100th Court (See TIP # TRANS-843)	\$0.38					
NW Neighborhood Connectivity - Lincoln Ave. sidewalks (See TIP # TRANS-850)	\$0.10	\$0.16	\$0.10			
NE 18th St NE 97th Ave to NE 107th Ave (See TIP # Trans 527)	\$1.00				\$3.50	
Divine Sidewalks (see TIP # TRANS-A-844)		\$0.30				
SE 1st ST-SE 164th Ave to SE 192nd Ave (See TIP # TRANS-268)		\$3.00	\$3.00			
NE 137th Ave - NE 49th St to NE Fourth Plain Blvd (See TIP # TRANS-275)		\$1.50	\$1.00	\$3.30	\$1.50	
Jefferson St W Evergreen to W Mill Plain Blvd (See TIP # TRANS-531)				\$0.40	\$1.00	\$1.00
W 32nd Avenue Extension Feasibility Study (See TIP # Trans 527)						\$2.50

Sidewalk maintenance program - 2018

- 2018 sidewalk program expenses = \$0.12 million
- Hired sidewalk inspector late 2017
 - Helped initiate the program in 2018
- Worked on 215 complaint cases in 2018
- Working with residential and businesses to fix defects in sidewalk
- Construction work zone compliance
- Developed outdoor seating/sidewalk café standards
- Finalizing code changes and home owner assistance program



2018 TBD Work Plan and Budget

Project Name	TBD Funding	Other Funding	Total Cost
Traffic Signal and Lighting Sustainability	\$200,000	\$215,000	\$415,000
Pavement Preservation	\$1,000,000	\$10,300,000	\$11,300,000
Multimodal Safety and Accessibility	\$500,000	\$208,780	\$708,780
Neighborhood Traffic Management Program	\$100,000	\$170,000	\$270,000
NE 18 th St – 97 th ave to 107 th ave (design/ROW)	\$1,000,000	\$1,600,000	\$2,600,000
Total	\$2,800,000	\$12,493,780	\$15,293,780

Note: unspent revenues are being held in TBD fund for local match on future projects.

Vancouver TBD Meeting 12/3/18-13

2019 Proposed TBD Work Plan and Budget

Project Name	TBD Funding	Other Funding	Total Cost
Traffic Signal and Lighting Sustainability	\$200,000	\$215,000	\$415,000
Pavement Preservation	\$1,000,000	\$10,500,000	\$11,500,000
Multimodal Safety and Accessibility	\$500,000	\$119,772	\$619,772
Neighborhood Traffic Management Program	\$100,000	\$170,000	\$270,000
SE 1 st St (164 th to 192 nd) Construction	\$1,000,000	\$9,000,000	\$10,000,000
Total	\$2,800,000	\$20,004,772	\$22,804,772

Note: unspent revenues are being held in TBD fund for local match on future projects.

Vancouver TBD Meeting 12/3/18-14

Next steps

- TBD Meeting December 17, 2018:
 - Adopt 2018 TBD budget
 - Adopt work plan and project list
- Anticipated TBD meeting on February 25, 2019
 - Adopt annual report
 - Set 2019 meeting schedule

Questions and Discussion

- Chris Malone, Public Works Finance and Asset Manager
- Webpage: www.cityofvancouver.us/betterstreets
- Email: betterstreets@cityofvancouver.us





Staff Report 181-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/3/2018

SUBJECT Approval of 2019 Council Meeting Schedule

Key Points

- Council Policy 100-32 (City Council Meetings) calls for the annual Council meeting schedule to be approved by the City Council.
- The annual meeting schedule and calendar identify all Regular and Consent Agenda meetings, as well as scheduled holidays and breaks.
- The 2019 schedule will also include a change to the start time of Council meetings, per recently adopted policy.
- Following Council adoption of the meeting schedule, City staff will publicly notice the full schedule and post the annual calendar on the City's website.

Strategic Plan Alignment

N/A

Present Situation

City staff develops and publishes the annual Council meeting schedule and calendar every fall for the following year. Recent amendments to Council Policy 100-32, revised Sept. 24, 2018, included a new provision for Council adoption of the upcoming annual Council meeting schedule on the first meeting of December each year.

The annual schedule identifies the date, time and type of each Council meeting, as well as any Mondays when the Council will not meet. Per Council policy, the Council meets every first, second, third, and fourth Monday of each month, excluding any City-recognized holidays that fall on a Monday. Per City Charter, Council must meet at least twice per month for a Regular meeting, which will typically fall on the first and third Mondays; Consent Agenda meetings with Citizen Forum fall on the second and fourth Mondays, unless otherwise pre-empted by a Regular meeting and identified as such on the approved schedule. Informational workshops may be held, as needed, before any Council meeting. The specific time and topic for each workshop will be identified on the published agenda for a given meeting date.

The 2019 annual schedule includes 24 Regular Council meetings and 16 Consent Agenda meetings with Citizen Forum. Also included is a mid-year break in late July and an end-of-year break in late December. Starting in January 2019, all City Council meetings will begin at 6:30 p.m., per the recent revisions to Council Policy 100-32. Workshops will be held between 4:00 and 6:00 p.m., unless otherwise noted on a published agenda.

Subject to Council approval, the 2019 annual schedule will be publicly noticed in The Columbian, and the calendar will be posted on the City's website and distributed to the media and all City departments. Copies of the printed Council meeting calendar will also be made available at Vancouver City Hall or may be requested by contacting the Council Assistant at 360-487-8605.

Any cancellations or changes to the annual schedule, or the addition of Council retreats or other special Council meetings, will be advertised in accordance with Council Policy and the Washington Open Public Meetings Act.

2019 Annual Meeting Schedule

All meetings begin at 6:30 p.m. | Workshops 4:00-6:00 p.m. (subject to change)

1/7/2019	Regular Meeting
1/14/2019	SPECIAL MEETING: Candidate Interviews for Council Vacancy (4 p.m.)
1/21/2019	<i>No Meeting - holiday (Martin Luther King Jr. Day)</i>
1/28/2019	Regular Meeting
2/4/2019	Regular Meeting
2/11/2019	Consent Agenda Meeting & Citizen Forum
2/18/2019	<i>No Meeting - holiday (Presidents' Day)</i>
2/25/2019	Regular Meeting
3/4/2019	Regular Meeting
3/11/2019	Consent Agenda Meeting & Citizen Forum
3/18/2019	Regular Meeting
3/25/2019	Consent Agenda Meeting & Citizen Forum
4/1/2019	Regular Meeting
4/8/2019	Consent Agenda Meeting & Citizen Forum
4/15/2019	Regular Meeting
4/22/2019	Consent Agenda Meeting & Citizen Forum
4/29/2019	<i>No Meeting - 5th Monday</i>
5/6/2019	Regular Meeting
5/13/2019	Consent Agenda Meeting & Citizen Forum
5/20/2019	Regular Meeting
5/27/2019	<i>No Meeting - holiday (Memorial Day)</i>
6/3/2019	Regular Meeting
6/10/2019	Consent Agenda Meeting & Citizen Forum
6/17/2019	Regular Meeting
6/24/2019	Consent Agenda Meeting & Citizen Forum
7/1/2019	Regular Meeting
7/8/2019	Consent Agenda Meeting & Citizen Forum

7/15/2019	Regular Meeting
7/22/2019	<i>No Meeting - Council Break</i>
7/29/2019	<i>No Meeting - 5th Monday</i>
8/5/2019	Regular Meeting
8/12/2019	Consent Agenda Meeting & Citizen Forum
8/19/2019	Regular Meeting
8/26/2019	Consent Agenda Meeting & Citizen Forum
9/2/2019	<i>No Meeting - holiday (Labor Day)</i>
9/9/2019	Regular Meeting
9/16/2019	Regular Meeting
9/23/2019	Consent Agenda Meeting & Citizen Forum
9/30/2019	<i>No Meeting - 5th Monday</i>
10/7/2019	Regular Meeting
10/14/2019	Consent Agenda Meeting & Citizen Forum
10/21/2019	Regular Meeting
10/28/2019	Consent Agenda Meeting & Citizen Forum
11/4/2019	Regular Meeting
11/11/2019	<i>No meeting - holiday (Veterans Day)</i>
11/18/2019	Regular Meeting
11/25/2019	Consent Agenda Meeting & Citizen Forum
12/2/2019	Regular Meeting
12/9/2019	Consent Agenda Meeting & Citizen Forum
12/16/2019	Regular Meeting
12/23/2019	<i>No Meeting - Council Break</i>
12/30/2019	<i>No Meeting - 5th Monday</i>

Advantage(s)

1. Provides Council with an opportunity to review the upcoming annual meeting schedule prior to publishing
2. Increases transparency and public awareness of when the Council regularly meets
3. Adjustment to the meeting start times improves consistency and regularity of scheduling for Councilmembers, City staff and the public

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

- Changes to Council scheduling were discussed with Council during a series of workshops in August and September, 2018, as part of a review of Council policies.
- Amendments to Council Policy 100-32 were adopted on September 24, 2018 (Res. M-3980)

Action Requested

Approve the 2019 annual City Council meeting schedule.

Amanda Delapena, Assistant to the City Council, 487-8605

ATTACHMENTS:

- 2019 Council Meeting Calendar

Vancouver City Council

2019 Meeting Calendar



January

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

S	M	T	W	T	F	S
			1	2	3	4
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Regular Meeting
- Consent Agenda Meeting & Citizen Forum,
- Holiday/5th Monday—No Meeting (*see reverse side for details*)
- Special Meeting (**see reverse side for details*)

Workshops 4-6 pm, unless otherwise noted on agenda | All meetings begin at 6:30 pm



City Council meets at 6:30 p.m., every 1st through 4th Mondays every month in the Council Chambers at:

Vancouver City Hall
415 W. 6th Street
Vancouver, WA

- ◆ Regular Meetings, which may or may not include public hearings, are held on the 1st and 3rd Mondays.
- ◆ Consent Agenda Meetings are held on the 2nd and 4th Mondays. Consent meetings conclude with a Citizen Forum of up to 90 minutes, during which citizens are invited to come testify to the Council regarding any matter of interest.

Council does not meet on 5th Mondays or on federally recognized holidays. City Charter requires Council to hold at least two Regular Meetings per month. In the event a holiday falls on a Regular Meeting date, that Regular Meeting will be held the following Monday in lieu of a Consent Agenda meeting.

***Jan. 14, 2019—Special Meeting: Council Candidate Interviews & Appointment**

2019 Monday Holidays

- ◆ Jan. 21—Martin Luther King Jr. Day
- ◆ Feb. 18—Presidents Day
- ◆ May 27—Memorial Day
- ◆ July 22—Council break
- ◆ Sept. 2—Labor Day
- ◆ Nov. 11—Veterans Day
- ◆ Dec. 23—Council break

2019 5th Mondays

- ◆ April 29
- ◆ July 29
- ◆ Sept. 30
- ◆ Dec. 30

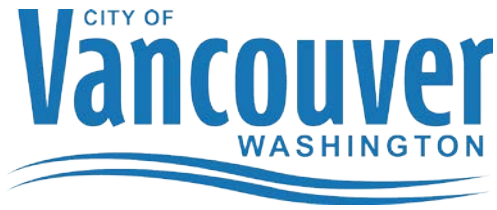
Additional 2019 Holidays—City offices closed

- ◆ Tuesday, Jan. 1—New Year's Day
- ◆ Thursday, July 4—Independence Day
- ◆ Thursday & Friday, Nov. 21 & 22—Thanksgiving Day and following day
- ◆ Wednesday, December 25—Christmas Day

Anne McEnerny-Ogle, Mayor

Bart Hansen | Bill Turlay | Ty Stober | Linda Glover | Laurie Lebowsky

www.cityofvancouver.us/council



MEMORANDUM

DATE: Monday, November 26, 2018

TO: Councilmembers Hansen, Turlay, Topper, Stober, Glover, Lebowsky

FROM: Mayor Anne McEnerny-Ogle

CC: Eric J. Holmes, City Manager
Michelle Bartley, Jan Bader, Bronson Potter

RE: Recommendations for Appointment to the Charter Review Committee
--

The City of Vancouver's charter requires that every 5 years, a committee of 15 residents is appointed to review the charter and make any recommendations for change to the City Council

The Charter Review Committee is appointed by the Mayor, subject to City Council confirmation.

The work of the Charter Review Committee is required to be completed in time for any potential issues to be placed on the ballot for the November 2019 general election.

The City received 33 eligible applications for the Charter Review Committee. Council Subcommittees reviewed all applications and conducted 22 interviews. Based on Subcommittee input, I am recommending the following 15 residents and one alternate for service on the Charter Review Committee. All appointments would be effective immediately.

1. Matthew Baird
 2. Melissa Boles
 3. John Caton
 4. Susan Courtney
 5. Mary Elkin
 6. Barry Hemphill
 7. Noland Hoshino
 8. Frank L'Amie
 9. Marjorie Ledell
 10. Peter Marez
 11. Megan Nugent
 12. David Olson
 13. Lynn Samuels
 14. Esther Schrader
 15. Heather Sinnott
- Daphne Anderson ** Alternate **

If there are no objections, I would like to make these appointments at the Monday, December 3 2018 Council meeting so that the Charter Review Committee can begin work in early January.

VOUCHER APPROVAL

We, the undersigned council members of the City of Vancouver, Clark County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of:

\$ **9,810,269.11** this 3rd day of December 2018.

MAYOR

COUNCILMEMBER



AUDITING OFFICER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
November 20 - Novemeber 26	Accounts Payable Checks (see attached)	\$ 6,940,193.72
November 20 - Novemeber 26	Visa Refunds (see attached)	\$ 1,091.00
November 20 - Novemeber 26	Payroll Checks (see attached)	\$ 2,868,984.39
TOTAL		\$ 9,810,269.11

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
* 120012	21-Nov-2018	1,414.35	VANCOUVER FIRE COMMAND OFFICERS	***WIRE*** PAYROLL
120013	21-Nov-2018	11,579.04	ALLEGIANCE BENEFIT PLAN MANAGEMENT	***WIRE*** PAYROLL
120014	21-Nov-2018	12,318.62	WESTERN STATES HEALTH &	***WIRE*** PAYROLL
120015	21-Nov-2018	6,222.69	ICMA 401A	***WIRE*** PAYROLL
120016	21-Nov-2018	24,966.19	VANCOUVER FIREFIGHTERS UNION HEALTH	***WIRE*** PAYROLL
120017	21-Nov-2018	6,292.83	WASHINGTON SDU	***WIRE*** PAYROLL
120018	21-Nov-2018	20,264.43	ING	***WIRE*** PAYROLL
120019	21-Nov-2018	56,016.14	STATE OF WASHINGTON 457	***WIRE*** PAYROLL
120020	21-Nov-2018	21,350.00	WASHINGTON STATE FIREFIGHTERS	***WIRE*** PAYROLL
120021	21-Nov-2018	150,407.13	ICMA CORP	***WIRE*** PAYROLL
120022	21-Nov-2018	375.00	OREGON SDU	***WIRE*** PAYROLL
120023	21-Nov-2018	75.00	HRA VEBA PLAN	***WIRE*** PAYROLL
120024	21-Nov-2018	268,509.00	CLARK AND SONS EXCAVATING	***WIRE*** SE MILL PLAIN AT CTC STORM WATER RETROFIT PH 2 - EST 1 - THRU 10/24/18
120025	21-Nov-2018	264,942.52	STELLAR J CORP	***WIRE*** WATER STATION 1 - PHASE 1 - EST 23 - THRU 10/25/18
120026	21-Nov-2018	275,896.48	INTERMOUNTAIN SLURRY SEAL	***WIRE*** 2018 JOINT CITY/COUNTY PRESERVATION - EST 2 - THRU 09/03/18
120027	21-Nov-2018	1,749,273.72	TAPANI UNDERGROUND INC	***WIRE*** 2018 RESURFACING - EST 2 - THRU 10/19/18
120028	23-Nov-2018	790,233.25	INTERNAL REVENUE SERVICE	***WIRE*** 22 2018 PAYROLL TAXES
120029	26-Nov-2018	637,947.31	OPERATIONS MANAGEMENT INTERNATIONAL INC	***WIRE*** - 18OCT - PROJ 664927.03 L3 P2 S0 S1 & UV - CUST 003143 - REF VANC - OPERATION OF THE VANCOUVER WASTEWATER TREATMENT FACILITIES - MP ENG
597090	20-Nov-2018	1,082.01	UNITED WAY OF THE COLUMBIA WILLAMETTE	PAYROLL
597091	20-Nov-2018	3,612.00	CHAPTER 13 - TRUSTEE	PAYROLL
597092	20-Nov-2018	7,436.22	LIFE INSURANCE CO OF NORTH AMERICA	PAYROLL
597093	20-Nov-2018	9,188.65	AMERICAN FAMILY LIFE ASSURANCE	PAYROLL
597094	20-Nov-2018	765.00	IAM LOCAL #1374	PAYROLL
597095	20-Nov-2018	18,981.60	IAFF LOCAL #452	PAYROLL
597096	20-Nov-2018	14,968.42	VANCOUVER POLICE OFFICER GUILD	PAYROLL
597097	20-Nov-2018	5,161.91	AFSCME LOCAL #307	PAYROLL
597098	20-Nov-2018	998.64	WESTERN METAL IND PENSION FUND	PAYROLL
597099	20-Nov-2018	5,147.87	OPEIU LOCAL #11	PAYROLL
597100	20-Nov-2018	2,820.06	WESTERN CONFERENCE OF TEAMSTERS	PAYROLL
597101	20-Nov-2018	550.00	MFS SERVICE CENTER INC	PAYROLL
597102	20-Nov-2018	672.00	TEAMSTERS LOCAL #58	PAYROLL
597103	20-Nov-2018	332.50	UA LOCAL #290	PAYROLL
597104	20-Nov-2018	72.36	LEGAL SHIELD	PAYROLL
597105	21-Nov-2018	8.43	ADVANCE STORES CO INC	CUST 071370 - REF #645359 - PARTS FOR REPAIR AND MAINTENANCE - EQUIP SERVICES
597105	21-Nov-2018	29.65	ADVANCE STORES CO INC	CUST 071370 - REF #645573 - PARTS FOR REPAIR AND MAINTENANCE - EQUIP SERVICES
597106	21-Nov-2018	803.00	ALLEGHENY ANSWERING SERVICE	ACCT 2134 - 18NOV - TELEPHONE ANSWERING SERVICES - OP CENTER - RECEIPT 138589 BY P NEWTON PER E-MAIL

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597107	21-Nov-2018	199.12	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF 1 POLICE MEDICAL CLAIMS
597108	21-Nov-2018	404.25	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF 1 POLICE AND FIRE MEDICAL CLAIMS FOR OCTOBER 2018
597109	21-Nov-2018	5,934.75	ALLEGIANCE BENEFIT PLAN MANAGEMENT	SUMMARY: 18OCT INTEREST FIRE & RETIRED LEOFF 1 FIRE MEDICAL CLAIMS
597110	21-Nov-2018	55.48	ARAMARK UNIFORM SERVICES INC	CUST 792566477 - COVERALL CLEANING - THRU 10/24/18 - OP CENTER
597111	21-Nov-2018	11,016.69	ARBORSCAPE LTD INC	SUMMARY: 18OCT - REMOVE TREES/TRIMMING SERVICES
597112	21-Nov-2018	120.12	ARCHAEOLOGICAL SERVICES OF CLARK COUNTY LLC	PROJ 18751-KRUZ PROP COV PRED REVIEW - 10/24/18 - PREDETERMINATION REVIEW/REPORT - DRS - RECEIPT 138228 BY B THOMAS PER E-MAIL
597113	21-Nov-2018	42.57	ARLYS BORJESSON	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597114	21-Nov-2018	1,450.67	AT&T MOBILITY II LLC	ACCT 287253610004 - CELL PHONE CHARGES - 10/05/18-11/04/18 - CONSTRUCTION
597115	21-Nov-2018	10,440.67	AT&T MOBILITY II LLC	ACCT #287256310986 - CELL PHONE WIRELESS CHARGES - 10/05/18-11/04/18 - OPS CENTER
597116	21-Nov-2018	26,824.04	BAINBRIDGE ASSOCIATES INC	VERIZON MODEMS-MODEL FL901.97.UX PORTABLE FLOW LOGGER & HDWE & MOUNT
597117	21-Nov-2018	1,150.07	BERGER ABAM INC	PROJ A17.0026.00 - EVERGREEN HWY TRAIL ENVIRO PROC & PERM - THRU 10/19/18 - CONSTRUCTION
597118	21-Nov-2018	1,230.17	BOUND TREE MEDICAL LLC	ACCT 109894 - ORDER 100232612 - MEDICAL SUPPLIES - FIRE
597119	21-Nov-2018	170.00	Boyer, Scott K	BOOT REIMBURSEMENT FOR SCOTT BOYER
597120	21-Nov-2018	11,140.46	BRIGHTVIEW HOLDINGS INC	CUST 19006592 - SO 6755561 - LANDSCAPE MAINTENANCE - WATERFRONT PARK - 18SEP - PARKS ADMIN
597121	21-Nov-2018	2,363.01	BROADWAY INVESTORS LLC	DEC 18 COLUMBIA BANK PARKING
597122	21-Nov-2018	1,215.50	BROWN & CALDWELL	PROJ 152565 - VANCOUVER 2018 LAND APPTCH ASSIST - THRU 09/27/18 - MP ENG - RECEIPT 138179 BY L JONES PER E-MAIL
597123	21-Nov-2018	9,224.05	BROWN & WILSON PARTNERSHIP LLC	DEC 18 DOMESTIC VIOLENCE LEASE
597124	21-Nov-2018	103.25	Buck, Timothy J	PHOENIX CONFERENCE PER DIEM
597125	21-Nov-2018	138,172.93	CENTENNIAL CONTRACTORS ENTERPRISES, INC.	6TH STREET GATEWAY PROJECT - EST 1 - THRU 09/28/18
597126	21-Nov-2018	46.00	CITY OF VANCOUVER	CUST 100119 - FIRE SPRINKLER SYSTEM REPORT REVIEW - ITM INSPECTION-18-5235 - LOC ID 2136-0019 - 4500 SE COLUMBIA WAY - 11/14/18 - OP CENTER
597127	21-Nov-2018	2,829.00	CITY OF VANCOUVER POLICE TRAVEL FUND	TO REIMB. CHECKS WRITTEN AGAINST POLICE TRAVEL ADVANCE FUNDS.
597128	21-Nov-2018	23,783.55	CLARK AND SONS EXCAVATING	LIESER HOMESITES SANITARY SEWER IMPROVEMENTS - RETAINAGE RELEASE
597129	21-Nov-2018	310,584.54	CLARK COUNTY	4TH QTR 2018 DISTRICT COURT CASELOAD - BUDGET
597129	21-Nov-2018	10,464.15	CLARK COUNTY	PWONT-WHATLEY TIPPING FEES - 18MAY AND 18JUN - OPS CENTER
597129	21-Nov-2018	108,321.26	CLARK COUNTY	SEP18 SUPERVISION/WORK PROGRAM UNITS - BUDGET
597131	21-Nov-2018	14,796.60	CLARK COUNTY TITLE CO	SUMMARY: LIMITED LIABILITY CERTIFICATES - MULTIPLE CONSTRUCTION SITES

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597132	21-Nov-2018	30.80	CLARK PUBLIC UTILITIES	ELECTRIC USAGE - 9/18/18-9/27/18 - W COLUMBIA WAY & PARKWAY PL - OPS CENTER
597133	21-Nov-2018	393,303.51	CLARK PUBLIC UTILITIES	SUMMARY: ELECTRICITY - MULTIPLE LOCATIONS
597146				
597147	21-Nov-2018	6,228.59	COLUMBIA RESOURCE COMPANY	SUMMARY: 18OCT - DISPOSAL FEES & CODE COMPLIANCE - SOLID WASTE
597148	21-Nov-2018	15,000.00	COLUMBIA SPRINGS ENVIRONMENTAL	2018 QTR 4 - ENVIRONMENTAL EDUCATION OUTREACH SUPPORT/SUMMER CAMP - WREC
597149	21-Nov-2018	13.62	COMCAST CABLE COMMUNICATIONS INC	8778 10 101 2442215 - 11/15/18-12/14/18 - VPD EAST PRECINCT
597150	21-Nov-2018	101.11	COMCAST CABLE COMMUNICATIONS INC	8778 10 101 4482433 - 11/18/18-12/17/18 - VPD WEST PRECINCT
597151	21-Nov-2018	168.01	Craig, Gavin Michael	BOOT REIMBURSEMENT
597152	21-Nov-2018	140.10	DATABAR INC	CUST 8911 - ORDER 49567 - MARSHALL COMM CTR
597152	21-Nov-2018	2,654.72	DATABAR INC	CUST 8911 ORDER 49052 - #9 FMS & #10 AR ENVELOPES
597153	21-Nov-2018	51.04	DAVID JACKY	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597154	21-Nov-2018	250.00	DiPalma, Lauren R	CLOTHING REIMBURSEMENT FOR LAUREN DIPALMA
597155	21-Nov-2018	12.59	Dixon, Colby Marie	KRONOS WORKS CONFERENCE-TELESTAFF TRAINING
597156	21-Nov-2018	2,857.59	EAGLE WEB PRESS	THE MESSENGER POSTAGE - 18DEC - MEDIA SERVICES
597157	21-Nov-2018	56.03	ERIC OLSON ELECTRIC INC	DUPLICATE PERMIT
597158	21-Nov-2018	4,250.00	ESIX SPORSTWEAR INC	PORT & COMPANY UNIFORMS/PROTECTIVE CLOTHING - OP CENTER
597159	21-Nov-2018	8,236.87	ESTHER SHORT COMMONS LLP	DEC 18 ESTHER SHORT RETAIL SPACE
597160	21-Nov-2018	2,801.21	FERGUSON ENTERPRISES INC	CUST 1536 ORDER 91124 OPERATING SUPPLIES - OPS CENTER
597161	21-Nov-2018	155.00	Ferryman, Christopher Eugene (Chris)	BOOT REIMBURSEMENT
597162	21-Nov-2018	195.11	Foral, Eldine F. Jr	BOOT REIMBURSEMENT
597163	21-Nov-2018	40.69	FRONTIER COMMUNICATIONS	ACCT 253-007-9377-072604-5 - 11/10/18-12/09/18 - FISHERS GROVE LIFT STATION
597164	21-Nov-2018	114.31	GALLS LLC	ACCT 1001096190 - FIRE UNIFORM - FIRE
597165	21-Nov-2018	434.20	GENUINE PARTS COMPANY	CUST 7970 - 18OCT - PARTS FOR VEHICLE AND EQUIPMENT REPAIRS - EQUIP SERVICES
597166	21-Nov-2018	35.78	GLOBALSCAPE INC	CUST 10848259 - MAINTENANCE/SUPPORT RENEWAL FOR CUTEFTP 9 - 01/13/19-01/12/20 - INFO TECH
597167	21-Nov-2018	15.14	GREGORY GLASS	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597168	21-Nov-2018	8,722.02	HALBERT CONSTRUCTION LLC	INV 744-90847-1 - CLARK COLLEGE BIKE LOCKER INSTALL - EST 1 - THRU 10/25/18
597168	21-Nov-2018	25,482.73	HALBERT CONSTRUCTION LLC	INV 748-89316-2 - FIRE STATION 8 ROOF REPLACEMENT - EST 3 - THRU 10/25/18
597168	21-Nov-2018	47,982.52	HALBERT CONSTRUCTION LLC	VPD WEST HVAC REPLACEMENT - EST 1 - THRU 10/25/18
597168	21-Nov-2018	11,777.51	HALBERT CONSTRUCTION LLC	WREC REMODEL - EST 2 - THRU 10/25/18
597169	21-Nov-2018	10,477.50	HARPER HOUF PETERSON RIGHELLIS INC	PROJ VAN-67 - NORTH IMAGE PARK - THRU 08/17/18 - PARKS
597170	21-Nov-2018	4,583.33	HISPANIC METROPOLITAN CHAMBER	PROJ 414744 - SMALL BUSINESS ASSISTANCE PROGRAM - 18OCT - CDBG FUNDING
597171	21-Nov-2018	77.45	Holmes, Eric J	POST TRAVEL NLC - NOVEMBER 2018

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597172	21-Nov-2018	500.00	IGOR & MILANA BEZMAGA	SETTLEMENT RE: I & M BEZMAGA - DOL: 08/27/18 - CLAIM 922852 - RISK
597173	21-Nov-2018	577.61	INDUSTRIAL SCIENTIFIC CORP	CUST 106747 - ORDER US000111666 - INET GAS MONITORING SUBSCRIPTION - 09/23/18-10/22/18 - OP CENTER - RECEIPT 138693 BY P NEWTON PER E-MAIL
597174	21-Nov-2018	10,711.55	JANUS YOUTH PROGRAMS	SUMMARY: 18OCT - CDBG FUNDING
597175	21-Nov-2018	3,750.00	JCI JONES CHEMICALS INC	ORDER 570353 - CHLORINE 150 LB CYLINDERS - 15 EA - OP CENTER
597175	21-Nov-2018	1,225.00	JCI JONES CHEMICALS INC	ORDER 570353 - CYLINDER TESTING - 7 EA - OP CENTER
597176	21-Nov-2018	8,231.28	JOEL ELWOOD	SETTLEMENT RE: J ELWOOD - DOL: 08/13/18 - PAYMENT FOR CLAIM 922841 - RISK
597177	21-Nov-2018	200.00	JOHN CANNON DBA SMOOTH COUNTRY BLUES	10/28/18 - SUNDAY DANCE - MUSICAL ENTERTAINMENT - PARKS
597178	21-Nov-2018	75.00	KARI OWEN	09/29/18 - INTERPRETING SVCS - WATERFRONT GRAND OPENING - PARKS ADMIN
597179	21-Nov-2018	42.00	Kelsom, Justin C.I.O.K.	WATER CERTIFICATION RENEWAL
597180	21-Nov-2018	31.80	KEVIN PAFF	50+ TRAVEL DRIVER/PLANNER REIMB FOR MEALS / ADMISSION / PARKING
597181	21-Nov-2018	1,194.79	LAKESIDE INDUSTRIES	JOB 1 - ASPHALT - ORCHARDS ASPHALT - 20.04 TON - THRU 10/27/18 - OPS CENTER
597182	21-Nov-2018	558.00	LATIN AMERICAN TIMES LLC DBA EL LATINO DE HOY	RFP #35-18 LEGAL AD
597183	21-Nov-2018	200.00	LEE NICHOLAS	10/14/18 - SUNDAY DANCE - MUSICAL ENTERTAINMENT - PARKS - RECEIPT 138673 BY A THOMPSON PER E-MAIL
597184	21-Nov-2018	103.40	LINDA THOMPSON	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597185	21-Nov-2018	58.86	Lofton, Lee T	NPELRA LABOR RELATIONS ACADEMY
597186	21-Nov-2018	162.00	Lukes, Todd G	BOOT REIMBURSEMENT
597187	21-Nov-2018	10,624.10	MACKAY & SPOSITO INC	PROJ 17074 - CURB RAMP AND STREET TOPO - THRU 10/06/18 - TRANSPORTATION - RECEIPT 138145 BY L PETERSEN PER E-MAIL
597188	21-Nov-2018	1,672.00	MCFARLANES BARK INC	SUMMARY: 18OCT - YARD DEBRIS DISPOSAL - COUPON PROGRAM - SOLID WASTE
597189	21-Nov-2018	19,785.96	MISCELLANEOUS	SUMMARY: CITY UTILITIES REFUNDS, PARKS REFUNDS & OTHER MISC REFUNDS
I				
597270				
597271	21-Nov-2018	500.00	NAGRA & ATWAL CORPORATION	DEC 18 OPS PARKING LEASE
597272	21-Nov-2018	4,178.05	NATIONAL PARK SERVICE	DEC 18 PEARSON AIR PARK LEASE
597273	21-Nov-2018	1,675.30	NET TRANSCRIPTS	CUST 20-VANCOUVERPD - TRANSCRIPTION SERVICES - 10/01/18-10/15/18 - VPD - RECEIPT 138361 BY A CARMAN PER E-MAIL
597274	21-Nov-2018	5,260.00	NEW TRADITION HOMES	DUPLICATE PERMIT
597275	21-Nov-2018	294.50	NORTHWEST CASCADE INC DBA HONEY BUCKET	SUMMARY: PORTA POTTY RENTALS - 10/24/18-11/20/18 - OPS CENTER
597276	21-Nov-2018	1,084.00	NORTHWEST LANDCARE	SCIP CONTRACTOR PMT - RAGLIONE (9410 E MILL PLAIN BLVD)
597277	21-Nov-2018	18,878.25	NORTHWEST STAFFING RESOURCES	CITY WIDE TEMPORARY SERVICES - W/E 10/28/18
597278	21-Nov-2018	451.95	NW NATURAL	ACCT 1640094-7 - GAS USAGE - 10/113/18-11/12/18 - VPD EAST

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597278	21-Nov-2018	15.00	NW NATURAL	ACCT 3681187-5 - GAS USAGE 10/5/18-11/5/18 - TOWN PLAZA
597279	21-Nov-2018	12,495.64	PARKEON	SUMMARY: PARKING - 18OCT - MULTIPLE LOCATIONS
597280	21-Nov-2018	433.60	PARKING ENFORCEMENT SERVICES LLC	SUMMARY: LOCK-OUT & TOWING - VPD
597281	21-Nov-2018	42.00	PETTY CASH CUSTODIAN	2019 WATER CERTIFICATION - ED KUHN
597281	21-Nov-2018	11.34	PETTY CASH CUSTODIAN	THREAD ROD - DAN AVERY
597282	21-Nov-2018	47.00	PORTLAND ADVENTIST MEDICAL CENTER	18OCT - MEDICAL TESTING SERVICES - VPD - RECEIPT 138586 BY A CARMAN PER E-MAIL
597283	21-Nov-2018	24,016.03	PORTLAND MECHANICAL CONSTRUCTION INC	FURNISH/INSTALL PUMP CHILLER - CITY HALL - 415 W 6TH ST - THRU 10/02/18 - OP CENTER - RECEIPT 138036 BY P NEWTON PER E-MAIL
597283	21-Nov-2018	17,625.55	PORTLAND MECHANICAL CONSTRUCTION INC	VARIOUS REMOVALS/INSTALLATIONS - FIRSTENBURG COMM CTR - 700 NE 136TH AVE - 09/11/18-09/14/18 - OP CENTER - RECEIPT 137870 BY P NEWTON PER E-MAIL
597284	21-Nov-2018	55.10	PRAIRIE ELECTRIC INC	PERMIT WITHDRAWN
597285	21-Nov-2018	124.73	PRAXAIR DISTRIBUTION INC	CUST 73769060 - CO2 LIQUID BULK TANK 460# - THRU 10/23/18 - PARKS & REC FIRSTENBURG POOL
597285	21-Nov-2018	66.25	PRAXAIR DISTRIBUTION INC	CUST 83600654 - CO2 LIQUID BULK TANK 460# - THRU 10/23/18 - PARKS & REC MARSHALL
597286	21-Nov-2018	2.50	Price, Troy L	TRAINING AND MEETINGS
597287	21-Nov-2018	17,946.00	PROFESSIONAL SERVICE INDUSTRIES	CUST 1104830 - PROJ 07022156 - VANC WATER STATIONS 5, 6, & 7 - THRU 09/27/18 - CONSTRUCTION
597288	21-Nov-2018	2,194.50	QUICK CAPTION INC	18SEP - PROVIDE REMOTE BROADCAST CAPTIONING SERVICES - MEDIA SERVICES
597289	21-Nov-2018	1,022.39	QWEST CORP DBA CENTURY LINK	ACCOUNT # 83755295 - 10/12/18-11/11/18 - CURRENT CHARGES - IT
597290	21-Nov-2018	9,807.61	QWEST CORP DBA CENTURY LINK	CITYWIDE PHONE LINES
597291	21-Nov-2018	2,967.50	R&W ENGINEERING INC	PROJ 073.005 MAC-MARSHALL SCHOOLS MEP REVIEW - CMI-242244, CMI-242246 & ...47 - THRU 10/25/18 - CDD - RECEIPT 138364 BY B THOMAS PER E-MAIL
597291	21-Nov-2018	1,595.00	R&W ENGINEERING INC	PROJ 073.006 BLOCK 4 REVIEWS - CMI-233012 & CMI-238570 - THRU 10/25/18 - CDD - RECEIPT 138364 BY B THOMAS PER E-MAIL
597292	21-Nov-2018	241,605.00	REACH ISABELLA COURT LLC	PROJ 601805 - ISABELLA COURT PHASE II - 18OCT - HOME FUNDING
597293	21-Nov-2018	89.43	RENTOKIL NORTH AMERICA INC	CUST 247117 - MONTHLY PEST CONTROL MAINTENANCE - 10/26/18 - ESTHER SHORT PARK/PUMP HOUSE - RECEIPT 138260 BY P NEWTON PER E-MAIL
597293	21-Nov-2018	89.43	RENTOKIL NORTH AMERICA INC	CUST 247118 - MONTHLY PEST CONTROL MAINTENANCE - 10/26/18 - SLOCUM HOUSE - RECEIPT 138260 BY P NEWTON PER E-MAIL
597294	21-Nov-2018	10,668.19	ROTSCHY INC	WATER STATION 14-ON SITE CHLORINATION SYSTEM - RETAINAGE RELEASE
597295	21-Nov-2018	108.24	Schubert, Beverly J	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597296	21-Nov-2018	350.00	Scrivner, Randal D	CLOTHING REIMBURSEMENT FOR RANDY SCRIVNER
597297	21-Nov-2018	8,263.66	SHARE INC	PROJ 414837 - SHARE OUTREACH - 18OCT - CDBG FUNDING
597298	21-Nov-2018	13,323.00	SHARE INC	18OCT - SHARE HOUSE - SOLID WASTE SERVICE/SUPPLIES - SOLID WASTE
597298	21-Nov-2018	31,759.82	SHARE INC	PROJ 411004 - DAY CENTER STAFFING - 18OCT - CDBG FUNDING

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597298	21-Nov-2018	2,491.95	SHARE INC	PROJ 414738 - ASPIRE HOUSING SERVICES - 18OCT - CDBG FUNDING
597298	21-Nov-2018	12,110.14	SHARE INC	PROJ 414836 - HUNGER RESPONSE - 18OCT - CDBG FUNDING
597298	21-Nov-2018	9,514.12	SHARE INC	PROJ 601705 - ASPIRE RENT ASSIST TBRA - 18OCT - HOME FUNDING
597299	21-Nov-2018	377.51	Sheehan, Peggy A.	SEPT 30 - OCT 4 HOUSING CONFERENCES
597300	21-Nov-2018	59.25	SHRED IT USA LLC	CUST 13620078 - ON-SITE DOCUMENT DESTRUCTION - 10/19/18 - FACILITIES
597301	21-Nov-2018	602.55	SIEMENS INDUSTRY INC	CUST 30232392 - SERVICE ORDER 5003524509 - AHU1 & AHU2 REPAIRS - THRU 09/24/18 - CITY HALL - RECEIPT 138383 BY P NEWTON PER E-MAIL
597302	21-Nov-2018	247.75	SME SOLUTIONS LLC	REF 266285 - CLEAN/REINSTALL FLOATS - THRU 09/27/18 - 4711 E FOURTH PLAIN - EQUIP SERVICES - RECEIPT 138605 BY J MAHAN PER E-MAIL
597303	21-Nov-2018	231.00	Sneider, Christopher A	2018 NWPMA CONFERENCE
597304	21-Nov-2018	97.56	SOHA SIGN CO INC	JOB 30527 - NAVIGATION CENTER SIGNS - SHIPPED 11/05/18 - CDBG
597305	21-Nov-2018	3,478.80	SOIL RETENTION PRODUCTS INC	CUST CITYVAN - ORD: 0027912 - OPERATING SUPPLIES - OPS CENTER
597306	21-Nov-2018	223.50	Sorenson, Kory L	BOOT REIMBURSEMENT
597307	21-Nov-2018	3,224.00	STANTEC CONSULTING SERVICES	PROJ 2002006056 - CUST 93668 - ON-CALL SANITARY SEWER PLANNING/DESIGN - THRU 10/23/18 - MP ENG - RECEIPT 138255 BY A POWERS PER E-MAIL
597308	21-Nov-2018	14.16	STATE OF OREGON	ACCT 83038 - AUTOMATED METER SKIPS-CARD/TAPE ENTRY RECORDS - THRU 10/31/18 - PARKING
597309	21-Nov-2018	127.15	STATE OF WASHINGTON	ACCT DOL K5418 - BULK DATA MAINTENANCE - 18SEP - PARKING
597309	21-Nov-2018	127.15	STATE OF WASHINGTON	ACCT DOL K5418 - DATA CONTRACT FEE IN ADVANCE - 18SEP - PARKING
597310	21-Nov-2018	231.82	Stewart, Joseph M	CLOTHING REIMBURSEMENT FOR JOSEPH STEWART
597311	21-Nov-2018	326.40	Stober, Ty A	POST TRAVEL - NLC, NOVEMBER 2018
597312	21-Nov-2018	1,791.04	SUPERTREES INCORPORATED	VARIOUS PLANTS - 18OCT - WREC
597313	21-Nov-2018	54.29	SUSAN ROBINS	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597314	21-Nov-2018	1,950.00	TATYANA BOLTENKO	REF CEMETERY
597315	21-Nov-2018	2,496.00	TEKSYSTEMS	BAKER MICHAEL - W/E 11/03/18 - INFO TECH - RECEIPT 138536 BY J SCHOESSLER PER E-MAIL
597315	21-Nov-2018	4,000.00	TEKSYSTEMS	LAWSON COREY - W/E 11/03/18 - INFO TECH - RECEIPT 138542 BY J SCHOESSLER PER E-MAIL
597316	21-Nov-2018	641,271.56	TELFER PAVEMENT TECHNOLOGIES LLC	2018 BONDED WEARING COURSE - EST 1 - THRU 08/31/18
597317	21-Nov-2018	547.80	TIMBER SUPPLY EXPLOSIVES INC	LEADLINE - 5000FT - BOMB SQUAD SUPPLIES - VPD
597318	21-Nov-2018	325.20	TOWING & RECOVERY SERVICES INC	SUMMARY: TOWING - CASE NOT SPECIFIED - VPD
597319	21-Nov-2018	284.55	TRIPLE J ENTERPRISES	SUMMARY: TOWING - MULTIPLE CASES - VPD
597320	21-Nov-2018	1,534.62	TYREE OIL, INC	CUST 0048324 - ORDER 0679749 - OPERATING SUPPLIES - EQUIP SERVICES
597321	21-Nov-2018	12.45	UNITED PARCEL SERVICE	18NOV - SHIPPER #856018 - SERVICE CHARGE - OPS CENTER
597322	21-Nov-2018	4,491.90	UNIVAR USA INC	CUST 107817 - ORDER 212611 - CAUSTIC SODA - OPS CENTER

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
597323	21-Nov-2018	153.00	VANCOUVER AIRE LLC DBA FRESH AIRE AIR FRESHENERS	ROUTE 4-1 2 - DEODORIZING SERVICE - THRU 10/23/18 - TOWN PLAZA - 5411 E MILL PLAIN BLVD - OP CENTER - RECEIPT 138295 BY P NEWTON PER E-MAIL
597324	21-Nov-2018	14,576.00	VANCOUVER HOUSING AUTHORITY	PROJ 2017-AHF-221301 - AHF RENTAL ASSISTANCE - 18OCT - CDBG
597325	21-Nov-2018	37,314.01	VANCOUVER USA REGIONAL TOURISM OFFICE	2018 LODGING TAX GRANT PROGRAM - REGIONAL TOURISM MARKETING WATERFRONT - CMO
597326	21-Nov-2018	774.47	VERIZON WIRELESS SERVICES LLC	SUMMARY: CELL PHONES/ GO CAMERAS/BROADBAND MONTHLY FEES - FACILITIES
597327	21-Nov-2018	7,779.12	WALTER E NELSON CO	SUMMARY: JANITORIAL SUPPLIES - FIRE & OP CENTER
597328	21-Nov-2018	50.00	WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION	ACCT 20605-001 - TRAINING-CRIME SCENE PHOTOGRAPHY - D CHAMBLEE - 10/01/18-10/05/18 - VPD
597329	21-Nov-2018	522.99	WASHINGTON STATE DEPT OF ECOLOGY	PERMIT WAR307036 - STORMWATER CONSTRUCTION PERMIT - COUNTRY CLUB VILLAGE STORMWATER RETROFIT FEE - THRU 06/30/19 - SOLID WASTE
597330	21-Nov-2018	183.00	WASHINGTON STATE RIDESHARING ORG	2018 WHEEL OPTIONS JAN BOWER
597331	21-Nov-2018	11,203.67	WASTE CONNECTIONS INC	18OCT MONTHLY GARBAGE SERVICES FOR MULTIPLE CITY ACCOUNTS - SOLID WASTE
597332	21-Nov-2018	76,644.75	WILCOX & FLEGEL	SUMMARY: FUEL - EQUIP SERVICES
597333	21-Nov-2018	602.71	Willett, Brian K	WA STATE LEAN CONFERENCE
597334	21-Nov-2018	23.98	WILLIAM MAIDEN	50+ TRAVEL DRIVER/PLANNER REIMBURSEMENT FOR MEALS / ADMISSION / PARKING
597335	21-Nov-2018	195.11	Wilson, Brian E	BOOT REIMBURSEMENT
20001456	26-Nov-2018	130.78	CITY OF VANCOUVER	INFOR CITY PAYMENTS-0000003613-03
	SUBTOTAL	6,940,193.72		
VISA	20-Nov-2018	901.00	MISCELLANEOUS	PARKS CLASS REFUNDS - FCC 11/20/18-11/26/18
VISA	20-Nov-2018	190.00	MISCELLANEOUS	PARKS CLASS REFUNDS - MCC 11/20/18-11/26/18
VISA	20-Nov-2018	-	MISCELLANEOUS	PARKS CLASS REFUNDS - SPECIAL EVENTS 11/20/18-11/26/18
VISA	19-Nov-2018	-	MISCELLANEOUS	PARKS CLASS REFUNDS - WREC 11/20/18-11/26/18
	SUBTOTAL	1,091.00		
	TOTAL	6,941,284.72		
EXCEPTIONS: The following wire was missed on the 11/20 report. It was entered into Oracle on 11/20 but was backdated to the actual Wire date.				
* 120011	2-Nov-18	79,711.83	BANK OF AMERICA	***WIRE*** 18SEP MERCHANT SERVICES FEES - TREASURY

City of Vancouver
Payroll Council Report
November 20, 2018 - November 26, 2018

Check No.	Date	Explanation	Amount
92265 - 92341	11/21/18	22 2018 Payroll	\$ 37,332.84
N/A	11/21/18	22 2018 Direct Deposit	\$ 2,831,651.55

\$ 2,868,984.39



Staff Report 182-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/3/2018

SUBJECT Surplus of Public Utility Vehicles and Equipment

Key Points

- The City currently owns vehicles and equipment originally acquired for public utility purposes, which are surplus to the City's needs and are not required for providing continued public utility services.
- State law requires that the City Council hold a public hearing and authorize by resolution the sale of surplus utility property.

Strategic Plan Alignment

N/A

Present Situation

The City's Public Works Department originally acquired the vehicles and equipment listed on the attachment to the proposed resolution. The Public Works Director has determined that the vehicles and equipment are no longer needed for continued public utility services.

The City's Public Works Department requests that City Council, after holding a public hearing, declare by resolution that the public utility property listed on the attachment to the proposed resolution is surplus to the City's needs and authorize the Director to sell the property via auction or scrap.

Advantage(s)

1. Allows for the removal of surplus property originally acquired for public utility purposes from the City's inventory.
2. The City will receive the fair market value from the sale of the surplus property.

Disadvantage(s)

None.

Budget Impact

Negligible

Prior Council Review

None.

Action Requested

Adopt a resolution to surplus the utility property no longer needed by the City and to authorize disposal of the property in a manner consistent with adopted City policy and State law.

Dan Zenger, Equipment Superintendent, 487-8205

ATTACHMENTS:

- ▣ Resolution
- ▣ Resolution Exhibit A

12/03/18

RESOLUTION NO. _____

A RESOLUTION authorizing the City of Vancouver's Director of Public Works to dispose of vehicles and other equipment that were originally acquired for public utility purposes but are now surplus to the needs of the City of Vancouver (the "City") and authorizing the City's Director of Public Works ("Director") to sell such surplus property at auction for fair market value.

WHEREAS, the City's Public Works Department acquired certain vehicles and equipment for public utility needs, but the Director has determined the vehicles and equipment are now surplus to the City's needs and are not required for providing continued public utility service; and

WHEREAS, the Director would like to sell the surplus vehicles and equipment at auction for fair market value; and

WHEREAS, RCW 35.94.040 requires that whenever the City determines "that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed"; and

WHEREAS, the City held a public hearing on such surplus property on December 3, 2018, and after considering any testimony received, the City Council has determined that the vehicles and equipment are surplus to the City's needs and wishes to enact this resolution authorizing their disposition.

RESOLUTION - 1

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. The foregoing recitals are incorporated and fully made a part of this resolution.

Section 2. The vehicles and equipment described on Exhibit A to this resolution, which were originally acquired for public utility purposes, are surplus to the City's needs and are not required for providing continued public utility service.

Section 3. The Director is authorized to sell the vehicles and equipment that are described on Exhibit A at auction for fair market value.

Section 4. This resolution shall take effect and be in force immediately upon its passage.

ADOPTED at a Regular Session of the Vancouver City Council this 3rd day of December, 2018.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

RESOLUTION - 2

Resolution No. _____

Exhibit A

Vehicle Equipment Number	Year	Vehicle Make-model or Description of Equipment	VIN # or SN	Estimated Market Value
1110	2001	Toyota Prius	JT2BK12U110027176	\$800
2033	1998	Ford Ranger	1FTYR14U5WPA95912	\$600
2087	2004	Chevrolet Colorado	1GCCS196248166600	\$600
2091	2005	Chevrolet 1500	1GCEC19VX5Z261561	\$1000
2136	2008	Chevrolet 1500	1GCEK19C88Z245770	\$2000
2138	2008	Ford Ranger	1FTYR44U38PA81558	\$800
2151	2009	Chevrolet Colorado	1GCCS199498145264	\$800
2157	2010	Ford F-150	1FTEX1CW5AKE61305	\$1200
3067	2003	Workhorse TV Van (Waste Water)	5B4KP42R833374839	\$1500
3071	2004	Freightliner Jetter	1FVHALCV04DM80004	\$5000
4042	2003	Excel Hustler Mower	1116007	\$300
4043	2003	Excel Hustler Mower	3040027	\$300
4097	2013	Scag Cheetah Mower (cracked manifold)	H7900064	\$100
5056	2006	Great Northern TA3 trailer	1G9BF20376S346398	Scrapped, not road safe

14 items total



Staff Report 163-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/3/2018

SUBJECT Street vacation of approximately 52,502 square feet of improved street right-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500

Key Points

- Right-of-way vacation of approximately 52,502 square feet of improved street right-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500;
- There are existing utilities within the proposed vacation area;
- The street serves as fire lane access to the abutting properties;
- Staff recommends full compensation of appraised value be required for the vacated area.

Strategic Plan Alignment

N/A

Present Situation

Staff has received a request from Hannah Mitsubishi Real Property LLC, Hannah VW Real Property LLC, and JJHW LLC (collectively, "Applicants") to vacate the entirety of NE 72nd Avenue located north of NE 33rd Street and south of SR-500. The right-of-way is specifically located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims (DLCs).

Six properties border the right-of-way that is proposed for vacation, including a section of SR-500, which is owned by the Washington State Department of Transportation (WSDOT), and five commercial properties. City Staff contacted WSDOT and confirmed WSDOT has no interest in the public right-of-way remaining open for public travel and does not oppose the proposed vacation. The right-of-way currently provides public street and utility services to the five commercial parcels. Four of the five parcels are owned by the Applicants; the two parcels on the west side of the right-of-way are owned by JJHW LLC, the two parcels on the east side of the right-of-way are owned individually by Hannah Mitsubishi Real Property LLC and Hannah VW

Real Property LLC. The fifth parcel, located at the north end of the right-of-way, is owned by Webb Real Estate LLC, which is governed by Alan Webb. Mr. Webb has provided a letter describing his concerns and objections regarding the proposed right-of-way vacation. In his letter, Mr. Webb indicates that his auto dealership uses NE 72nd Avenue for multiple purposes including inventory delivery, tool delivery, tow truck access, vehicle test drives, and general use by employees. Further, Mr. Webb states his opinion that loss of public access to his property from NE 72nd Avenue will cause many of these existing users to shift to Auto Mall Drive, creating unsafe traffic conditions on Auto Mall Drive. Mr. Webb concludes his letter by stating that he opposes the closure of NE 72nd Avenue to the general public. This letter is included as Exhibit D.

Nevertheless City Staff believe vacation is in the public interest. Staff recommends that Council vacate the right-of-way, but condition the vacation on Applicants granting Webb Real Estate LLC a private access easement across the portions of vacated right-of-way that will constitute Applicants' properties.

Staff has contacted all utility owners with facilities potentially located within the subject area. The City of Vancouver has utilities within the area of the proposed vacation, including a domestic water main, sanitary sewer main, stormwater main, and associated appurtenances. In addition, Clark Public Utilities and NW Natural have electrical and natural gas lines running through a portion of the subject area. Therefore, the City will retain a perpetual public utility easement under and over the entire vacated area for the construction, repair and maintenance of all public utilities and services.

The existing street also serves as emergency fire lane access to the abutting properties. Therefore, the City will also retain a perpetual limited public access easement over and across that portion of the vacated area currently encumbered by a paved roadway surface; the easement will be 20' wide, bounded and defined by the existing curb-faces on each side of the roadway surface, as shown on Exhibit E. This limited public access easement will be made for the purpose of ensuring continued public services, access by emergency response vehicles, and for the preservation of fire lanes. The easement area will remain unobstructed.

Staff has reviewed the City's Transportation Systems Plan and determined that the ongoing needs for public emergency access and utilities maintenance access can be adequately provided by appropriate easements, as described above, and there is no future public need for this right-of-way to be used as a City street. Therefore, vacation of this right-of-way will have little or no adverse impact on the City's assets. Further, vacation of this right-of-way will relieve the City from ongoing surface maintenance responsibilities typical for commercial streets; including regular pavement maintenance, repair of concrete structures, care for street trees and landscaping, street sweeping, and other services.

The applicants have prepared legal descriptions for tracts that comprise the portion of right-of-way proposed to be vacated. See Exhibits A, B and F. This information was reviewed by the City Surveyor, who found the legal descriptions to accurately describe the proposed vacation area.

RCW 35.79.030 and VMC 11.05.120 provides for City compensation for the value of public right-of-way that is vacated. The applicants have provided an appraisal from a certified professional land appraiser which identified a total property value of \$78,000 for the proposed vacation area. The applicants have agreed to pay the value of the total vacated area, regardless of their respective ownership interests in the underlying property.

As previously noted, the right-of-way has historically been used to provide public street and utility services to five commercial parcels, four of which belong to the Applicants. The City has maintained this portion of NE 72nd Avenue in a fashion similar to that of other commercial streets, performing regular maintenance to the pavement, street sweeping and other services. Also, the street has been part of a dedicated public right of way for 25 years or more, and the vacated area will be utilized by the applicant for expansion of their current uses. Based on these circumstances and the previous investment made by the City, staff recommends the imposition of compensation equal to 100% of the total appraised property value, or \$78,000. This sum shall be paid to the City prior to the right-of-way vacation becoming effective.

Advantage(s)

1. Allows the vacated property to be placed on the tax rolls.
2. Allows the applicants to maximize use of the abutting properties.
3. Facilitates further development and re-development of existing properties.
4. Relieves the City from street maintenance responsibilities.

Disadvantage(s)

No significant disadvantages.

Budget Impact

Any revenue associated with the compensation received for the vacated right-of-way will be deposited into the City of Vancouver's transportation fund.

Prior Council Review

None

Action Requested

On Monday, December 3, 2018, subject to second reading and public hearing, approve ordinance.

Eric Hahn, Senior Civil Engineer, 487-7702; Ryan Lopossa, Streets & Transportation Manager, 487-7706.

ATTACHMENTS:

- ▣ Exhibit A - Legal Description
- ▣ Exhibit B - Legal Description
- ▣ Exhibit C - Overall Vicinity Map
- ▣ Exhibit D - Webb Letter
- ▣ Exhibit E - Emergency Access Easement Exhibit
- ▣ Exhibit F - Historic Dedication Map
- ▣ Resolution M-3984
- ▣ Ordinance
- ▣ Ordinance Exhibit A
- ▣ Ordinance Exhibit B
- ▣ Ordinance Exhibit C
- ▣ Property Appraisal Report

Exhibit A - Legal Description



LAND SURVEYORS
ENGINEERS

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR HANNAH
N.E. 72nd Ave. Vacation

May 7, 2018

Parcels of property being a portion of the Henry Schuh and Levi Douthit Donation Land Claims, located in the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East of the Willamette Meridian, City of Vancouver, Clark County, Washington, more particularly described as follows:

TRACT 1

All that portion of Northeast 72nd Avenue Westerly of and adjacent to Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records and Easterly of and adjacent to that parcel of property as described in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 2183278, Clark County records, and Easterly of and adjacent to the Southerly right of way line of SR500 as shown on Sheet 3 of Washington State Highway Commission plans, "Vancouver Vicinity: N.E. 66TH Ave. to JCT. SR 503 described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 834.19 feet to a point on the Westerly extension of the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along said East line a distance of 86.39 to a point on the most Southeasterly line of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

THENCE South 29° 53' 47" West along the Southeasterly line and the Southwesterly extension thereof a distance of 224.86 feet;

THENCE South 88° 28' 31" East a distance of 66.85 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE North 01° 31' 29" East along the West line of said Northwest Quarter a distance of 111.46 feet to the TRUE POINT OF BEGINNING.

TRACT 2

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 160449-000 as described in that deed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1107.63 feet to a point on the Westerly extension of the South line of that parcel of property conveyed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 57.87 feet to the East line of Northeast 72nd Avenue;

THENCE along said East line of Northeast 72nd Avenue the following courses:

THENCE North 01° 10' 54" East a distance of 183.68 feet;

THENCE North 88° 49' 06" West a distance of 16.77 feet;

THENCE North 01° 31' 29" East a distance of 89.87 feet to a point on the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records;

THENCE North 88° 28' 31" West along the Westerly extension of said South line a distance of 40.00 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 273.45 feet to the TRUE POINT OF BEGINNING.

TRACT 3

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 162916-000 as described in that deed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE along the East line of said 72nd Avenue the following courses:

THENCE North 01° 31' 29" East a distance of 395.33;

THENCE South $88^{\circ} 49' 06''$ East a distance of 17.96 feet;

THENCE North $01^{\circ} 10' 54''$ East a distance of 16.32 feet to the North line of that parcel of property conveyed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records;

THENCE North $88^{\circ} 28' 31''$ West along the Westerly extension of the North line of said Hannah Mitsubishi parcel a distance of 57.87 feet to a point on the West line of said Northwest Quarter;

THENCE South $01^{\circ} 31' 29''$ West along said West line a distance of 411.76 feet to the TRUE POINT OF BEGINNING.

TRACT 4

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 162958-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South $01^{\circ} 31' 29''$ West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE North $88^{\circ} 28' 31''$ West a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North $01^{\circ} 31' 29''$ East along the West line of said Northeast 72nd Avenue a distance of 197.86 feet to the Northwest corner of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. G561258, Clark County records;

THENCE South $89^{\circ} 30' 14''$ East along the North line of said Clark County parcel a distance of 20.00 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 198.22 feet to the TRUE POINT OF BEGINNING.

TRACT 5

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 160516-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, and Easterly of and adjacent to the Southerly right of way line of SR500 as shown on Sheet 3 of Washington State Highway Commission plans, "Vancouver Vicinity: N.E. 66TH Ave. to JCT. SR 503 described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1321.17 feet to a point on the Easterly extension of the South line of that parcel of property as described in that deed to Gil Parker and Associates as recorded in Auditor's File No. G563181, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE North 89° 30' 14" West along the Easterly extension of said South line a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along the West line of said Northeast 72nd Avenue a distance of 271.48 feet to the Southwesterly line of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. 8506100066, Clark County records;

THENCE North 39° 16' 25" West along the Southwesterly line of said Clark County parcel a distance of 97.19 feet to the most Westerly corner of said Clark County parcel, said most Westerly corner being on the Southwesterly extension of the Southeasterly line of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

THENCE North 29° 53' 47" East along said Southwesterly extension 35.03 feet to a point 224.86 feet Southwesterly of, when measured along the Southeasterly line of said Parcel 2, the intersection of said Southeasterly line and East line of Northeast 72nd Avenue , said East line being 40.00 Easterly of, when measured at right angles to the West line of the Northwest quarter of said Section 20;

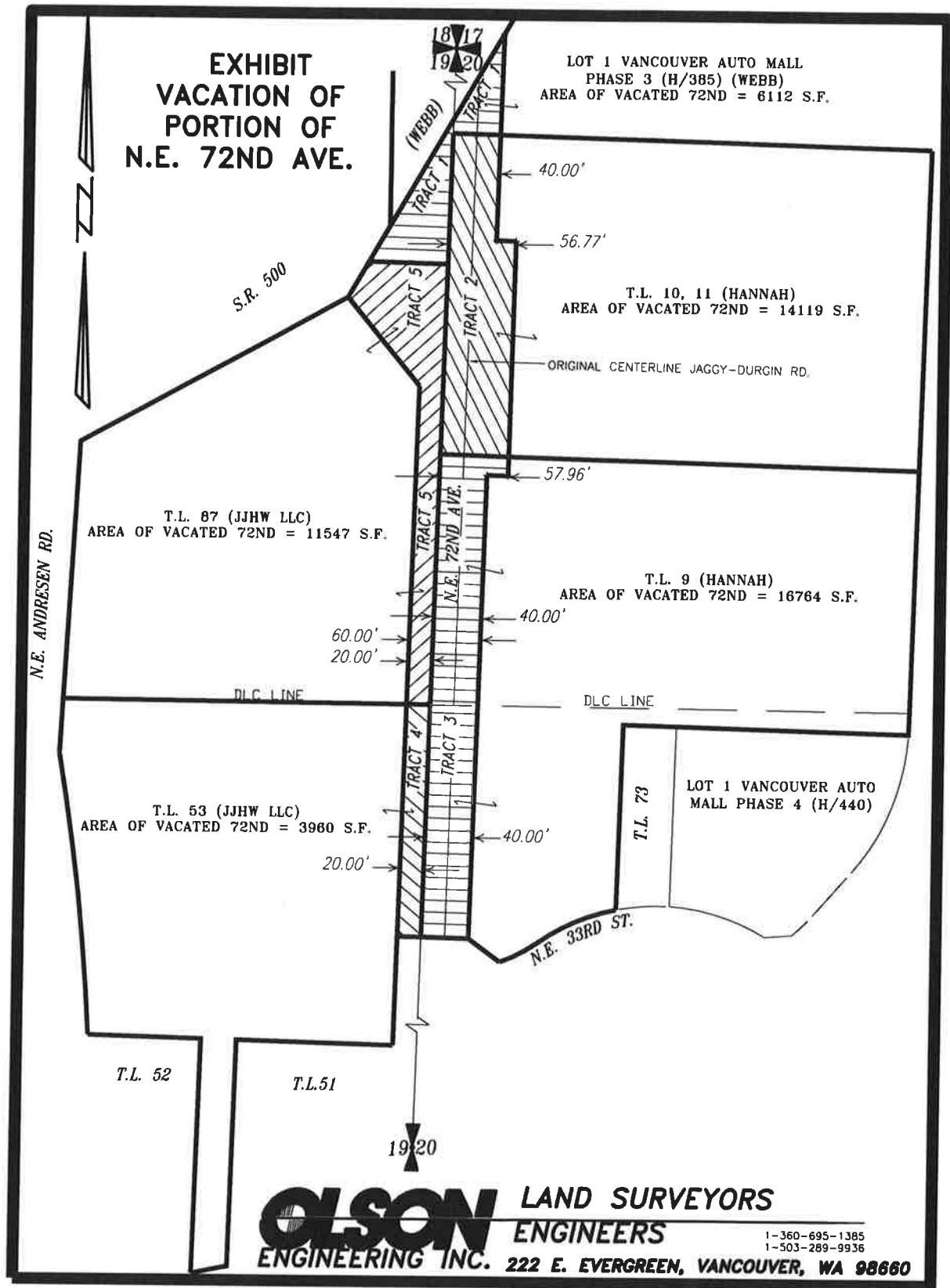
THENCE South 88° 28' 31" East a distance of 66.84 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of the Northwest Quarter of said Section 20 a distance of 375.52 feet to the TRUE POINT OF BEGINNING.



5-8-2018

Exhibit B - Legal Description Site Map



CITY OF
Vancouver
WASHINGTON

THIS INFORMATION IS COMPILED FROM A VARIETY OF SOURCES.
THE CITY OF VANCOUVER ASSUMES NO RESPONSIBILITY FOR MAP
ACCURACY.



3712 NE 66th Ave
Vancouver, WA 98661
Phone: 360-574-1131 Fax 360-546-3751

October 19, 2018

ERIC HAHN

SUBJECT: 72ND AVE RIGHT OF WAY VACATION

Dear Eric,

The latest proposal to allow only emergency vehicles and not public vehicles on 72nd Avenue is not in my best interest or my employees as well as compromise public safety. Please let me explain some specific scenarios. There are times when convoy trucks use 72nd Ave to load and unload vehicles to my dealership as well as Hannah's. Having them parked out front on Auto Mall Drive plugs up traffic and is difficult for drivers to see around. Laundry for uniforms and tool vendors who both drive UPS size trucks use 72nd Avenue to access our dealership at times. Again, keeping these full-size vehicles off of Auto Mall Drive enhances visibility. There are also tow trucks that use 72nd Avenue, keeping them off of Auto Mall Drive and on a less busy street is helpful as they can be difficult to see around.

The dealership employees use 72nd Avenue as easy access to park for work or to just go down the street to a local place for lunch. Our mechanics will use 72nd Avenue as it is less busy than Auto Mall Drive to test drive vehicles to diagnose customer concerns. 72nd Avenue is quicker to get to the freeway for technicians, as they are paid by the job rather than by the hour.

In conclusion, the flow of vehicles will change dramatically by not allowing public access to 72nd Avenue. It will be a hinderance to the dealership employees as by my examples and will also enhance the probability for accidents to occur from several of my examples. I would not be agreeable to closing this street to the general public.

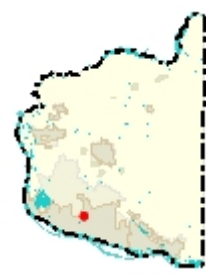
Regards,

A handwritten signature in dark ink, appearing to read "Alan Webb", written in a cursive style.

Alan Webb



Exhibit E - Emergency Access Easement



- Legend
- Building Footprints
 - Taxlots
 - Cities Boundaries
 - Urban Growth Boundaries



Notes:

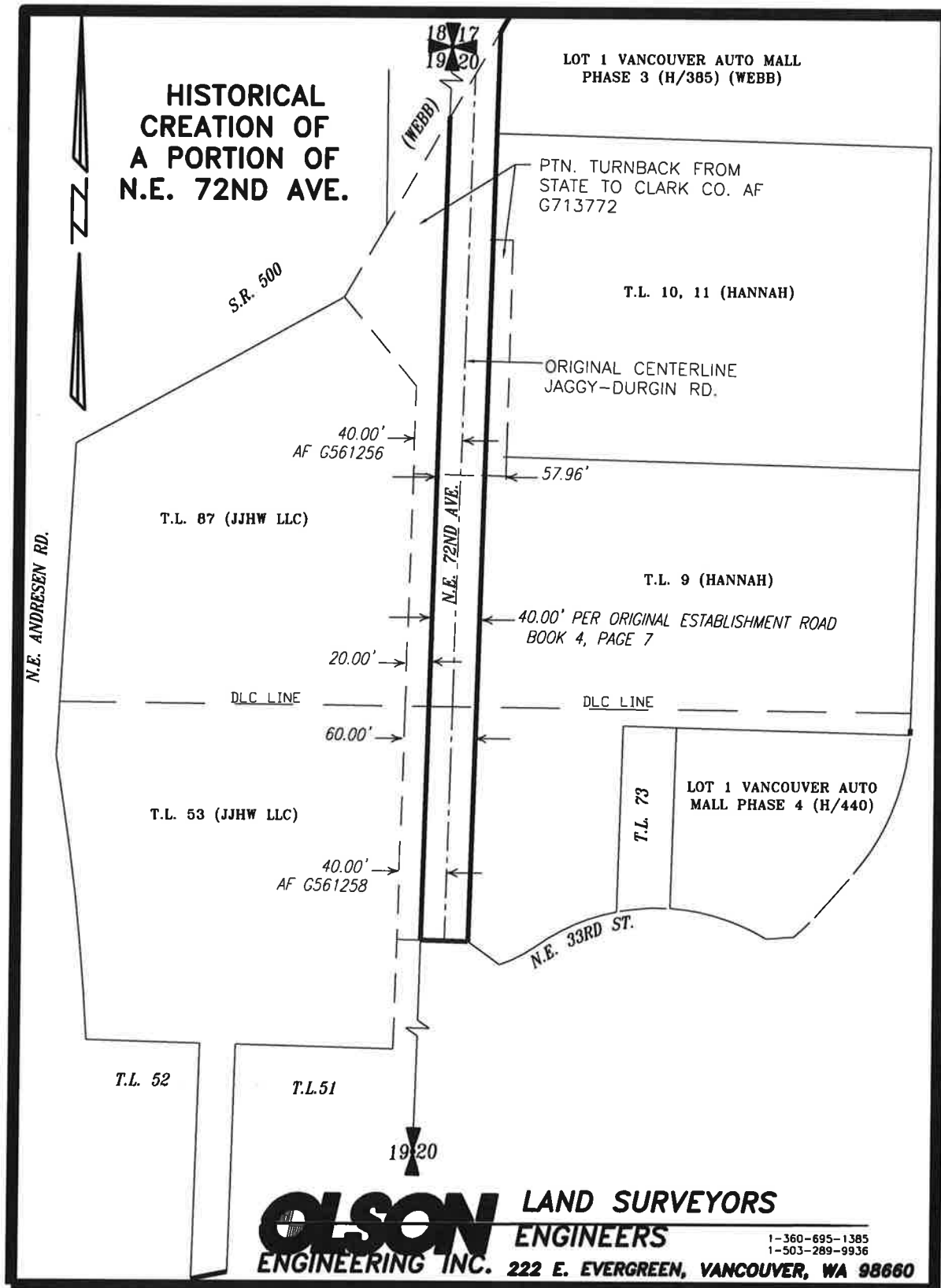
1: 1,200



WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

Exhibit F - Historic Right-of-Way Dedication Map



11/05/15

RESOLUTION NO. M-3984

A RESOLUTION fixing Monday, December 3, 2018 as the date for a public hearing on a proposal to vacate a portion of public rights-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500. The right-of-way is located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims.

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. As recommended in SR-163-18, City Council, pursuant to VMC 11.05.040 and RCW 35.79.010, hereby initiates procedures to vacate a portion of the rights-of-way of NE 72nd Avenue.

Section 2. The legal description and Map Exhibit of the street area proposed to be vacated are attached hereto and incorporated herein as Exhibits “A” and “B”.

Section 3. Monday, December 3, 2018 at the hour of 7:00 p.m. in the Council Chambers in City Hall, 415 West 6th Street, Vancouver, Washington, is fixed as the time and place for public hearing on said proposed street vacation.

Section 4. The City Clerk shall give notice of the pendency of said proposal and time and place of hearing, as required by VMC 11.05.060 and RCW 35.79.020.

ADOPTED at regular session of the Council of the City of Vancouver, this 5th day of
November, 2018.

DocuSigned by:

58CB15C0632F403...
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

661359AB277E439...
Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

DocuSigned by:

AAC4768B6D2D446...
E. Bronson Potter, City Attorney

11/05/18
12/03/18

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of public rights-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500. The right-of-way is located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims, City of Vancouver, Clark County, Washington; providing for an effective date.

WHEREAS, under Vancouver Municipal Code (“VMC”) 11.05.050, the Vancouver City Council initiated a vacation proceeding for portions of public right-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500, within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian, City of Vancouver, Clark County, Washington; and

WHEREAS, the subject right-of-way consists of approximately 52,502 square feet; and

WHEREAS, the City has constructed and maintained street improvements within the subject right-of-way; and

ORDINANCE - 1

WHEREAS, City Council adopted Resolution M-_____, which set the date of public hearing on the proposed right-of-way vacation for December 3, 2018 at 7:00 p.m.; and

WHEREAS, the City Clerk provided notice of the public hearing in accordance with VMC 11.05.060; and

WHEREAS, on December 3, 2018, the hearing was held and City Council considered the reports and information provided at the public hearing; and

WHEREAS, City Council considered all factors under VMC 11.05.110 and found that: (1) vacation of the right-of-way will better serve the public; (2) the right-of-way is not currently needed for public access and changes are not likely to occur in the future requiring the need for the right of way; and (3) there are no objections to the vacation sufficient to deny its approval; and

WHEREAS, the owner of parcel 110085890, located at 3608 NE Auto Mall Drive, currently utilizes the right-of-way as a secondary means of access to its property and therefore vacation of the right-of-way should be conditioned on all property owners that own title to the properties on which the right-of-way currently exists conveying to the owner of parcel 110085890 a permanent access easement over and across all affected parcels to benefit parcel 110085890; and

WHEREAS, public access and utility easements should be preserved because fire lane access must be maintained and there are public domestic water lines, sanitary sewer lines, stormwater lines, and associated appurtenances within the area of right-of-way to be vacated.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

ORDINANCE - 2

Section 1. The right-of-way described in the legal description and map exhibit attached hereto and incorporated herein as Exhibits “A” and “B” is hereby vacated on the following conditions.

Section 2. The City retains a perpetual Public Utility Easement under and over the entire vacated area for access to, and the construction, repair and maintenance of, all public utilities, and includes the right, privilege and authority to access, maintain, and remove obstacles. The terms and provisions of this easement shall run with the land and be binding upon and inure to the present property owners and their legal representatives, successors, assigns, and/or transferees.

Section 3. The City retains a perpetual Public Access Easement over and across that portion of the vacated area which is currently encumbered by a paved roadway surface; the easement shall be 20’ wide, bounded and defined by the existing curb-faces on each side of the roadway surface, as shown on Exhibit “C”. This Public Access Easement is made for the purpose of ensuring continued public services, access by emergency response vehicles, and for the preservation of fire lanes, and includes the right, privilege and authority to access, maintain, and remove obstacles from for purposes of access over and across the easement area for emergency vehicles access and providing public services. The easement area must remain unobstructed. The terms and provisions of this easement shall run with the land and be binding upon and inure to the present property owners and their legal representatives, successors, assigns, and/or transferees.

Section 4. Full compensation for vacation, in the amount of \$78,000 is required. Payment shall be made prior to recording.

ORDINANCE - 3

Section 5. The owners of the properties on which the vacated right-of-way lies must convey to the property located at 3608 NE Auto Mall Drive, which is assigned Clark County Assessor parcel number 110085890, a permanent Private Access Easement over and across the vacated area for purposing of accessing parcel 110085890. The easement must ensure that the terms and provisions of the easement shall run with the land and be binding upon and inure to the present property owner and its legal representatives, successors, assigns, and/or transferees. Such easement shall be conveyed before recording of this ordinance, and shall be recorded concurrently with this ordinance.

Section 6. Effective date. This ordinance shall go into effect five days after its recording.

Read first time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018.

ORDINANCE - 4

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

ORDINANCE - 5

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of public right-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500. The right-of-way is located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims, City of Vancouver, Clark County, Washington; providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Exhibit A - Legal Description



LAND SURVEYORS
ENGINEERS

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR HANNAH
N.E. 72nd Ave. Vacation

May 7, 2018

Parcels of property being a portion of the Henry Schuh and Levi Douthit Donation Land Claims, located in the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East of the Willamette Meridian, City of Vancouver, Clark County, Washington, more particularly described as follows:

TRACT 1

All that portion of Northeast 72nd Avenue Westerly of and adjacent to Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records and Easterly of and adjacent to that parcel of property as described in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 2183278, Clark County records, and Easterly of and adjacent to the Southerly right of way line of SR500 as shown on Sheet 3 of Washington State Highway Commission plans, "Vancouver Vicinity: N.E. 66TH Ave. to JCT. SR 503 described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 834.19 feet to a point on the Westerly extension of the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along said East line a distance of 86.39 to a point on the most Southeasterly line of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

THENCE South 29° 53' 47" West along the Southeasterly line and the Southwesterly extension thereof a distance of 224.86 feet;

THENCE South 88° 28' 31" East a distance of 66.85 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE North 01° 31' 29" East along the West line of said Northwest Quarter a distance of 111.46 feet to the TRUE POINT OF BEGINNING.

TRACT 2

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 160449-000 as described in that deed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1107.63 feet to a point on the Westerly extension of the South line of that parcel of property conveyed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 57.87 feet to the East line of Northeast 72nd Avenue;

THENCE along said East line of Northeast 72nd Avenue the following courses:

THENCE North 01° 10' 54" East a distance of 183.68 feet;

THENCE North 88° 49' 06" West a distance of 16.77 feet;

THENCE North 01° 31' 29" East a distance of 89.87 feet to a point on the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records;

THENCE North 88° 28' 31" West along the Westerly extension of said South line a distance of 40.00 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 273.45 feet to the TRUE POINT OF BEGINNING.

TRACT 3

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 162916-000 as described in that deed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE along the East line of said 72nd Avenue the following courses:

THENCE North 01° 31' 29" East a distance of 395.33;

THENCE South 88° 49' 06" East a distance of 17.96 feet;

THENCE North 01° 10' 54" East a distance of 16.32 feet to the North line of that parcel of property conveyed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records;

THENCE North 88° 28' 31" West along the Westerly extension of the North line of said Hannah Mitsubishi parcel a distance of 57.87 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along said West line a distance of 411.76 feet to the TRUE POINT OF BEGINNING.

TRACT 4

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 162958-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE North 88° 28' 31" West a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along the West line of said Northeast 72nd Avenue a distance of 197.86 feet to the Northwest corner of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. G561258, Clark County records;

THENCE South 89° 30' 14" East along the North line of said Clark County parcel a distance of 20.00 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 198.22 feet to the TRUE POINT OF BEGINNING.

TRACT 5

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 160516-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, and Easterly of and adjacent to the Southerly right of way line of SR500 as shown on Sheet 3 of Washington State Highway Commission plans, "Vancouver Vicinity: N.E. 66TH Ave. to JCT. SR 503 described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1321.17 feet to a point on the Easterly extension of the South line of that parcel of property as described in that deed to Gil Parker and Associates as recorded in Auditor's File No. G563181, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE North 89° 30' 14" West along the Easterly extension of said South line a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along the West line of said Northeast 72nd Avenue a distance of 271.48 feet to the Southwesterly line of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. 8506100066, Clark County records;

THENCE North 39° 16' 25" West along the Southwesterly line of said Clark County parcel a distance of 97.19 feet to the most Westerly corner of said Clark County parcel, said most Westerly corner being on the Southwesterly extension of the Southeasterly line of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

THENCE North 29° 53' 47" East along said Southwesterly extension 35.03 feet to a point 224.86 feet Southwesterly of, when measured along the Southeasterly line of said Parcel 2, the intersection of said Southeasterly line and East line of Northeast 72nd Avenue , said East line being 40.00 Easterly of, when measured at right angles to the West line of the Northwest quarter of said Section 20;

THENCE South 88° 28' 31" East a distance of 66.84 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of the Northwest Quarter of said Section 20 a distance of 375.52 feet to the TRUE POINT OF BEGINNING.



5-8-2018

Exhibit B - Legal Description Site Map

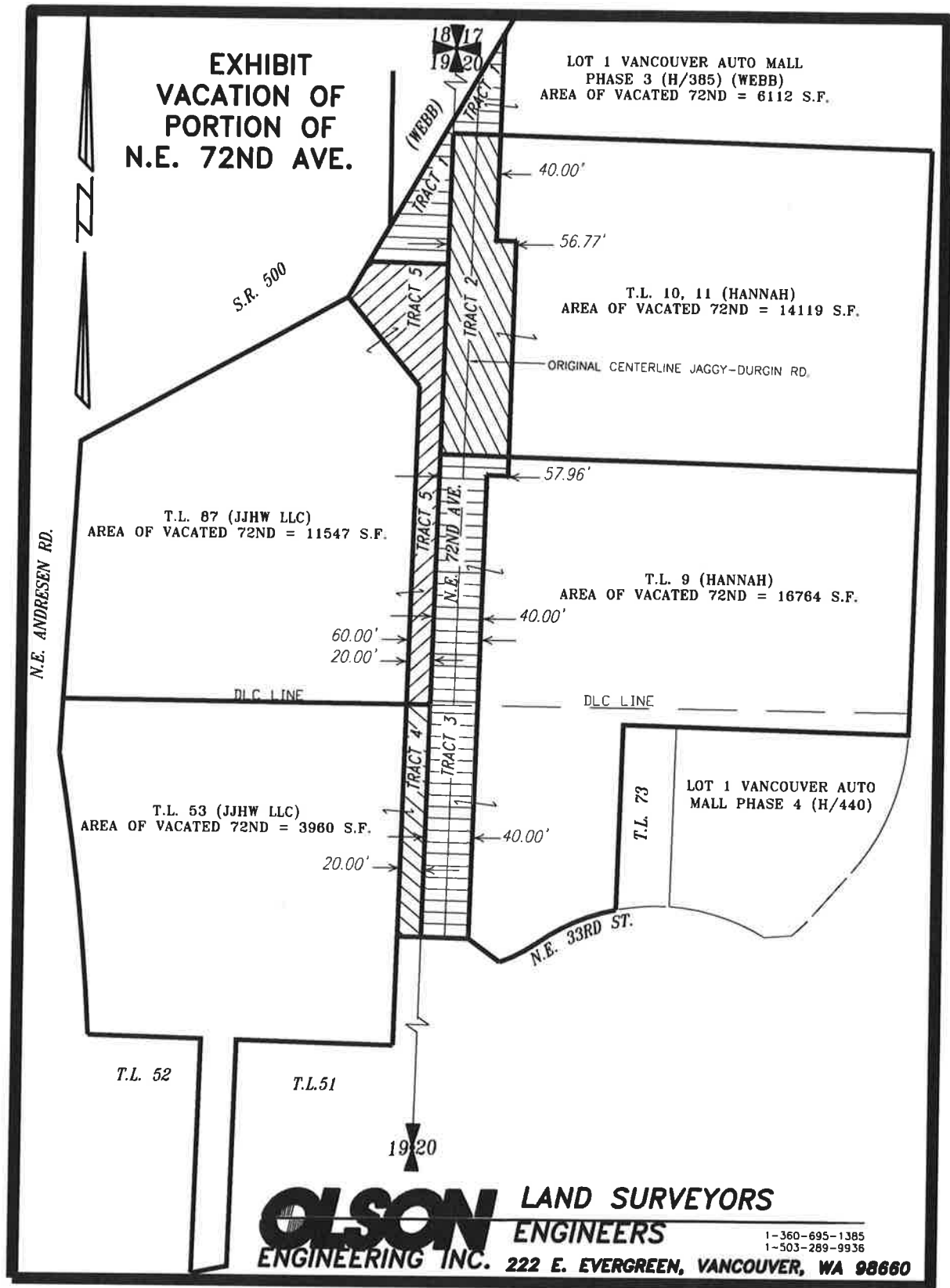
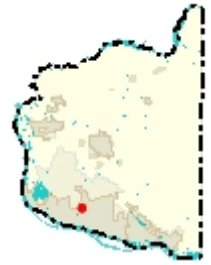




Exhibit C - Emergency Access Easement



Legend

- Building Footprints
- Taxlots
- Cities Boundaries
- Urban Growth Boundaries

20' Limited public access easement, defined by existing curb faces

1: 1,200



Notes:

200.0 0 100.00 200.0Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.



Appraisal &
Consulting Group, LLC

NARRATIVE APPRAISAL REPORT

NE 72nd Avenue Right-of-Way Vacation
NE 72nd Avenue between NE 33rd Street and SR 500
Vancouver, WA 98668

DATE OF REPORT

September 9, 2015

PREPARED FOR

Jason Hannah
Dick Hannah Auto Group
P.O. Box 1670
Bellevue, WA 98004

PREPARED BY

David Groth, MAI
Appraisal & Consulting Group, LLC
112 West 11th Street, Suite 250
Vancouver, WA 98660





Appraisal &
Consulting Group, LLC

September 9, 2015

Jason Hannah
Dick Hannah Auto Group
P.O. Box 1670
Bellevue, WA 98004

RE: NE 72nd Avenue Right-of-Way Vacation
NE 72nd Avenue between NE 33rd Street and SR 500
Vancouver, WA 98668

Dear Mr. Hannah:

In accordance with your request, we have conducted an appraisal of the above captioned properties. The properties are valued using generally accepted appraisal principles and theory. The appraisal is intended to conform to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable state appraisal regulations. At the request of the client, this appraisal report is presented in an Appraisal Report format as defined by USPAP Standards Rule 2-2(a). This format provides a detailed description of the appraisal process, subject and market data and valuation analyses.

The appraisal will address the value of the proposed street vacation of NE 72nd Avenue based on the value of the adjoining parcels in an Across-the-Fence analysis.

Dick Hannah Auto Group, the adjoining owner of four of the five parcels, is requesting the vacation of NE 72nd Avenue (owned by the City of Vancouver) for a future development. Webb Real Estate LLC owns one of the five parcels. Our value conclusion based upon our investigation, and analysis of available information is as follows:

Parcel	Value before Plottage Adjustment	Plottage Adjustment	Value (rounded)
160516000	\$133,350	85%	\$20,000
162958000	\$39,600	85%	\$6,000
162916000	\$167,640	85%	\$25,000
160449000	\$141,190	85%	\$21,000
110085890	\$43,070	85%	\$6,000
Total			\$78,000

If questions arise concerning this report, please contact the undersigned. Thank you for the opportunity to be of service.

Sincerely,

APPRAISAL & CONSULTING GROUP, LLC



David W. Groth, MAI
Certified General Real Estate Appraiser
State of Washington License No. 1100719
Email: David.Groth@acgrp LLC.com
Phone: 360.433.9315

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LEGAL DESCRIPTION OF STREET VACATION
QUALIFICATIONS OF APPRAISERS
QUALIFICATIONS OF APPRAISAL & CONSULTING GROUP

Executive Summary

Property Information

Name: NE 72nd Avenue Street Vacation
Vancouver, WA 98686

Property Type: Commercial Land

Location: East and west of NE 72nd Avenue between NE 33rd Street and SR 500

Owners of Record:

Parcel 160516000	JJHW LLC (Value Village)
Parcel 162958000	JJHW LLC (Value Village)
Parcel 162916000	Hannah Mitsubishi Real Property LLC
Parcel 160449000	Hannah VW Real Property LLC
Parcel 110085890	Webb Real Estate LLC

Areas of Vacation:

160516000	13,350 SF
162958000	3,960 SF
162916000	16,764 SF
160449000	14,119 SF
110085890	4,307 SF
Total	52,500 SF

Neighborhood Character: Commercial/ Residential Land

Zoning: General Commercial (CG)

Site Shape: Irregular

Site Topography: Level

Highest & Best Use—
As Vacant: Commercial

Valuation Summary

Effective Date of Value: July 16, 2015

Interest Appraised: Fee Simple

Exposure/Marketing Time: One to two years

Market Value Conclusions

Parcel	Value before Plottage Adjustment	Plottage Adjustment	Value (rounded)
160516000	\$133,350	85%	\$20,000
162958000	\$39,600	85%	\$6,000
162916000	\$167,640	85%	\$25,000
160449000	\$141,190	85%	\$21,000
110085890	\$43,070	85%	\$6,000
Total			\$78,000

Aerial Photograph –Clark County GIS Aerial of Adjoining Properties



Subject Photographs



Facing east on NE 33rd Street at NE 72nd Avenue



Facing south on NE 33rd Street at NE 72nd Avenue



Frontage along NE Andresen Road facing south from southwest corner of Value Village property



Facing north at NE 72nd Avenue from NE 33rd Street



Facing south at NE 72nd Avenue from northern portion of vacation



Facing northeast toward Value Village property

Subject Photographs (continued)



Facing west toward Value Village from NE 72nd Avenue



Facing west toward parking area behind Value Village



Parking area north of Value Village parcel, part of the NE 72nd Avenue vacation



Wetlands area north Value Village



Facing northeast toward Dick Hannah Kia



Facing east from NE 72nd Avenue toward Dick Hannah Kia

Subject Photographs (continued)



Facing east from NE 72nd Avenue toward Dick Hannah Kia



Drainage area behind Dick Hannah Kia



Facing east from NE 72nd Avenue toward Dick Hannah Volkswagen



Dick Hannah Volkswagen



Alan Webb dealership north of Dick Hannah parcels

Identification of Appraisal Assignment

Property Identification

The adjoining properties to the proposed street vacation consist of four individual parcels, as follows:

Parcel Number	Owner	Size
160516000	JJHW LLC/ Value Village	1.74 acres
162958000	JJHW LLC/ Value Village	1.97 acres
162916000	Hannah Mitsubishi Real Property LLC	2.42 acres
160449000	Hannah VW Real Property LLC	2.23 acres
110085890	Webb Real Estate LLC	3.61 acres
Total		11.97 acres

Abbreviated Property Reference (Legal Description)

Parcel Number	Abbreviated Legal Description
160516000	#87 LEVI DOUTHIT DLC 1.74A M/L
162958000	#53 SEC 19 T2N R2EWM 1.97A M/L
162916000	#9 HENRY SCHUH DLC 2.42A
160449000	#10 #11 LEVI DOUTHIT DLC 2.23A
110085890	VANCOUVER AUTO MALL PHASE-III LOT 1

Client Identification

The client of this specific assignment is Jason Hannah, Dick Hannah Auto Group.

Intended Use& Purpose

The intended use of this appraisal is to assist the client, Jason Hannah, Dick Hannah Auto Group, in negotiations with City of Vancouver to purchase vacated NE 72nd Avenue.

Intended Users of the Appraisal

Intended users of this report are Jason Hannah, Dick Hannah Auto Group, and the City of Vancouver.

Effective Date

July 16, 2015

Personal Property

No personal property or intangible items are included in this valuation.

Deductions and Discounts

A discount has been made for the subject's assemblage/plottage highest and best use.

Property and Sales History

If available in the normal course of business, analysis is required for all agreements of sale, options and listings of the subject property as of the effective date of this appraisal. In addition, all sales of the subject that occurred within the three years prior to the effective date of value are required.

Identification of Appraisal Assignment (continued)

Current Owner – The properties are under the following ownerships:

Parcel Number	Owner
160516000	JJHW LLC/ Value Village
162958000	JJHW LLC/ Value Village
162916000	Hannah Mitsubishi Real Property LLC
160449000	Hannah VW Real Property LLC
110085890	Webb Real Estate LLC

Three-Year Sales History – According to County Records, the Value Village parcels west of NE 72nd Avenue have sold within the past three years. Dick Hannah purchased the two parcels, with a 47,088 square foot building. The total site area was 3.71 acres. Hannah purchased this property on May 14, 2015, for \$4,365,000. Because of the existing improvements included in the sale, this transaction is not applicable to the land value of the adjacent parcels concluded in the valuation section of the report.

Sale Status of Abutting Properties – The properties adjoining the proposed street vacation are not currently for sale.

Definition of Value

Given the scope and intended use of this assignment, the applicable value definition is “Market Value.”

Market Value – The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming that the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.¹

Across the Fence (ATF) Value: “In corridor valuation, a value opinion based on comparison with adjacent lands including the consideration of adjustment factors such as market conditions, real property rights conveyed, and location” (Appraisal Institute, The Dictionary of Real Estate Appraisal, Fifth Edition, Chicago, 2010, p. 3)

Property Rights Appraised

The property rights appraised constitute the fee simple interest.

¹ Office of Comptroller of the Currency (OCC), Title 12 of the Code of Federal Regulation, Part 34, Subpart C - Appraisals, 34.42 (g); Office of Thrift Supervision (OTS), 12 CFR 564.2 (g); This is also compatible with the RTC, FDIC, FRS and NCUA definitions of market value.

¹ The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, Chicago, Illinois, 2010.

Fee Simple Estate – Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.²

As Is Value – An estimate of the market value of real property in the condition observed upon inspection and as it physically and legally exists without hypothetical conditions, assumptions, or qualifications as of the date of inspection.³

Exposure/Marketing Time

Exposure time is defined as "The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."⁴ Reasonable exposure time is impacted by the aggressiveness and effectiveness of a property's exposure to market participants, availability and cost of financing, and demand for similar investments. Exposure time is best established based the recent history of marketing periods for comparable sales, discussions with market participants and information from published surveys. Marketing period is very similar to exposure time, but reflects a projected time period in order to sell the property, rather than a retrospective estimate. This exposure and marketing time analysis will focus on the subject property with a commercial highest and best use, the dominant use in the area.

There have been several closed and pending commercial land sales in the Clark County market, all of which reflect marketing period of one to three years. Based on the concluded as-is market value, an exposure period and marketing time of one to two years is concluded for the subject property. Marketing times have been trending downward in the past year.

³ *ibid.*

Scope of Work

Appraisal Development and Reporting Process

Preparation of this appraisal included an inspection of the subject property, reviewing assessor's maps, reviewing county records for information on the subject and comparables, inspecting the subject property market area, gathering and confirming land sales from immediate and competing market areas, analyzing supply and demand conditions in the area, reviewing plans for the proposed acquisition, and applying applicable approaches to value to arrive at an indication of value for the proposed acquisition. This appraisal has been prepared in a Narrative format per USPAP.

The valuation of the larger parcel and proposed acquisition is based on an "Across the Fence" (ATF) valuation method. For valuation purposes, the appraisal assumes a commercial use based on the adjoining properties and the subject's zoning. It is not appraised as a street.

- ◆ Physical inspection of the subject site was completed by David Groth, MAI, on July 16, 2015.
- ◆ Clark County and City of Vancouver Assessor's records & other County and City GIS maps pertaining to ownership, taxes, assessments and aerial photos of the subject property. In addition, Olson Engineering, Inc. provided a survey map and sizes for the proposed street vacation.
- ◆ Analysis of the physical and locational features of the subject property and market area.
- ◆ Analysis of the supply/demand conditions in the commercial market that impact the subject property.
- ◆ Study of current market trends using confirmed market indicators and secondary sources such as Multiple Listing Service, RealQuest, CoStar, the Columbian newspaper, and Appraisal and Consulting Group, LLC database. Highest & Best Use analysis with the focus based on a commercial use. In addition, an appraisal report of a similar street vacation completed by Integra Realty Resources and a review completed by Mark Lawwill, was reviewed.
- ◆ Preparation of this appraisal is presented in a Narrative Report format as indicated in 2015 USPAP Standard 2.
- ◆ I am aware of the Competency Rule of USPAP and the author of this report David W. Groth, MAI, meets the standards. No one other than the appraisers signing this report provided significant assistance for this appraisal.

Scope of Work (continued)

Information Sources

Item	Source of Information
Subject Identification	Client and surveys by Olson Engineering Inc.
Description of Subject	Inspection and surveys by Olson Engineering Inc.
Zoning Information	City of Vancouver
Flood Map Information	STDB
Demographics	STDB, The Columbian, Workforce Explorer
Comparables	RMLS, CoStar, Clark County, Brokers, ACG Database, Appraisal completed by Integra Realty Resources
Other Property Information	Market Interviews & Physical Inspection

Subject Property Inspection

Representative	Extent	Date of Inspection
David W. Groth, MAI, Appraiser	Walked site	July 16, 2015

Assumptions and Limiting Conditions

This appraisal is subject to the following assumptions and limiting conditions:

Extraordinary Assumptions

USPAP defines an Extraordinary Assumption as, “an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser’s opinions or conclusions.”

The entire street vacation has been valued. The northern portion of this property abuts the dealership owned by Webb Real Estate LLC. No separate allocation has been provided for this separate ownership. Also, it is assumed the street vacation does not adversely affect this property. It may currently provide access to the western portion of this property.

It is assumed the City will retain utility easements in the vacated street.

Hypothetical Conditions

USPAP defines a Hypothetical Condition as, “that which is contrary to what exists but is supposed for the purpose of analysis.”

There were no hypothetical conditions in this report.

General Assumptions and Conditions

We assume no responsibility for matters legal in character, nor do we render any opinion as to title, which is assumed to be marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, under responsible ownership, and competent management.

The exhibits in this report are included to assist the reader in visualizing the property. We have made no survey of the property and assume no responsibility in connection with such matters.

Unless otherwise noted herein, it is assumed that there are no encroachments, zoning, or restrictive violations existing in the subject property.

The appraisers assume no responsibility for determining if the property requires environmental approval by the appropriate governing agencies, nor if it is in violation thereof, unless otherwise noted herein.

Information presented in this report has been obtained from reliable sources, and it is assumed that the information is accurate.

This report shall be used for its intended purpose only, and by the party to whom it is addressed. Possession of this report does not include the right of publication.

The appraisers may not be required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless prior arrangements have been made therefore.

The statements of value and all conclusions shall apply as of the dates shown herein.

Assumptions and Limiting Conditions (continued)

The appraisers have no present or contemplated future interest in the property which is not specifically disclosed in this report.

Neither all, nor any part of, the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media without the written consent or approval of the authors. This applies particularly to value conclusions and to the identity of the appraisers and the firm with which he or she is connected.

This report must be used in its entirety. Reliance on any portion of the report independent of others, may lead the reader to erroneous conclusions regarding the property values. No portion of the report stands alone without approval from the authors.

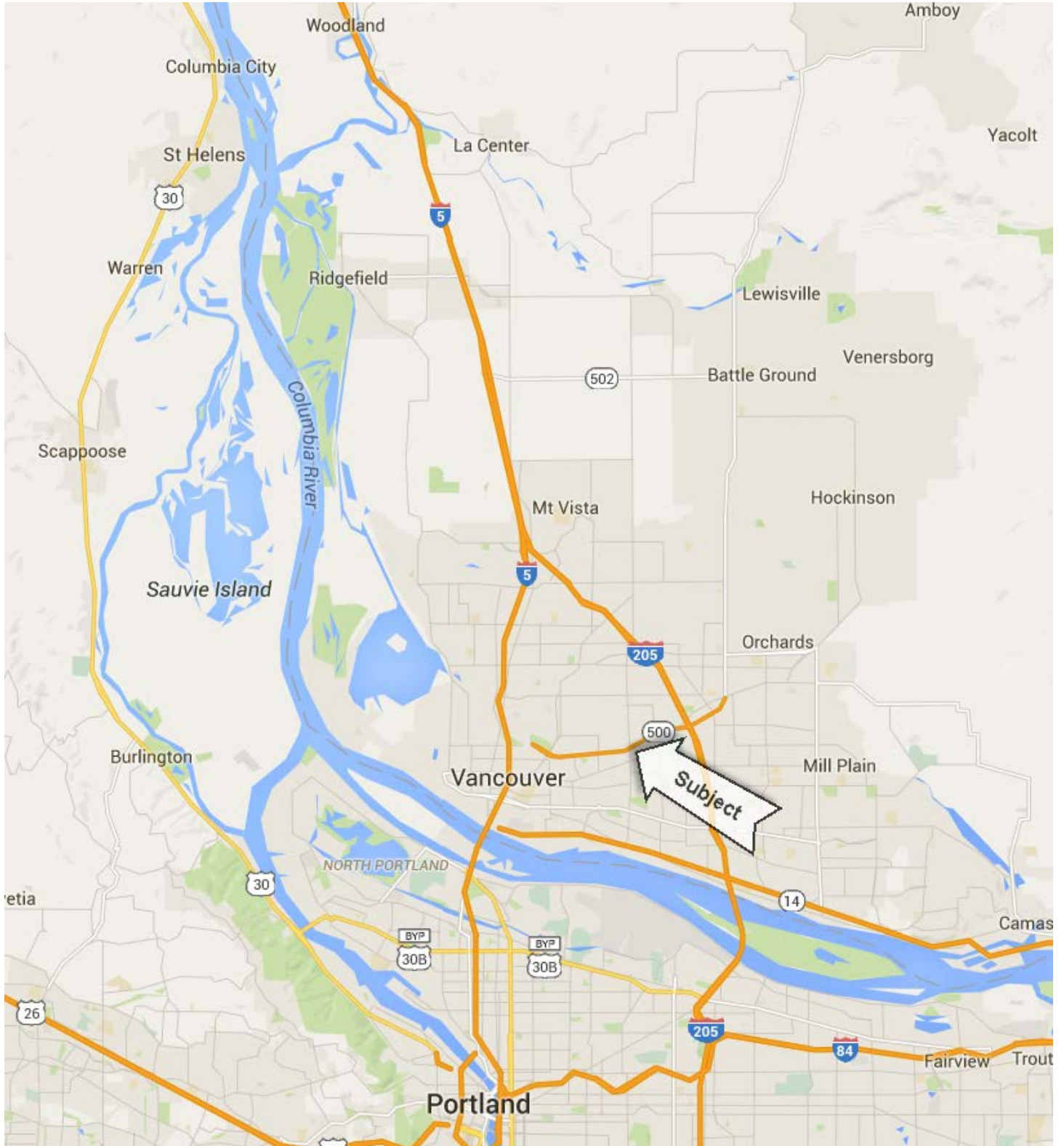
The liability of Appraisal & Consulting Group, LLC, its principals, agents, and employees is limited to the client. Further, there is no accountability, obligation, or liability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions. The appraisers are in no way responsible for any costs incurred to discover or correct any deficiency in the property.

The appraisers are not qualified to detect the presence of toxic or hazardous substances or materials which may influence or be associated with the property or any adjacent properties, has made no investigation or analysis as to the presence of such materials, and expressly disclaims any duty to note the degree of fault. Appraisal & Consulting Group, LLC and its principals, agents, employees, shall not be liable for any costs, expenses, assessments, or penalties, or diminution in value, property damage, or personal injury (including death) resulting from or otherwise attributable to toxic or hazardous substances or materials, including without limitation hazardous waste, asbestos material, formaldehyde, or any smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids, solids or gasses, waste materials or other irritants, contaminants or pollutants.

An on-site inspection of the subject property was conducted. No evidence of asbestos materials on-site was noted. A Phase 1 Environmental Assessment was not provided for this analysis. This analysis assumes that no asbestos or other hazardous materials are stored or found in or on the subject property. If evidence of hazardous materials of any kind occurs, the reader should seek qualified professional assistance. If hazardous materials are discovered and if future market conditions indicate an impact on value and increased perceived risk, a revision of the concluded values may be necessary.

A detailed soils study was not provided for this analysis. The subject's soils and sub-soil conditions are assumed to be suitable based upon a visual inspection, which did not indicate evidence of excessive settling or unstable soils. No certification is made regarding the stability or suitability of the soil or sub-soil conditions.

Regional Area Map – Clark County, Washington



Regional Description – Clark County, Washington

Situated in southwest Washington State, Clark County is located in the Portland- Metropolitan Statistical Area (MSA), which includes seven counties in the states of Washington and Oregon. Clark County has shared in the Portland MSA's growth; making up approximately 20% of the MSA's population, with more than one-third of the County's employed residents commuting to work outside the county, mostly across the Columbia River in Portland, Oregon (Employment Security Department of Washington State). Because of the area's increasing independent identity from the Portland MSA and because of its separate state and local government boundaries this report will focus on Clark County.

Population

Population trends affect employment, retail spending, housing, bank deposits, and many other key demand parameters analyzed in determining real estate productivity. Population growth, stability or decline is a strong indicator of real estate viability within an area. Clark County experienced a strong annual average population growth from 2000 through 2010 with a rate of 2.10%, which is higher than the MSA's estimated annual growth rate of 1.7% and the state's 1.2% annual average rate. More recently, population growth in Clark County has averaged 1.02% for the past four years (2010-2014), and 1.7% over the past year. The subject is located in Unincorporated Clark County, which experienced similar growth of 1.2% over the past year. With 7,300 new residents added over the past year, Clark County population growth was third in state among 39 counties. County population growth also exceeded the state growth rate of 1.25% last year. Overall population growth rate trends are positive.

Clark County Population Growth							
Jurisdiction	2010 Population Census	2011 Population Estimate	2012 Population Estimate	2013 Population Estimate	2014 Population Estimate	Annual % Change 2010-2014	Annual % Change 2013-2014
Clark County	425,363	428,000	431,250	435,500	442,800	1.02%	1.7%
Unincorporated Clark County	203,339	204,610	205,885	207,710	210,140	0.84%	1.2%
Incorporated Clark County	222,024	223,390	225,365	227,790	232,660	1.20%	2.1%
Battle Ground	17,571	17,780	17,920	18,130	18,680	1.58%	3.0%
Camas	19,355	19,620	20,020	20,320	20,880	1.97%	2.8%
La Center	2,800	2,835	2,985	3,015	3,050	2.23%	1.2%
Ridgefield	4,763	4,975	5,210	5,545	6,035	6.68%	8.8%
Vancouver	161,791	162,300	163,200	164,500	167,400	0.87%	1.8%
Washougal	14,095	14,210	14,340	14,580	14,910	1.45%	2.3%
Woodland (part)	83	85	85	Mar-00	85	0.60%	0.0%
Yacolt	1,566	1,585	1,605	1,615	1,620	0.86%	0.3%

Source: Washington State Office of Financial Management

Median Household Income

According to ESRI, Inc. (a software development and services company providing Geographic Information System (GIS) software and geo-database management applications) the median household income for Clark County was approximately \$63,611 during the 2010 Census. The estimated median household income figure for 2015 is \$73,311; this reflects an average annual growth rate of approximately 2.9% annually.

Median Household Income			
	2010	2015	CAGR 2010-2015
Clark County	63611	73311	2.90%
State of Washington	60311	68768	2.70%
United States	54442	61189	2.40%

Economy

Over the last two decades, Clark County emerged with its own sub-regional economic structure, allowing it to participate as a full partner in the Portland-Vancouver area economy. Clark County's major industrial groups include electronics, paper and related products, processed tools, and food products. The following list summarizes the largest employers in Clark County as of the most recent report published by the Columbia River Economic Development Council.

CLARK COUNTY'S LARGEST EMPLOYERS, 2015			
2014	2013 Rank	Employer	2014 FTE's
1	7	Bonneville Power Administration	2,723
2	1	PeaceHealth Southwest Washington Medical Center	2,500
3	2	Evergreen Public Schools	2,473
4	3	Vancouver Public Schools	2,341
5	4	Clark County, Washington	1,650
6	5	Fred Meyer Stores, Inc.	1,601
7	6	Battle Ground Public Schools	1,342
8	12	Legacy Salmon Creek Medical Center	1,050
9	8	WaferTech, LLC	1,040
10	9	Clark College	1,031
11	10	The Vancouver Clinic	994
12	13	VA Medical Clinic	927
13	11	City of Vancouver	913
14	16	SEH America Inc.	865
15	14	BNSF Railway Railroad	825
16	15	Camas School District No. 117	750
17	17	Kaiser Permanente Northwest	707
18	23	Fisher Investments	690
19	21	Dick Hannah Dealerships	640
20	18	Educational Service District No. 112	600
21	20	Charter Communications	566
22	22	Georgia-Pacific LLC	488
23	NR	Frito-Lay Inc.	475
24	19	Wells Fargo	439
25	24	Columbia Machine, Inc.	430
26	NR	Christensen Shipyards LTD	403
27	25	Clark Co. Public Transportation Benefit Area (C-TRAN)	393
28	27	Clark Public Utilities	362
29	26	Washington State University Vancouver	358
30	28	Washougal School District	300

Source: Vancouver Business Journal's 2015 Book of Lists and WA Employment Security Department, Figures as of 2014

CREDC

Job Growth & Unemployment

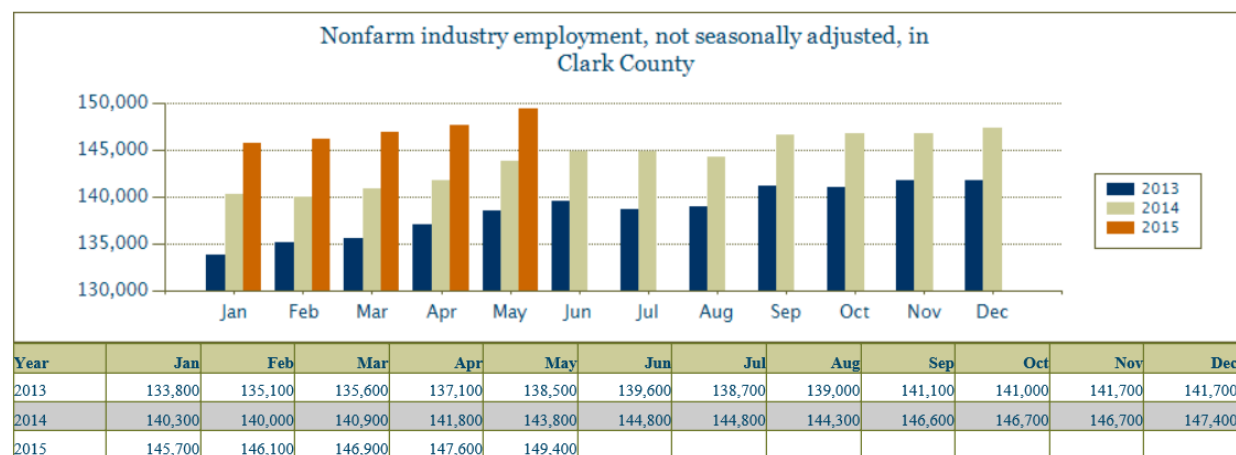
Per Scott Baily, Regional Economist for the State Employment Security Department, Clark County's economy expanding rapidly, with 5,600 jobs added over the past 12 months through May 2015, representing annual job growth of 3.9%. Clark County is seeing employment growth, falling unemployment, and lower levels of job losses as measured by unemployment claims.

The three sectors driving job growth over the past year were trade, transportation, and utilities (up 700 jobs), professional & business services (up 1,200 jobs), and education and health services (up 1,000 jobs). Manufacturing sector improved slightly with 100 new jobs associated with fabricated metals, machinery, and electronics. Every major employment sector showed growth over the past year.

The current annual job growth rate of 3.9% is substantially higher than the nation's (2.2%), and also exceeds those of Washington (3.6%), Oregon (3%), and the Portland Metropolitan area (3.3%).

The following chart illustrates seasonally adjusted non-farm employment trends in Clark County over the last several years. The outlook for the future is positive. Per regional economist Scott Bailey, the region could see more high-wage jobs added as certain corporate employers expand or relocate from Portland, Oregon. Some of the major employers adding to this job growth include Integra, Fisher Investments and Banfield Pet Hospital. Integra shifted about 700 jobs from Portland this past summer. Fisher Investments is finishing its second office building and could add 400-500 more positions. They are actively recruiting at this time, and the influx of new hires is having an impact on the housing market. Banfield Pet Hospital has announced it will move its headquarters and 600 employees from Portland to Vancouver in 2015 in a proposed 250,000 SF office complex on 20-acres in the Columbia Tech Center.

Nonfarm industry employment

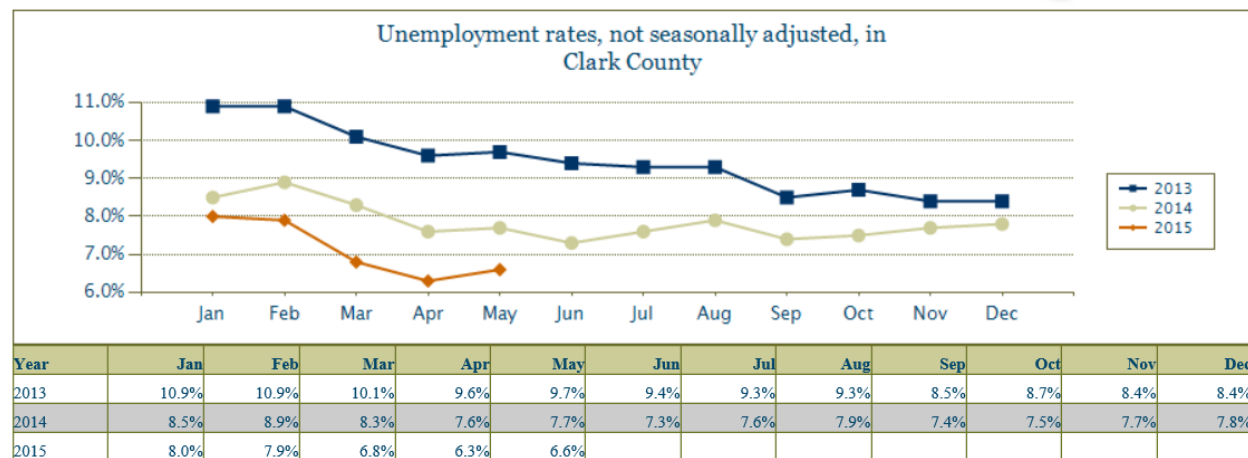


Source: Washington State Employment Security Department, Labor Market and Performance Analysis

Despite job growth, unemployment remains at fairly high levels. The preliminary rate for May 2015 is 6.6%, which is much lower than the 7.7% in May 2014. This rate may be revised upward to reflect those unemployed county residents who previously worked in Oregon. It also appears that people who had previously dropped out of the labor force are now returning to hunt for jobs, which increases the jobless rate.

Regional Description – Clark County Washington (continued)

Unemployment rates



Source: Washington State Employment Security Department, Labor Market and Performance Analysis

Summary

Clark County, Washington has significant influence on the larger Portland-Vancouver Metropolitan areas due to its proximity to Portland, Oregon and current population of 442,800 residents. The population of Clark County will continue to expand because much of the future vacant served development land is located in this County, and the long term job growth outlook in both Clark County and nearby Portland is good. Currently, the Clark County market has recovered from the recession and is experiencing 4.3% annual job growth over the last 12 months with a favorable outlook moving forward.

A review of the annual year end 2014 *Market Action* report by the Regional Multiple Listing Service indicates that overall closed home sales for 2014 in Clark County were up 8% year to date at 7,025, and the median price was up 8.5% at \$244,000. The inventory of homes offered for sale remained low at 3.40 months of supply at year end. Pending sales were also up 10.1% for the year. Total marketing time for sales was down 7.9% at 92 days.

A review of the *Market Action* report data through May 2015 also looks very positive with closed sales up 21.7% year to date, and pending sales up 25.7% when compared to last May. Listing inventory remains very low at 2.60 months based on current sales trends, and the average sale price is up approximately 8.2% year to date compared to the same period last year. These are all positive trends for the single-family housing market in Clark County.

Single family building permits issued in 2014 were at 1578, which was similar to the 1656 permits issued in 2013. The available year to date permit data through April 2015 indicates that 499 single-family permits have been issued in Clark County, which is up 25% from the same period last year and represents an annualized permit count of approximately 2000 permits.

Construction of new apartments is also occurring, with several new apartment developments under construction or planned for construction next year due to increasing demand and rents. A recent article in the Columbian Newspaper indicated that more than 1,360 new apartment units are newly completed, under construction or going through the application process. A new 320 unit project broke ground about six months ago in Vancouver, and there is a new 109 unit project under construction along NE 15th Avenue, south of NE 179th Street in the southeast Ridgefield area. There is clear demand, as the vacancy rate for the county's approximately 40,000 apartment units is less than 3 percent. That demand has helped drive up rents by as much as 10 percent over

Regional Description – Clark County Washington (continued)

the past three years. Vacancy rates are likely to start slowly increasing with supply for newer units. Rental townhomes are also experiencing strong demand, with low vacancy and increasing rents over the past year. There is an active investor market for small-plex townhomes in Clark County at this time.

Per Norris, Beggs, & Simpson 1st Quarter 2015 Retail Report, vacancy in Clark County is at 7.92%, with 10,002 SF of space currently under construction, and total absorption of 49,723 SF last quarter. Vacancy rates are declining, absorption is increasing, and construction is slowing to some degree. Clark County's taxable retail sales increased by 8.5 percent during the 2014 calendar year, and Vancouver's sales rose by 8.8 percent. Both jurisdictions topped the overall Washington increase of 6.6 percent in the taxable retail category.

The office vacancy rate in Clark County is relatively high at 14.73%. There is 48,000 SF of space under construction, and net absorption last quarter was negative 123,613 SF. There is a recent market trend showing a shift from older traditional office space to more creative space with modern amenities. Suburban trends show increased vacancy, less construction, lower net absorption, but slightly higher asking rates.

Industrial vacancy in Clark County is low at 4.14%. There is 125,900 SF of space under construction, and total absorption was 110,107 last quarter. Net absorption is down along with construction, and asking rents have increased with vacancy. Transportation improvements (new roads, rail, etc.) will have a significant impact on this sector in the coming years. The Port of Vancouver is continuing to attract new tenants/buyers to its industrial parks, and has recently agreed to sell two larger parcels to Sunlight Supply and a Steel Manufacturer. The second phase of their Centennial Industrial Park will include additional land for future development. There are also several private industrial parks in the planning approval process, and there has been increase in land sales to owner/users for new facilities.

The business community continues to debate about transportation issues surrounding a proposed oil transfer terminal at the Port of Vancouver, and the impacts of a proposed coal export terminal in nearby Longview to the north. These issues and the proposed waterfront development (now undergoing initial site work) along the Columbia River could significantly impact employment in the coming years. The Cowlitz Tribe has also recently obtained approvals from the federal government to construct a very large gaming Casino in LaCenter along the Interstate-5 corridor. This will have a major impact along the Interstate-5 corridor in Clark County. Site work is expected to begin later this summer. There is also a proposed second Clark College Campus and new Peace Health Hospital Planned along the I-5 corridor near Ridgefield, but the development timeline is uncertain.

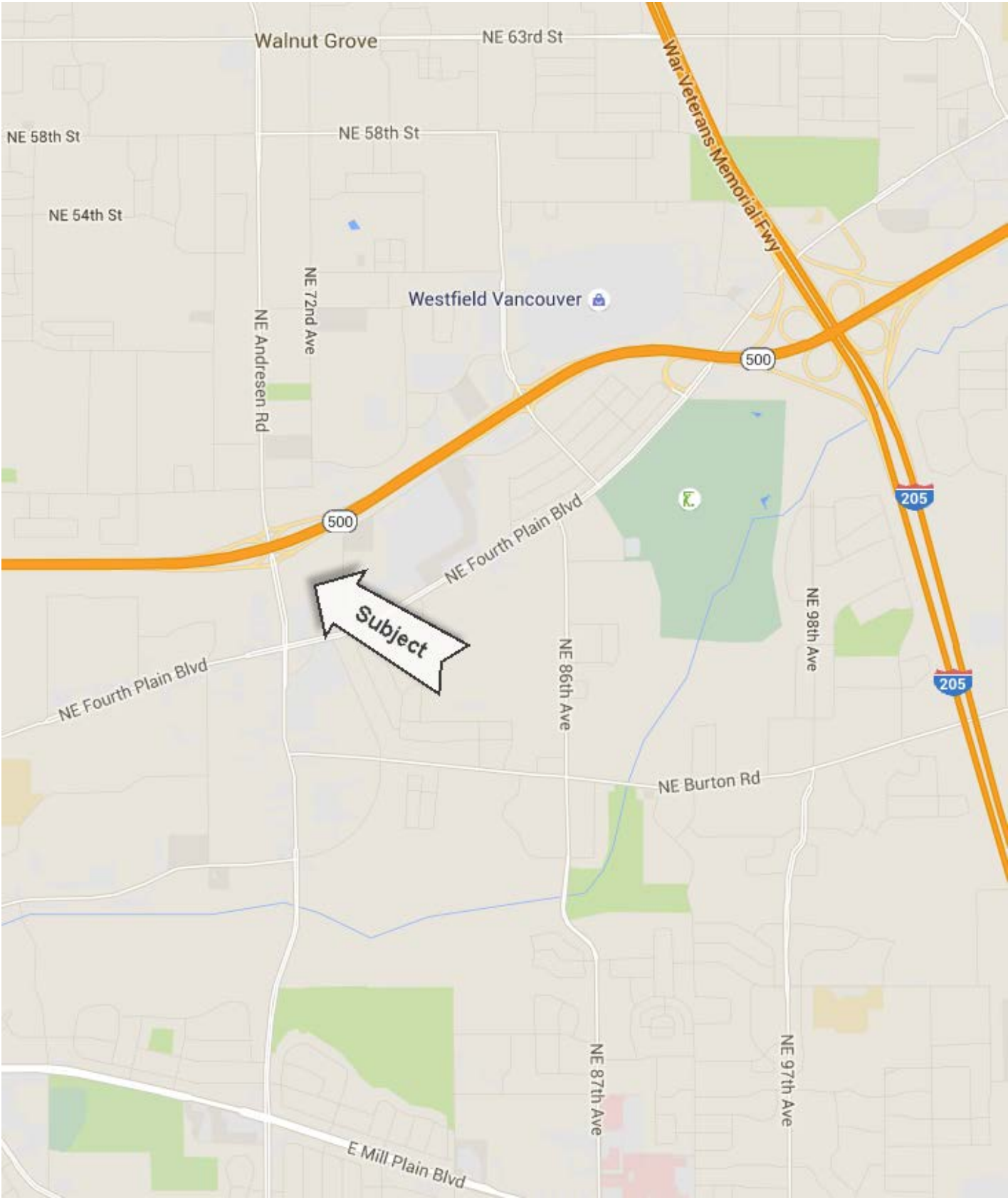
There has been a significant increase in land sale activity in all sectors over the past year, with appreciation starting to occur based on our review of pending and recently closed sales. This is consistent with increased demand by both single-family and apartment developers and builders. While land values have been increasing rather rapidly due to more limited lot supply, some potential stabilization may occur in a few years when more new lots/homes are introduced to the market based on recent development and permit activity. For the near term, continued appreciation in land and finished lot values is expected due to limited supply, and local builders are competing with national builders to secure lot inventory. Multi-family land is being purchased for both apartments and for small lot subdivision use (attached and detached) at this time. With significant land sale and construction activity in both sectors, 2015 will test the depth of demand for finished lots and new houses. We are also seeing an increase in pending raw land sales without approvals on longer term contracts.

The small lot affordable sector also appears to be improving with more builders now building homes for sale, rather than just to investors for rentals. The custom home market is also showing strength, particularly in the Camas, Felida, and Evergreen Highway areas of Clark County. Absorption and new lot development is again occurring in the smaller incorporated areas of Clark County, which lagged behind the closer-in Vancouver market. Demand for rural acreage lots has also improved over the past year with a substantial increase in acreage lot values. With the Clark County 20-year Comprehensive Plan changes to be in effect by mid-2016, there could also be some substantial changes to the rural zoning densities in the County. It is clear that housing prices and rents must continue to appreciate to keep up with rising construction costs and land values to allow for feasible development. The for-sale and rental markets are both strong, but there are market concerns over potential increases in future interest rates in the long term.

Commercial and industrial land sale activity has also increased in 2015, which is a positive indicator of future expectations of retail demand and job growth. Overall, Clark County should see continued improvements in most sectors for the next year, with the multi-family and single-family housing sectors being the strongest. The industrial market also appears to be gaining strength with several large single-user and industrial parks proposed for construction this year.

The overall outlook for the Clark County real estate market is favorable at this time.

Local Area/Neighborhood Map



Local Area Description

General – The subject property is located less than four miles northeast of downtown Vancouver, near the commercial hub of Clark County. This area is at the intersection of SR500/Fourth Plain Blvd and I-205. Commercial and service uses dominate this area. Major shopping centers include Westfield Vancouver Mall and Vancouver Plaza. In addition, all of the Vancouver new car dealers are located in this neighborhood. There are also a number of suburban office buildings, hotels, and other complimentary uses. The following paragraphs summarize factors pertinent to the social, economic, and physical development of the market area.

Demographics – The demographics for the subject's local area are provided by Site To Do Business (STDB Online), an on-line resource center that provides information used to analyze and compare the past, present, and future trends of properties and geographical areas.

NEIGHBORHOOD DEMOGRAPHICS								
Description	1.0 Miles	3.0 Miles	5.0 Miles	Description	1.0 Miles	3.0 Miles	5.0 Miles	
Population				Median Household Income				
2000 Total Population	11,576	93,614	209,470	2015	\$ 39,915	\$ 45,132	\$ 51,784	
2010 Total Population	14,049	106,832	241,775	2020	\$ 230,060	\$ 242,473	\$ 261,169	
2015 Total Population	14,984	112,455	252,922	Average Household Income				
2020 Total Population	16,016	119,048	266,538	2015	\$ 49,807	\$ 58,342	\$ 66,356	
2015-2020 Annual Rate	1.34%	1.15%	1.05%	2020	\$ 55,892	\$ 66,081	\$ 74,939	
Median Age				Per Capita Income				
2010	31.1	34.9	35.6	2015	\$ 20,780	\$ 23,458	\$ 26,039	
2015	32.0	35.9	36.6	2020	\$ 23,345	\$ 26,593	\$ 29,469	
2020	32.6	36.5	37.1	Median Home Value				
Households				2015	\$ 210,854	\$ 223,754	\$ 237,519	
2000 Households	4,438	36,720	79,874	2020	\$ 230,060	\$ 242,473	\$ 261,169	
2010 Households	2,794	42,790	93,936	Average Home Value				
2015 Households	6,207	45,137	98,670	2015	\$ 251,845	\$ 258,086	\$ 272,729	
2020 Households	6,646	47,859	104,294	2020	\$ 294,245	\$ 309,554	\$ 319,787	
2015-2020 Annual Rate	1.38%	1.18%	1.11%	2015 Households by Income				
Household Size				Household Income Base	6,207	45,137	98,670	
2015 Average Household Size	2.41	2.47	2.53	< \$15,000	12.4%	13.9%	11.7%	
2015 Average Family Size	3.12	3.06	3.09	\$15,000 - \$24,999	16.7%	12.0%	10.2%	
Housing Units				\$25,000 - \$34,999	14.5%	12.4%	11.4%	
2015 Housing Units	6,668	48,028	104,624	\$35,000 - \$49,999	15.8%	15.7%	14.5%	
Owner Occupied	26.0%	45.0%	51.3%	\$50,000 - \$74,999	22.0%	19.7%	19.6%	
Renter Occupied	67.1%	49.0%	43.0%	\$75,000 - \$99,999	10.2%	12.3%	13.9%	
Vacant Housing Units	6.9%	6.0%	5.7%	\$100,000 - \$149,999	6.3%	9.4%	12.0%	
2020 Housing Units	7,126	50,805	110,395	\$150,000 - \$199,999	1.6%	2.6%	3.9%	
Owner Occupied	25.5%	44.9%	51.1%	\$200,000 +	60.0%	1.8%	2.7%	
Renter Occupied	67.7%	49.3%	43.4%					
Vacant Housing Units	6.7%	5.8%	5.5%					

The average home value in a five mile radius is \$272,729, and the median home value is \$237,519. The average household income in a three mile radius is \$58,342 and in a five mile radius \$66,356. The five year expected annual population growth rate is approximately 1.05 percent within a five mile radius.

As noted in the table above, faster population growth is anticipated to occur in the subject's market area (3-miles radius) over the next few years.

Community Services/Transportation – Community services and facilities are readily available in the area. These include public services such as fire stations, hospitals, police stations, and schools (all ages). Regarding hospitals, Clark County currently has two hospitals in operation. The Legacy

Local Area Description – City of Vancouver (continued)

Salmon Creek Medical Center is a 6-story, 460,000 square foot hospital with 151 beds and future plans to expand to 220 beds. It opened in August 2005, employs over 600 people, and exists north of the subject at the I-205/I-5 interchange. The PeaceHealth Southwest Medical Center is located on the north side of Mill Plain, less than two miles southeast of the subject property. Public transportation is available throughout and there are a number of parks in the area which adequately serve the subject's neighborhood.

The Royal Oaks Country Club is located within a half mile of the subject property. It is the premier country club serving Clark County and is considered a positive influence.

Summary – Overall, the subject neighborhood is strategically located near the commercial center of Vancouver/Clark County. This strategic location is heavily influenced by the surrounding commercial uses and the intersection of Interstate 205 and SR 500 (Interstate 205 is a major north/south thoroughfare and SR 500 is a major east/west thoroughfare).

Site Description

The following description applies to the properties which adjoin the proposed NE 72nd Avenue street vacation. They include two tax parcels on the west side of the road (Value Village) and two tax parcels on the east side of the road (Dick Hannah KIA and Dick Hannah Volkswagen)

Property Information

Name: NE 72nd Avenue Vacation
Property Type: Commercial Land
Location: NE 72nd Avenue between NE 33rd Street and SR 500
Vancouver, WA

Parcel Numbers: 160516000
162958000
162916000
160449000
110085890

Owner of Record:
160516000 JJHW/ Value Village
162958000 JJHW/ Value Village
162916000 Hannah Mitsubishi Real Property LLC
160449000 Hannah VW Real Property LLC
110085890 Webb Real Estate LLC

Neighborhood Character: Commercial
Zoning: General Commercial (GC)

Size of Adjoining Parcels:
160516000 1.74 acres
162958000 1.97 acres
162916000 2.42 acres
160449000 2.23 acres
110085890 3.61 acres
Total 11.97 acres

Description of Street Vacation: The proposal is to vacate the entire NE 72nd Avenue Right-of-Way between NE 33rd Street and SR 500. NE 72nd Avenue is a public street Right-of-Way of variable width between NE 33rd Street to SR 500. The Right-of-Way is paved and is currently used for double sided parking with a drive aisle between. The street Right-of-Way dead-ends at SR 500. The Right-of-Way is adjacent to five tax lots, which are owned by four entities: Hannah Mitsubishi RP LLC, Hannah VW Real Property LLC, JG Vancouver LLC, and Webb Family Properties LLC. A copy of the legal description and map is included in the addenda of this report.

Site Description (continued)

Size of Street Vacation:

160516000	13,350 SF
162958000	3,960 SF
162916000	16,764 SF
160449000	14,119 SF
110085890	4,307 SF
Total	52,500

Site Shape:

Irregular

Site Topography:

Effectively level

Access/exposure:

The subject is accessed from NE 33rd Street, a short corridor extending from NE Fourth Plain Boulevard to NE Auto Mall Drive. There is no other access to the Value Village property to the west. Exposure is good to the Value Village property from NE Andresen and SR 500.

Abutting Properties—

North:	SR 500; drainage area
South:	NE Fourth Plain Boulevard; NE 33 rd Street; commercial development
East:	NE Auto Mall Drive; Dick Hannah dealerships
West:	NE Andresen Road

Utilities:

Sewer and water are available

Flood Plain:

Review of FEMA Flood Map number 53011C0388D, effective September 5, 2012, indicates the entire subject is in Zone X, an area of low flood risk.

Easements and Encumbrances:

The Clark County GIS indicates the subject has no easements or encumbrances. If there are additional questions regarding easements or encumbrances, research with a title company is advised.

Improvements:

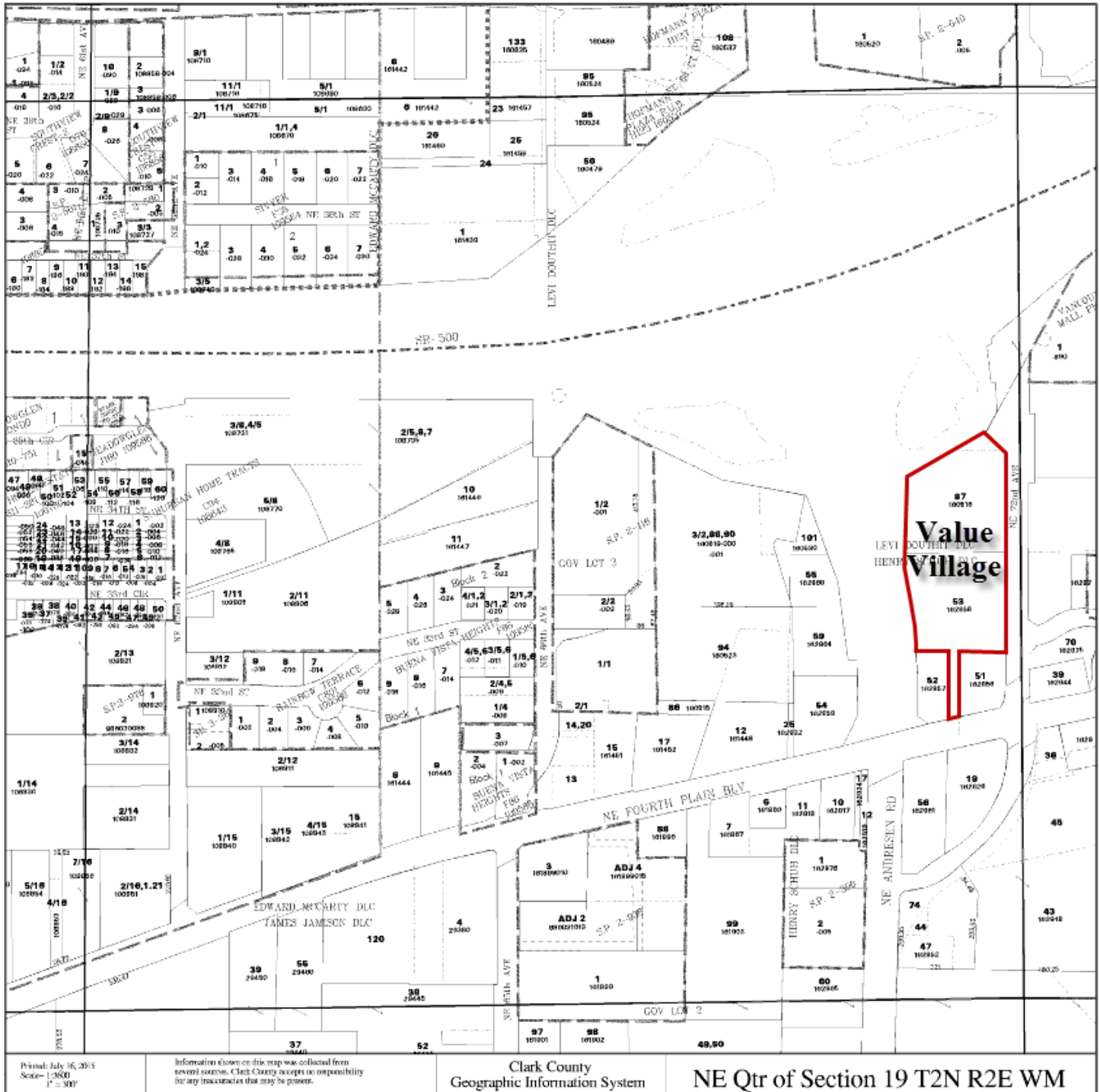
Improvements to the adjacent properties include the Value Village building, the Dick Hannah KIA dealership, the Dick Hannah Volkswagen dealership, and the Alan Webb Nissan/Mitsubishi dealership.

Environmental:

No adverse environmental conditions were noted during inspection. This appraisal assumes that the subject underlying site is free of all hazardous waste and toxic materials.

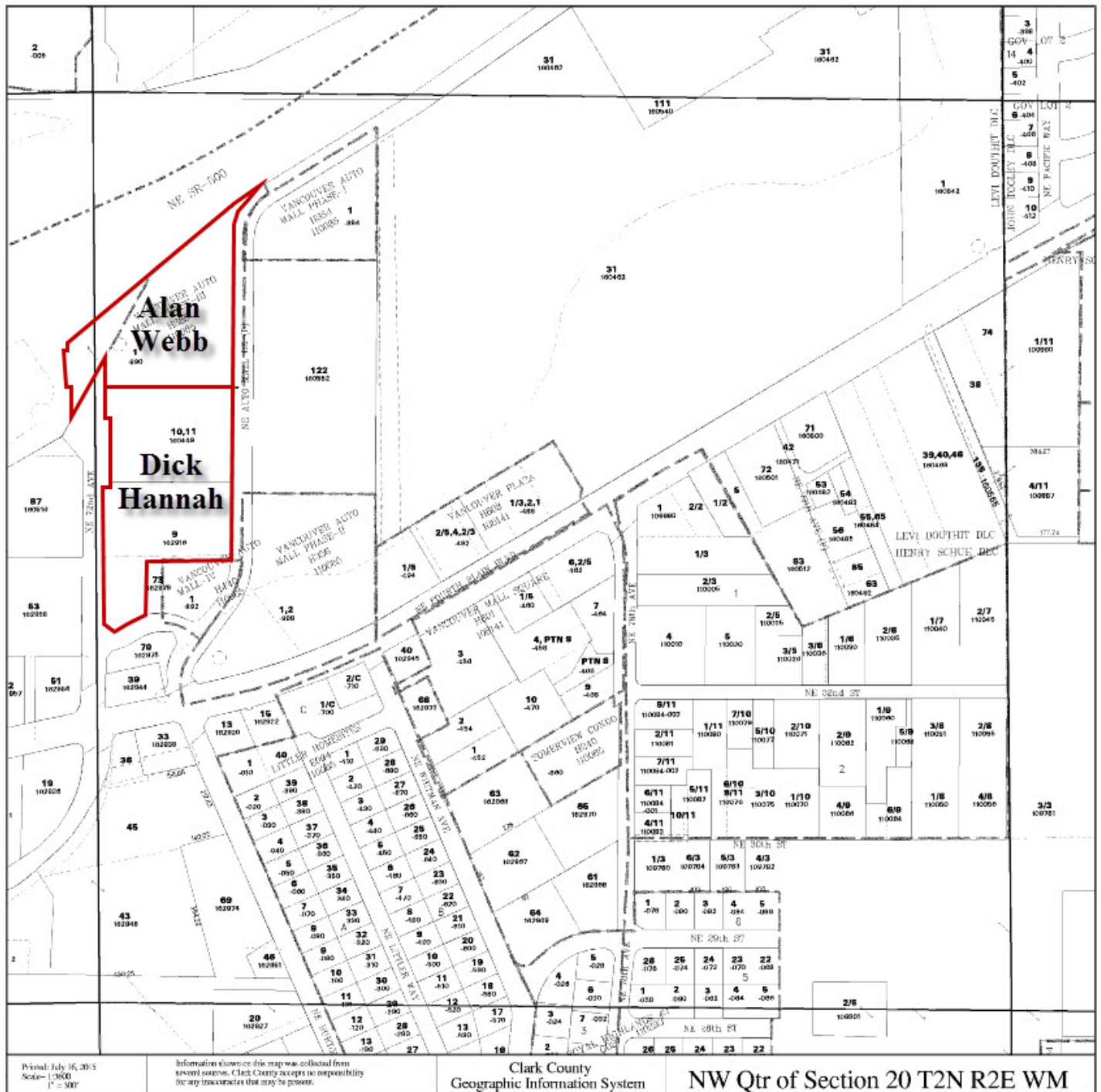
Plat Maps

NE Quarter of Section 19 T2N R2E WM



Plat Maps (continued)

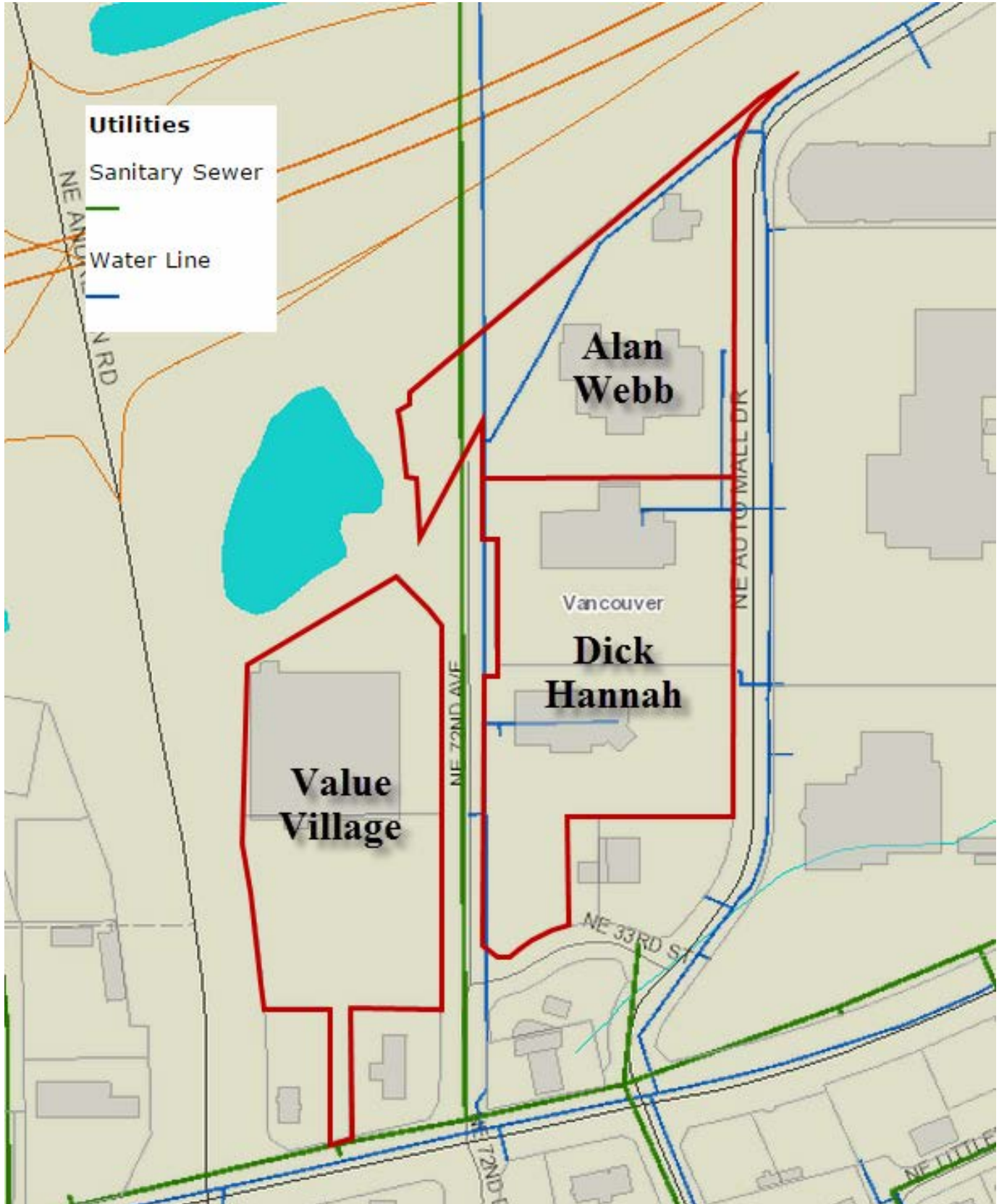
NE Quarter of Section 20 T2N R2E WM



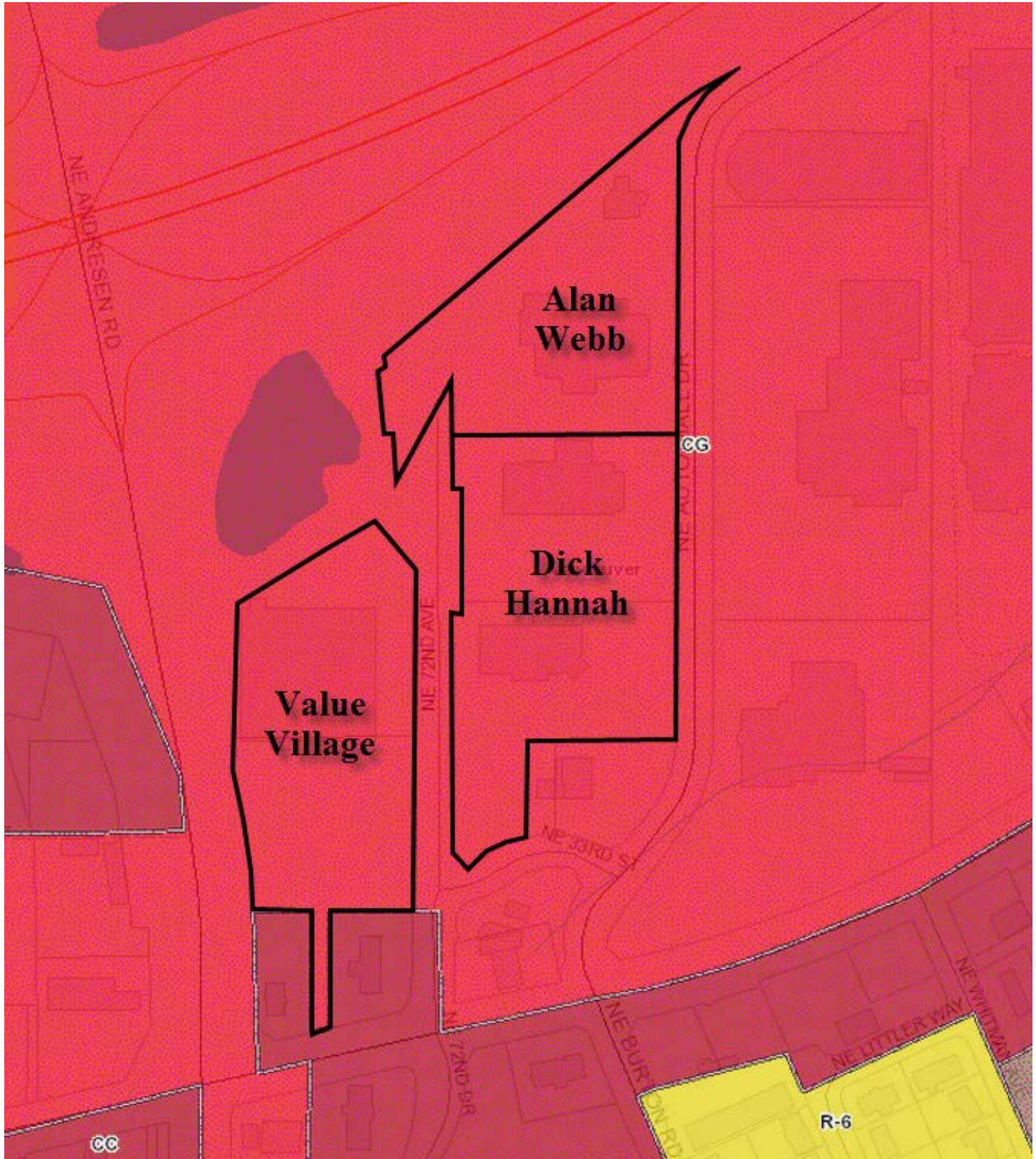
Aerial Photograph



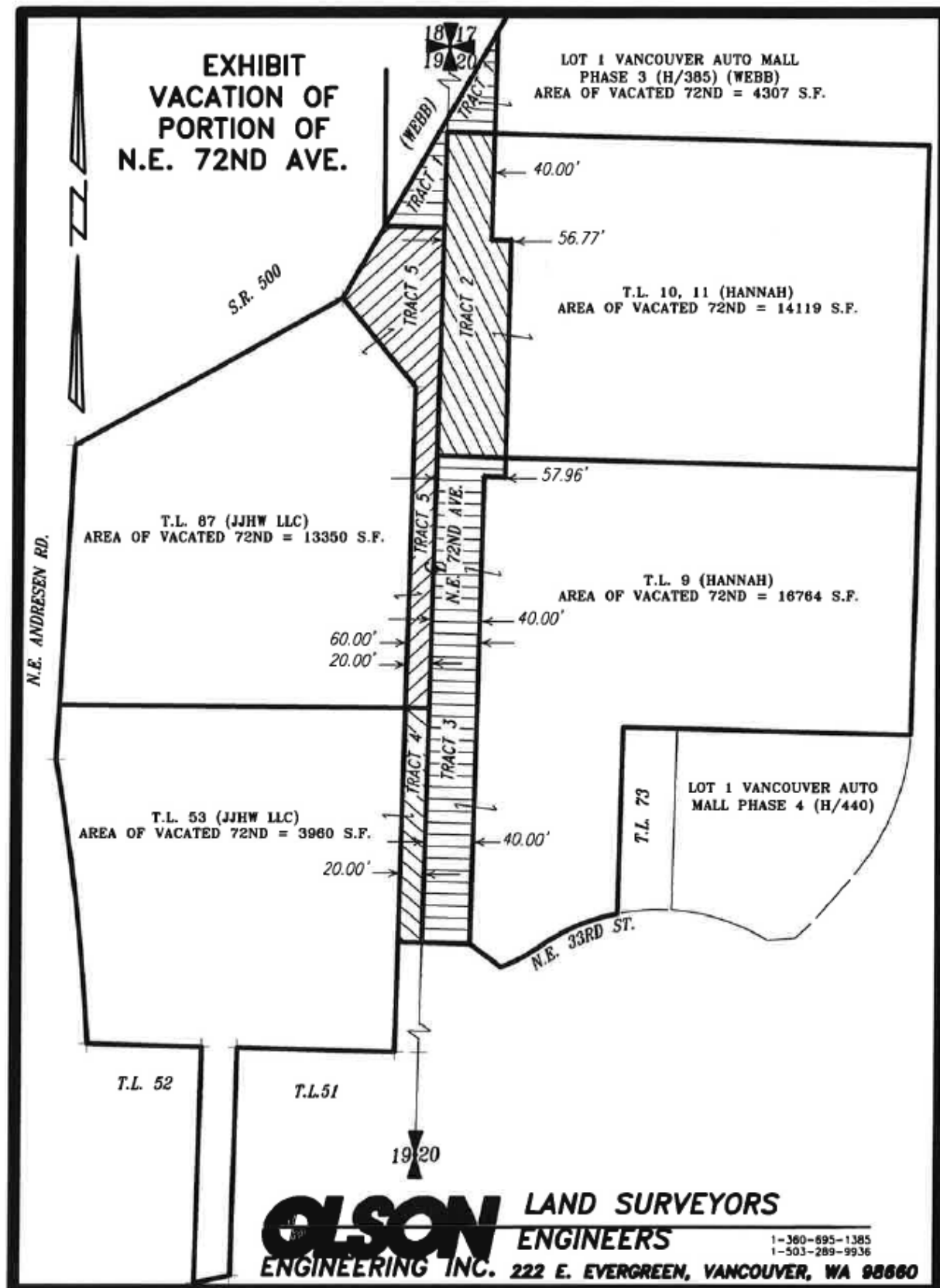
Utilities Map



Zoning Map



Map of Street Vacation



Zoning Information- Clark County

The current zoning for the subject property and surrounding properties is summarized below. The subject site is zoned General Commercial (CG) under the jurisdiction of the City of Vancouver.

Summary of Zoning	
Jurisdiction	City of Vancouver
Name of Zone	General Commercial (CG)
Permitted Uses	Commercial, residential only above ground floor. Most intensive commercial zone and permits a wide range of uses.
Current Use	Vehicle dealership, retail store
Legally Permitted	Yes
Minimum Yard Setbacks	0-10 feet
Minimum Lot Area	None
Maximum Building Height	None
Parking Ratio	Varies depending on use

Assessment and Tax Information

Property tax is administered by local governments. County assessors value and assess the tax and county treasurers collect it. The properties' assessed values are determined by an appraiser in the assessor's office who values the properties annually with an effective date of January 1st, which becomes effective in the following year. Taxes are calculated by applying the current tax levy millage rate per \$1,000 of assessed value to the current assessed values.

The assessed values and property taxes of the properties adjoining the subject's street vacation for the current year are summarized in the following table.

TAX INFORMATION (2015 TAX YEAR)

Parcel	Land Value	Building Value	Total Market Value	Total Taxable Value	Taxes	Millage Rate
160516000	\$757,900	\$1,322,400	\$2,080,300	\$2,080,300	\$26,243	12.6132807705
162958000	\$797,100	\$0	\$797,100	\$797,100	\$10,058	12.6132807705
162916000	\$843,300	\$1,460,700	\$2,304,000	\$2,304,000	\$29,065	12.6132807705
160449000	\$777,100	\$2,180,400	\$2,957,500	\$2,957,500	\$37,308	12.6132807705
110085890	\$1,258,000	\$1,678,500	\$2,936,500	\$2,936,500	\$37,043	12.6132807705

Highest & Best Use and Market Analysis of Adjoining Properties

The concept of Highest & Best Use is an essential component of the appraisal process when estimating market value. Essentially, Highest & Best Use analysis identifies the most profitable, competitive use to which the property can be put. It is recognized that because of the similarities of the properties, the general highest and best use analysis applies to both parcels. It can be described as the foundation on which market value rests. The Appraisal of Real Estate defines Highest & Best Use as follows:

The reasonably probable and legal use of vacant land which is physically possible, appropriately supported, financially feasible, and that results in the highest value.

The Highest & Best Use of both land as though vacant and property as improved must meet four criteria:

- ◆ Legally permissible
- ◆ Physically possible
- ◆ Financially feasible
- ◆ Maximally productive

A use that meets each of the criteria above results in the most profitable use of the subject and is concluded as the Highest & Best Use. It is recognized that the subject property represents a street with a narrowly defined use. **However, in this analysis, because the subject property will be valued based on an Across-The-Fence Analysis, the focus of the highest and best use is commercial, the same use as the properties abutting the proposed street vacation and other properties in the general area. The subject's shape is too narrow for any independent development.** The subject's shape and other physical characteristics are discussed in more detail in the plottage/assemble discount section of the report.

Legal Considerations

The subject property is zoned General Commercial (CG) under the jurisdiction of the City of Vancouver. This is an intensive commercial zone and allows a wide range of commercial uses. Legal considerations support the development of the subject as commercial.

Physical Considerations

The subject site will be valued based on similar physical qualities/considerations. The parcels are level and served with utilities. They all also have similar exposure and access. Overall, physical considerations support a similar commercial use for the parcels.

Locational Considerations

Locational considerations have been discussed in the local area description section of this report. The subject's immediate location is impacted by surrounding commercial uses. All the surrounding properties are commercial, and indicate a commercial use for the subject.

Supply/Demand Considerations

The sites surrounding the subject are commercial with extensive improvements. However, based on a land analysis, they would compete with other similar commercial properties in Clark County. Based on the transactions utilized in this appraisal, there is demonstrated demand for the subject property. This is further supported in the immediate neighborhood by the recent purchase of the property to the west, Value Village, by Hannah. The subject would also compete with other properties in the immediate area, and to some degree with parcels in Salmon Creek (I-205/I-5) and northeast and east Vancouver and Clark County, including Brush Prairie and Camas. The immediate location is very marketable based on the more limited competitive supply.

Summary

Overall, based on the above considerations, and recognizing the Across-the-Fence analysis methodology, the highest and best use for the adjoining subject sites is generally for commercial development. Currently, demand conditions are strong for commercial development at this location. Generally, the sites' locational characteristics are conducive to a commercial use. However, the physical constraints on the subject street vacation (long, narrow parcel) would limit its only feasible use as plottage to the adjoining property owners.

Valuation Methods

The next portion of the appraisal process deals directly with the valuation of the subject property. The subject's larger adjoining parcels were previously described. The As-Is Market Value of the subjects' fee simple interest is estimated using the Sales Comparison Approach, which is recognized as the standard appraisal technique for commercial land.

In valuing street vacations, total reliance based on a direct comparison of corridor/street sales is not reliable due to the limited number of sales and varying physical, location, and market factors. However, one sale of a street vacation is discussed in the analysis of the plottage/discount adjustment later in the report.

In valuing corridor and street vacations, the preferred methodology is using an ATF or Across-The-Fence Valuation. ATF Value is defined by the Dictionary of Real Estate Appraisal 4th Edition as, "In the valuation of real estate corridors, the value concluded based on a comparison with adjacent lands before the consideration of any other adjustment factors. The ATF value accounts for location and market conditions. The ATF value is estimated by establishing a value estimate of adjoining land. The value for the subject is based on the ATF Value with the adjacent commercial zoned land, with consideration given to a Highest and Best Use of plottage to an adjacent property.

Ryan Lopossa, Senior Civil Engineer, indicated that the City of Vancouver requires the appraiser to estimate the value of the properties that adjoin the street vacation. This value was concluded at \$10.00 per square foot. The City then has the power/authority to discount or modify the price based on a number of factors. In this analysis, we have provided both the land value of the adjoining properties (ATF) and an estimated plottage discount. The City may want to provide an additional discount based on policy.

Sales Comparison Approach

The Sales Comparison Approach is based on the principle of substitution and states that no one would pay more for the subject property than the value of a similar property in the market. The value of the subject site is estimated by comparing it with sales of similar vacant land located in the subject's market area or in similar and nearby market areas. Land value is influenced by a number of factors; most prominent of which is development and use potential. This factor, as well as others, is considered in the following analysis.

Unit of Comparison

The land will be valued using a price per square foot, which is a common unit of comparison used in the local market when valuing commercial land.

Comparable Selection

We researched all closed land sales over the past three years, current pending sales, and active listings for commercially zoned parcels throughout the Clark County/Vancouver market that would be considered directly comparable as a competitive site. Emphasis was placed on date of sale, site size, zoning/entitlements, location, and development costs. The land sales actually used are considered the best available for analysis based on our research.

Adjustments

Dollar adjustments to the comparable sales were considered and made when warranted for transactional adjustments including property rights transferred, financing terms, conditions of sale, and market conditions. All of the sales were cash equivalent transactions. Most of the land sales closed in the past two years. No market conditions adjustment is made other than acknowledging an upward trend in land values in our final conclusion.

With respect to property adjustments made for location and physical characteristics such as size, shape, access, exposure, topography, and overall utility, we have used relative comparisons to analyze the comparable sales and concluded an as-is value for each of the larger parcels associated with the street vacations. Direct quantitative adjustments would be subjective and not supported given available data.

Presentation

The comparable land sales analyzed are summarized in the chart and location map on the following page. Aerial photos of each land sale are also provided, with a narrative conclusion of the as-is land value to follow. The Income Approach and Cost Approach are not typically used to value land when adequate comparable sales are available. There was good market data to estimate the value of the subject site using the Sales Comparison Approach.

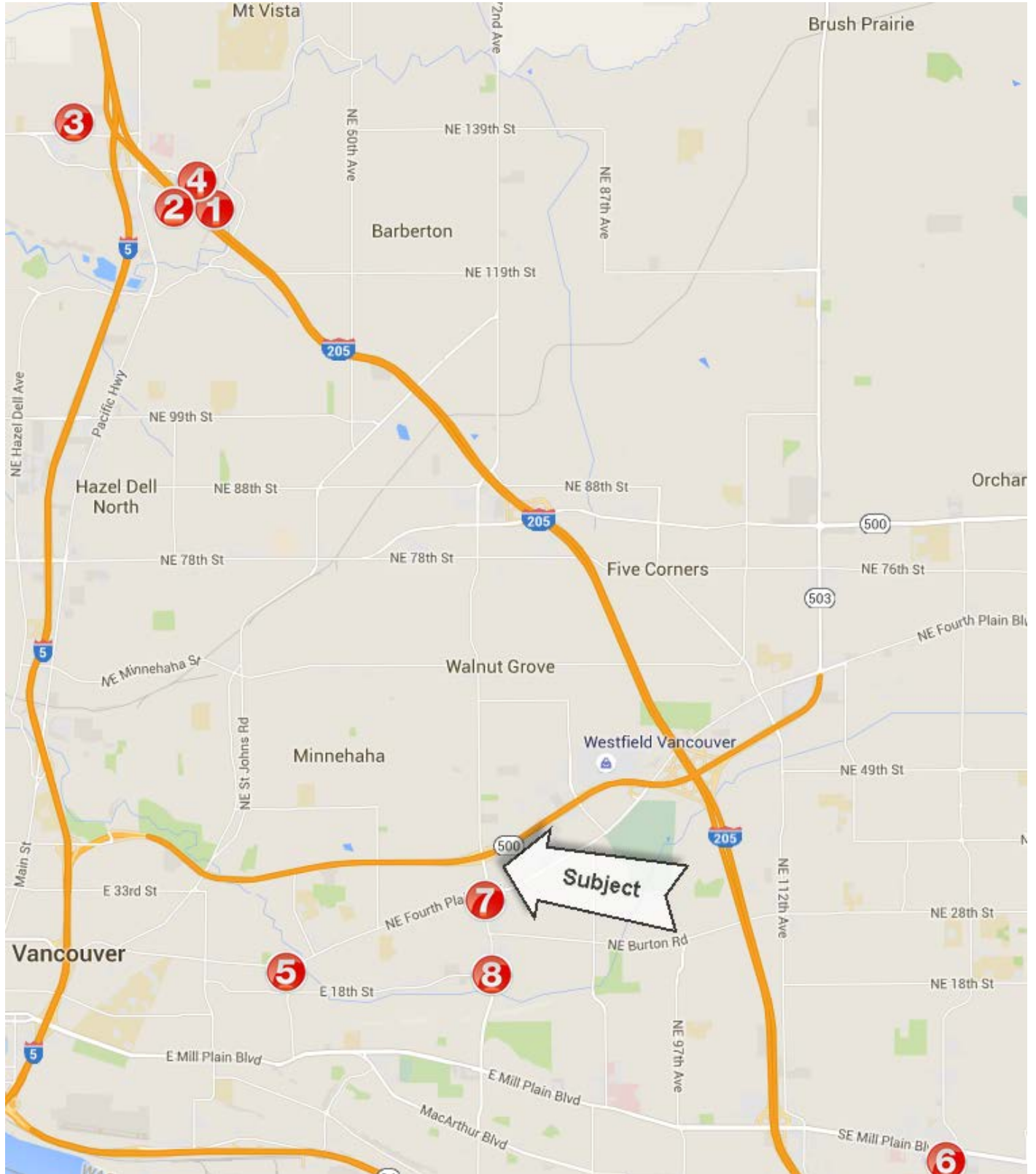
Land Sale Comparable Tabulation Chart

No.	Location	Sale Date	Sale Price	Zone	Size Acres	Size SF	Price/SF	Comments
1.	2711 NE 129 th Street Vancouver, WA Parcel 186385000	Pending	\$2,235,000	GC	10.43 (5-6 acres usable),	454,331 (261,350 usable)	\$8.50-\$10.00	This parcel is currently listed for sale. The listing broker, Eric Fuller, was interviewed regarding the pending sale. This property is pending at \$2,235,000, or approximately \$8.50 to \$10 per square foot, based on a potential range of usable area. There is uncertainty regarding the amount of usable area. The sellers allocated \$10.00 per square foot for the usable area based on five acres. The buyer anticipates six acres of usable area, reflecting a price of approximately \$8.50 per square foot.
	Parcel 186571000	Pending	\$1,250,000	GC	2.87	125,017	\$10.00	This is a triangular shaped parcel. Although Eric Fuller does not have this parcel listed, he indicated that there is a pending transaction on this parcel at \$1,250,000, reflecting a \$10.00 price per square foot. It is planned for a health care facility.
2.	Hamptons at Salmon Creek 2305 NE 129 th Street Vancouver, WA Parcel 186553000	9/12	\$812,500 \$187,500 \$1,000,000	GC	2.87	125,017	\$8.00	Level rectangular site located in a small mixed use PUD in the immediate Salmon Creek area. Site benefited from off-site storm and partial frontage improvements. Original price was adjusted down for extraordinary cost to install pilings due to prior illegal filling on site after logging. Adjusted price is per selling agent. Located about one block east of Highway 99, southwest of Safeway and close to the hospital. Location partially offset by secondary exposure and limited traffic counts. Purchased for construction of a 42- unit (69-bed) senior memory care housing facility.
3.	Salmon Creek Office Building 13910 NE 10 th Avenue Vancouver, WA Parcel 185421000	9/12	\$926,346	C-3	1.93	84,070	\$11.01	This was a former single family residence that at one point was going to be a Fred Meyer fueling station with a retail pad site. It was instead purchased by a developer and a multi-story medical office building was constructed. The broker had listed the pad site separately and in the end, the seller found the medical office buyer.
4.	Salmon Creek Walmart	11/07	\$6,778,423	CH	12.21	531,650	\$12.75	Walmart is still in the process of obtaining final approvals for development of the property, and was involved in the appeals process when the sale closed. The buyer had expended a significant amount of money in their plans for a store on this site. This transaction was negotiated prior to its closing in 2007. Although it is an older sale, it is utilized in this analysis because of its large size.
5.	6615 E Fourth Plain Blvd Vancouver, WA Parcel 161899015	2/13	\$465,000	CG	1.09	47,480	\$9.79	This is a 1.09 acre portion of 11899-015 and is located between the O-Reilly Auto Parts/former SSA office and Living Waters Church with access from NE 65 th Avenue, just south of the lighted intersection with NE Fourth Plain. The improved portion of the parcel is currently under contract. This is a good buildable commercial lot, but lacks exposure from Fourth Plain.
6.	13500 SE 7 th Street Vancouver, WA Parcel 110320000, 110330000	4/13	\$585,000	OCI	1.65	71,874	\$8.14	This property was purchased by a non-profit mental health agency to construct an office. The Children's Center will serve children, youth and families needing mental health services. The property was listed by a commercial broker and exposed to the market. The deal was intended to reflect an arm's length market deal. The site is reportedly all usable, with utilities to site and no environmental issues. It has secondary exposure, but is adjacent to a Safeway and Walgreens.

Land Sale Comparables Tabulation Chart (continued)

7.	Andresen and Fourth Plain Intersection Vancouver, WA 98661	8/15	\$884,980	CC	0.92	40,075	\$22.08	Sale of a prime corner zoned Community Commercial. It is the site of a former Shell gas station. The site is considered a pad with all utilities available. Traffic counts are 55,000 on Andresen and 44,000 on Fourth Plain Blvd. Developer anticipates improving it with two restaurant pads.
8.	Vacant Site NE 18 th Street and NE Andresen Rd Vancouver, WA 98661	Listing	\$840,047 listed	CG	2.03	88,427	\$9.50	Listing of two parcels totaling 2.03 acres, zoned General Commercial. It is just west of the corner of NE 18 th Street and Andresen, immediately west of the Arco station. This site has been listed for an extended period of time, although C-Tran has expressed an interest in purchasing the site.

Land Sale Comparables Location Map



Comparable Land Sale Analysis and Land Value Conclusion

The comparable land sales indicate an overall range is land value from \$8.00 to \$22.08 per square foot on an adjusted basis.

Comparable No. 1 (\$8.50/SF and \$10.00/SF) includes two separate adjoining parcels that are pending transactions and will be developed as one parcel with a health care facility. The large parcel to the east is listed with Eric Fuller. He was interviewed regarding the pending sale. This property is pending at \$2,235,000, or approximately \$8.50 to \$10 per square foot, based on a potential range of usable area. There is uncertainty regarding the amount of usable area. The sellers allocated \$10.00 per square foot for the usable area based on five acres. The buyer anticipates six acres of usable area, reflecting a price of approximately \$8.50 per square foot.

The second pending sale is a triangular shaped parcel to the west of the above discussed Comparable. Although Eric Fuller does not have this parcel listed, he indicated that there is a pending transaction on this parcel at \$1,250,000, reflecting a \$10.00 price per square foot. These two parcels are generally slightly low to good indicators of value to the subject because of their inferior exposure. They would not be conducive to a retail development.

Comparable No. 2 (\$8.00/SF) is a level rectangular site located in a small mixed use PUD in the immediate Salmon Creek area. Site benefited from off-site storm and partial frontage improvements. Original price was adjusted down for the extraordinary cost to install pilings due to prior illegal filling on site after logging. Adjusted price is per selling agent. The location is partially offset by secondary exposure and limited traffic counts. It was purchased for construction of a 42- unit (69-bed) senior memory care housing facility. Overall, Comparable 2 is a slightly low indicator of value for the subject.

Comparable No. 3 (\$11.01/SF) was a former single family residence that at one point was going to be a Fred Meyer fueling station with a retail pad site. It was instead purchased by a developer and a multi-story medical office building was constructed. The broker had listed the pad site separately and in the end, the seller found the medical office buyer. This comparable is a good indicator because of its good exposure and larger size.

Comparable No. 4 (\$12.75/SF) is proposed to be developed with a 2-level Walmart SuperCenter, with a parking structure to be located on the property. However, Walmart is still in the process of obtaining final approvals for development of the property, and was involved in the appeals process when the sale closed. The buyer has expended a significant amount of money in their plans for a store on this site. Access will be a full signalized access point from NE 134th Street and NE 27th Avenue, via NE Rockwell Drive. This transaction was negotiated prior to its closing in 2007. Although it is an older sale, it is utilized in this analysis because of its large size. Although economic conditions have improved since the recent recession, the comparable sold during very strong economic times.

Comparable No. 5 (\$9.79/SF) is a 1.09 acre portion of 11899-015 and is located between the O-Reilly Auto Parts/former SSA office and Living Waters Church with access from NE 65th Avenue, just south of the lighted intersection with NE Fourth Plain. The improved portion of the parcel is currently under contract. This is a good buildable commercial lot, but lacks exposure from Fourth Plain.

Valuation Methods (continued)

Comparable No. 6 (\$8.14/SF) was purchased by a non-profit mental health agency to construct an office. The Children's Center will serve children, youth and families needing mental health services. The property was listed by a commercial broker and exposed to the market. The deal was intended to reflect an arm's length market deal. The site is reportedly all usable, with utilities to the site and no environmental issues. It has secondary exposure, but is adjacent to a Safeway and Walgreens. Overall, it is a low indicator of value for the subject.

Comparable No. 7 (\$22.08/SF) is a sale of a prime corner zoned Community Commercial, just west of the subject property, at the southwest corner of NE Fourth Plain Blvd and NE Andresen Road. It sold in August 2015. It is the site of a former Shell gas station. The site is considered a pad with all utilities available. Traffic counts are 55,000 on Andresen and 44,000 on Fourth Plain Blvd. The developer anticipates improving it with two restaurant pads. It is considered an extreme high indicator of value to the subject because of its small size and superior exposure. It is included because of its close proximity and recent date of sale.

Comparable No. 8 (\$9.50/SF) is a listing of two parcels totaling 2.03 acres, zoned General Commercial. It is just west of the corner of NE 18th Street and Andresen, immediately west of the Arco station. This site has been listed for an extended period of time, although C-Tran has expressed an interest in purchasing the site. The current asking price is \$840,047, or \$9.50 per square foot. The broker indicated she felt it was overpriced. Although it is in close proximity to the subject, its location is considered inferior. This is somewhat offset because it is a listing.

Summary/Conclusion/Valuation of Street Vacation

Overall, based on the comparable land sales, they indicated a range of between \$8.00 and \$22.08 per square foot. Generally, the comparables indicated a more narrow range of \$8.00 and \$12.00 per square foot. The outlier is Comparable No. 7 at \$22.08 per square foot. As indicated, this is an extreme high indicator because it is a corner pad site superior to the subject.

After placing similar weight on the remaining sales, a value of \$10.00 per square foot is concluded, the middle of the range, utilizing an Across-the-Fence analysis. The property has strong exposure and location, but secondary access.

Applying this value to the area of the street vacation, before the plottage adjustment, the value is summarized as followed.

Parcel	Owner	SF	Value/SF	Value (rounded)
160516000	JJHW LLC/Value Village	13,350	\$10.00	\$133,350
162958000	JJHW LLC/Value Village	3,960	\$10.00	\$39,600
162916000	Hannah Mitsubishi Real Property LLC	16,764	\$10.00	\$167,640
160449000	Hannah VW Real Property LLC	14,119	\$10.00	\$141,190
110085890	Webb Real Estate LLC	4,307	\$10.00	\$43,070
Total				\$524,850

Plottage/Assemblage Discount

As earlier discussed, the highest and best use of the subject sites are for assemblage with an adjacent site. This limits the buyers of the subject sites to two potential buyers, the adjoining property owners. There may be a potential third buyer, a purchaser of both parcels, assuming assemblage is possible with the street vacation. Although the street vacation is important to a specific development, both parcels could be developed independently.

The determination of an appropriate discount is somewhat subjective with limited market data. Assemblage sales or sales of sites with limited access are unusual. One assemblage transaction of a site on NE 94th Avenue indicated a discount of 30%, based on information from the broker. This is considered a low discount because of the site's larger size and superior development potential. This sale took place in March of 2011.

Another assemblage sale took place in December of 2010 at SR 503 and NE 177th Street. This 13,504 square foot parcel indicated a price of \$12,000. It was not independently buildable and indicated a discount of 89%.

A residential transaction in August of 2007 in an older residential subdivision south of Burton Road at Cranbrook Drive and NE 21st Street indicated a discount of 95%. The parcel was purchased to allow a garage/shop to be built on his property.

A plottage parcel sold along Salmon Creek north of an existing single family home in 2004. The parcel was purchased by three adjoining property owners to expand their ownership. Based on a comparison of the price paid for the plottage area with the adjoining lot value, it indicated a discount of approximately 90%. This overstates the discount because of the different highest and best uses between the plottage parcel and the property it was acquired for.

Finally, there was a recent street vacation of NE Repass Road, west of NE Highway 99. This street was vacated and transferred from Clark County to The Kroger Company (Fred Meyer). The document is a Final Order of Vacation. The date of this document is June 24, 2014. This sale included 14,422 square feet and sold for \$30,305, including the real estate and all costs and expenses (\$2.10 per square foot). According to Pam Mason with Clark County, this represented an 85% discount of the value of the adjoining property. This was based on an appraisal completed by Integra Realty Resources and reviewed by Colliers Valuation. This sale was confirmed with Clark County Real Property Services.

Historically, discounts for similar sites have ranged from approximately 25 to 90 percent with the high end of the range reflective of residential lots with commercial and industrial sales in a more typical discount range of 40 to 80 percent. The range of discount typically depends on the utility of the site to the adjacent owner and the number of potential buyers for the property. It is recognized that some of the sales are older, however, as the relevant relationship is the discount percentage and not the per square foot value, they are relevant comparables for the subject's situation.

Based on the data above, a discount between 30% and 95% is generally supported, acknowledging the limited amount of information. A discount at the higher end of the range, 85%, is concluded for the subject property based on a limited number of buyers and the subject's small size and narrow shape limiting its ability to be independently developed. Also, it is

Valuation Methods (continued)

acknowledged that the City will retain an easement for utilities in the vacated street. This is specifically supported by the recent sale of a vacated street in Hazel Dell (85% discount). This would indicate the following values:

Parcel	Value before Plottage Adjustment	Plottage Adjustment	Value (rounded)
160516000	\$133,350	85%	\$20,000
162958000	\$39,600	85%	\$6,000
162916000	\$167,640	85%	\$25,000
160449000	\$141,190	85%	\$21,000
110085890	\$43,070	85%	\$6,000
Total			\$78,000

Certification of Appraisal

We certify that, to the best of our knowledge and belief:

- ◆ The statements of fact contained in this report are true and correct.
- ◆ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ◆ We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- ◆ David W. Groth, MAI, has not appraised the subject property in the past three years.
- ◆ Matt Call, MAI, real estate appraiser with Appraisal and Consulting Group, reviewed the report.
- ◆ We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- ◆ Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ◆ Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ◆ Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- ◆ David W. Groth, MAI, made a personal inspection of the property that is the subject of this report, and inspected the comparables. No one provided significant real property appraisal assistance to the persons signing this certification.
- ◆ The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- ◆ The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- ◆ As of the date of this report, I, David Groth, MAI, have completed the continuing education program of the Appraisal Institute.



David W. Groth, MAI
Certified General Real Estate Appraiser
State of Washington License No. 1100719
Email: David.Groth@acgrp LLC.com
Phone: 360.433.9315

Addenda

- ◆ Legal Description of Street Vacation
- ◆ Qualifications of Appraisers
- ◆ Qualifications of Appraisal & Consulting Group

LEGAL DESCRIPTION FOR HANNAH
N.E. 72nd Ave. Vacation

August 19, 2015

Parcels of property being a portion of the Henry Schuh and Levi Douthit Donation Land Claims, located in the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East of the Willamette Meridian, City of Vancouver, Clark County, Washington, more particularly described as follows:

TRACT 1

All that portion of Northeast 72nd Avenue Westerly of and adjacent to Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records and Easterly of and adjacent to that parcel of property as described in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 2183278, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 834.19 feet to a point on the Westerly extension of the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along said East line a distance of 86.39 to a point on the most Southeasterly line of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

THENCE South 29° 53' 47" West along the Southeasterly line of said Parcel 2 a distance of 189.83 feet to the most Southerly corner of said Parcel 2;

THENCE South 88° 28' 31" East a distance of 50.20 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE North 01° 31' 29" East along the West line of said Northwest Quarter a distance of 80.64 feet to the TRUE POINT OF BEGINNING.

TRACT 2

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 160449-000 as described in that deed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1107.63 feet to a point on the Westerly extension of the South line of that parcel of property conveyed to Hannah VW Real Property, LLC as recorded in Auditor's File No. 4099012, Clark County records and the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East along said extension a distance of 57.87 feet to the East line of Northeast 72nd Avenue;

THENCE along said East line of Northeast 72nd Avenue the following courses:

THENCE North 01° 10' 54" East a distance of 183.68 feet;

THENCE North 88° 49' 06" West a distance of 16.77 feet;

THENCE North 01° 31' 29" East a distance of 89.87 feet to a point on the South line of Lot 1 of the Plat of Vancouver Auto Mall, Phase 3 as recorded in Book "H" of Plats at Page 385, Clark County records;

THENCE North 88° 28' 31" West along the Westerly extension of said South line a distance of 40.00 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 273.45 feet to the TRUE POINT OF BEGINNING.

TRACT 3

All that portion of Northeast 72nd Avenue Westerly of and adjacent to that parcel of property listed as Serial No. 162916-000 as described in that deed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE South 88° 28' 31" East a distance of 40.00 feet to the East line of Northeast 72nd Avenue;

THENCE along the East line of said 72nd Avenue the following courses:

THENCE North 01° 31' 29" East a distance of 395.33;

THENCE South 88° 49' 06" East a distance of 17.96 feet;

THENCE North 01° 10' 54" East a distance of 16.32 feet to the North line of that parcel of property conveyed to Hannah Mitsubishi Real Property, LLC as recorded in Auditor's File No. 4099024, Clark County records;

THENCE North 88° 28' 31" West along the Westerly extension of the North line of said Hannah Mitsubishi parcel a distance of 57.87 feet to a point on the West line of said Northwest Quarter;

THENCE South 01° 31' 29" West along said West line a distance of 411.76 feet to the TRUE POINT OF BEGINNING.

TRACT 4

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 162958-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of said Northwest Quarter a distance of 1519.39 feet to the TRUE POINT OF BEGINNING;

THENCE North 88° 28' 31" West a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North 01° 31' 29" East along the West line of said Northeast 72nd Avenue a distance of 197.86 feet to the Northwest corner of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. G561258, Clark County records;

THENCE South 89° 30' 14" East along the North line of said Clark County parcel a distance of 20.00 feet to a point on the West line of said Northwest Quarter;

THENCE South $01^{\circ} 31' 29''$ West along the West line of said Northwest Quarter a distance of 198.22 feet to the TRUE POINT OF BEGINNING.

TRACT 5

All that portion of Northeast 72nd Avenue Easterly of and adjacent to that parcel of property listed as Serial No. 160516-000 as described in that deed to J.G. Vancouver, LLC as recorded in Auditor's File No. 3234873, Clark County records, described as follows:

COMMENCING at the Northwest corner of the Northwest Quarter of said Section 20;

THENCE South $01^{\circ} 31' 29''$ West along the West line of said Northwest Quarter a distance of 1321.17 feet to a point on the Easterly extension of the South line of that parcel of property as described in that deed to Gil Parker and Associates as recorded in Auditor's File No. G563181, Clark County records, and the TRUE POINT OF BEGINNING;

THENCE North $89^{\circ} 30' 14''$ West along the Easterly extension of said South line a distance of 20.00 feet to a point on the West line of Northeast 72nd Avenue;

THENCE North $01^{\circ} 31' 29''$ East along the West line of said Northeast 72nd Avenue a distance of 271.48 feet to the Southwesterly line of that parcel of property as described in that deed to Clark County as recorded in Auditor's File No. 8506100066, Clark County records;

THENCE North $39^{\circ} 16' 25''$ West along the Southwesterly line of said Clark County parcel a distance of 97.19 feet to the most Westerly corner of said Clark County parcel;

THENCE North $29^{\circ} 53' 47''$ East along the Northwesterly line of said Clark County parcel a distance of 70.06 feet to the most Southerly corner of that parcel of property as described as Parcel 2 in that deed to Webb Family Properties, L.L.C. as recorded in Auditor's File No. 3183278, Clark County records;

THENCE South 88° 28' 31" East a distance of 50.20 feet to a point on the West line of the Northwest Quarter of said Section 20;

THENCE South 01° 31' 29" West along the West line of the Northwest Quarter of said Section 20 a distance of 406.34 feet to the TRUE POINT OF BEGINNING.



8-20-2015

David W. Groth, MAI



Appraisal &
Consulting Group, LLC

EDUCATION AND QUALIFICATIONS

Bachelor of Arts, Economics, University of California at Los Angeles
M.S., Real Estate and Urban Land Economics, University of Wisconsin

EXPERIENCE

2012-2015 Appraisal & Consulting Group, LLC, Vancouver, Washington – Appraiser/Owner
2008-2012 Colliers International Valuation & Advisory Services, Vancouver, Washington – Senior Valuation Services Director
1978-2008 PGP Valuation Inc (formerly Palmer, Groth & Pietka), Vancouver, Washington – Real Estate Appraiser / Founding Owner/Manager/Commercial Appraiser – Co-managed an office of 12 professionals and appraised both urban and rural properties. Also, assisted in the training and review of three appraisers.
1976-1978 Charles Bailey and Associates, Portland Oregon – Real Estate Appraiser – Commercial appraiser involved primarily in urban properties including shopping centers, apartments, office buildings and warehouses.
1974-1975 Clark County Washington Assessor's Office, Vancouver, Washington – Real Estate Appraiser – Commercial and industrial appraiser. Presented contested cases to The Board of Equalization.
1973 The Jarvis Company, Portland, Oregon – Feasibility Analyst – Worked on a variety of feasibility studies for both private and government clients. Most of the properties were urban, but did include unique uses such as an aerial tram.

APPRAISAL INSTITUTE COURSES

Real Estate Appraisal Principals
Capitalization Theory and Techniques, Parts A&B
Case Studies in Real Estate Valuation
Standards of Professional Practice, Parts A&B
Rural Valuation
Public Interest vs. Market Value
Valuation 2000

Appraisal Standards Board and USPAP: What's New and What's Proposed
Real Estate Fraud – Appraisers' Responsibilities and Liabilities
Low-Income Housing Tax Credit Workshop
Oregon Society of Farm Managers and Rural Appraisers – Conservation Easements

PROFESSIONAL AFFILIATIONS & ACCREDITATIONS

Member of the Appraisal Institute, Certificate No. 6270
Former President – Oregon Chapter of the Appraisal Institute (2006)
Member / Associate Member – Oregon Society of Farm Mgrs. & Rural Appraisers

Former Member / Board of Directors – Columbia River Economic Development Council
Board of Directors – Identity Clark County
Board of Directors – Responsible Growth Forum

STATE CERTIFICATIONS

Oregon, State Certified General Appraiser, License No. C000293
Washington, State Certified General Real Estate Appraiser, License No. 1100719

STATE OF WASHINGTON

DEPARTMENT OF LICENSING – BUSINESS AND PROFESSIONS DIVISION

THIS CERTIFIES THAT THE PERSON NAMED HEREON IS AUTHORIZED, AS PROVIDED BY LAW, AS A



CERTIFIED GENERAL REAL ESTATE APPRAISER

DAVID WILLIAM GROTH
112 W ELEVENTH ST STE 100
VANCOUVER WA 98660

Cert/Lic No.

1100719

Issued Date

12/31/1991

Expiration Date

11/09/2015

Pat Kohler

Pat Kohler, Director

PL-630-159 (R/6/13)



Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required for renewal

David W Groth
Appraisal Consulting Group LLC
112 W 11th ST STE 250
Vancouver, WA 98660

License No.: C000293

Issue Date: December 1, 2013

Expiration Date: November 30, 2015

Gae Lynne Cooper

Gae Lynne Cooper, Interim Administrator



Appraisal & Consulting Group, LLC

Appraisal & Consulting Group, LLC, was formed in June 2012 to serve the appraisal needs of lenders, government agencies, investors, and property owners throughout the Pacific Northwest. With offices in Portland, Oregon, and Vancouver, Washington, our experienced appraisal team is:

“Ready, willing and able to serve you in a professional and timely manner.”

Don Palmer, David Groth, and David Pietka, each with 40+ years of experience, have brought together a group of highly experienced appraisers who will take full responsibility for inspections, gathering of information, analysis, and report preparation. Reports are prepared by experienced appraisers and all reports are reviewed for quality and accuracy by an MAI. All of the members have at least nine years' experience as licensed general real estate appraisers and hold licenses in Oregon and/or Washington. With thirteen members, our combined appraisal experience is over 275 years. Our appraisal experience covers all urban property types from single family to large multiple family complexes and from small retail properties to large motels, hotels, retail complexes, office buildings, and special purpose properties. In addition, we have appraisers specializing in rural and resource properties and commercial properties on the Oregon and Washington coast.

We look forward to serving you on a regular basis.

PORTLAND

1516 NE 37th Avenue, Suite 210
Portland, OR 97232

VANCOUVER

112 W 11th Street, Suite 250
Vancouver, WA 98660

(503) 281-6065 *fax*

www.acgvaluation.com

2018 Comprehensive Plan and zoning map and text changes

VANCOUVER
CITY HALL



December 3, 2018

Vancouver City Council Public Hearing
Bryan Snodgrass, Principal Planner, Community
and Economic Development Department

Presentation overview

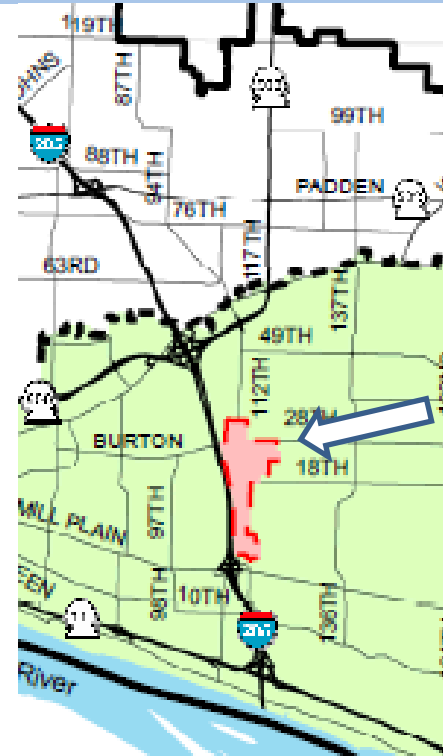
- Staff review of four separate ordinances covering 2018 Comprehensive Plan and zone map and text change proposals.
- Council questions, applicant and public testimony, Council deliberation and decision on each ordinance.

1. Four Seasons Residential - CC and MX to R-22 and R-18



Four Seasons Residential - background

- Located in 112th Avenue Subarea Plan. Well served by roads, transit, supermarket, restaurants, park and school.
- Approximately 1500 daily trips under proposed residential zoning vs 2500-7500 trips under existing commercial.
- Approximately 11 students generated at over-capacity Cascade Middle School, but also approximately \$930,000 in SIF.



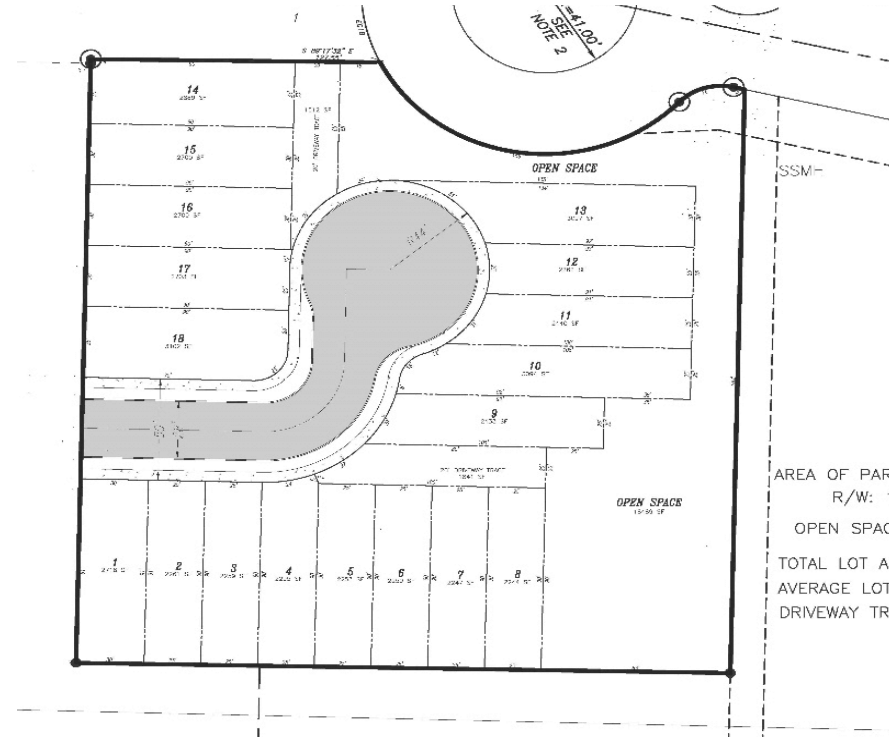
Four Seasons concept - 153 SFR lots, 1500 -2500 s.f

- Development Agreement proposed to ensure consistency with City standards, and address concerns raised by small lot proposal.



Four Seasons – Planning Commission review

- Proposal compatible and complimentary with surroundings, and likely to result in relatively less expensive workforce housing.
- D.A. condition added based on testimony ensuring pedestrian access to site from properties immediately southwest.



Four Seasons Residential Map Change – Return to Council

- Questions
- Applicant and public testimony
- Deliberations
- Decision

Delta Plaza– Industrial/IL to Commercial /GC

- Remainder of larger site changed to GC in 2015.
- Current site proposed in 2017. Recommended by Planning Commission, but withdrawn at Council because property sale and boundary line adjustment between applicant and CPU not completed.



Delta Plaza Map Change – Return to Council

- Questions
- Applicant and public testimony
- Deliberations
- Decision

Plan/zone map corrections identified by staff (37)

- Thirty five park sites and one public works site proposed to change to a designations consistent with current use.
- One private homesite with split designations proposed to change to single family designation only.

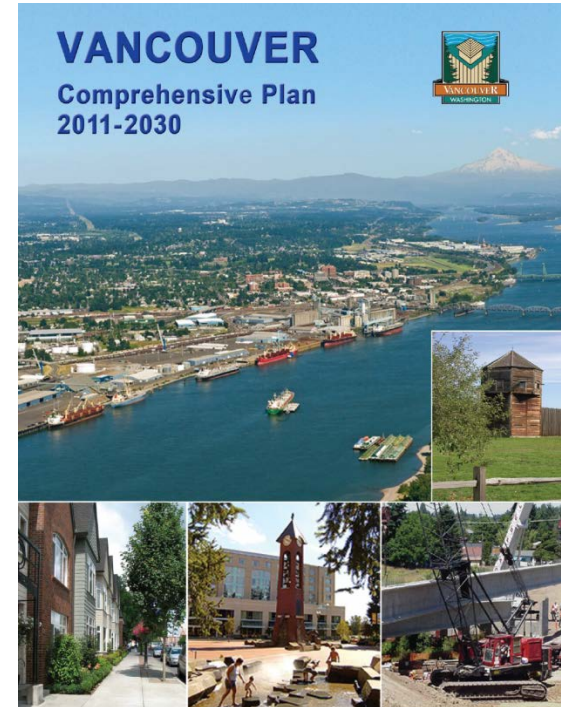


Map Corrections – Return to Council

- Questions
- Public testimony
- Deliberations
- Decision

Comprehensive Plan text changes (2)

- Addition of “community service facilities” to examples of General Government facilities in summary table
- Addition of “including parks acquisition and improvement of existing parks, and remodeling of the 2018 Grand Blvd. building.” to Appendix D discussion of REET funding



Zoning Code text changes (20)

- Three changes in code sections related to Planning Commission responsibilities and review criteria.
- Commission to continue reviewing all Comprehensive Plan map and text changes, and all zoning code text changes except fees.
- Some stand-alone zoning map changes shifted from Hearings Examiner to Planning Commission. Other changes to generally consolidate, and eliminate superfluous provisions.

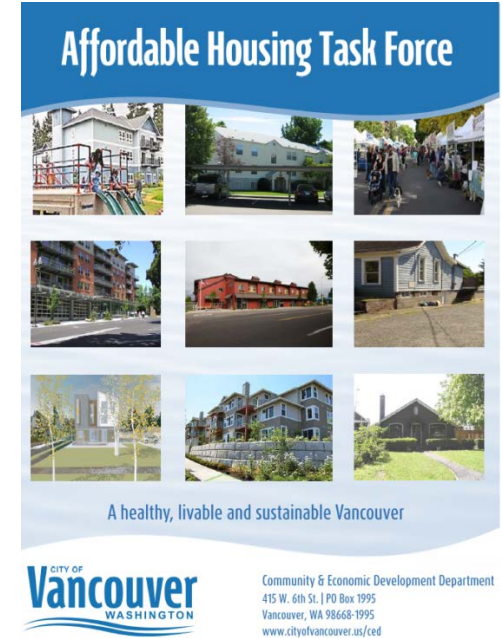
Zoning Code text changes (cont.)

- Sixteen changes in other sections primarily to reflect updated submittal requirements for various applications.
- Three advance written comments on subdivision applications. Proposal changed to require surveyor preparation of existing conditions plans only, and no changes on as-built plans submittals. No testimony at hearing.



Zoning Code text changes (cont.)

- One amendment to allow affordable housing in most commercial zones without ground floor retail, as recommended by AHTF.
- Projects would have to meet state Low Income Housing Tax Credit standards, and locate within 1000 feet of high capacity transit.
- Current code allows market rate housing in commercial zones with first floor retail.



Text Changes – Return to Council

- Questions
- Public testimony
- Deliberations
- Decision

Questions and discussion

- Bryan Snodgrass, Principal Planner, Community and Economic Development Department
- bryan.snodgrass@cityofvancouver.us, 360-487-7946



Staff Report 180-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/3/2018
12/3/2018

SUBJECT Comprehensive Plan, Zoning Map and Text Changes

Key Points

- Changes consist of:
 - Two privately requested Comprehensive Plan and zoning map changes;
 - Thirty-seven staff-identified Comprehensive Plan and zoning map corrections, primarily to park sites so that map designations reflect the properties' current usage;
 - Two related Comprehensive Plan text changes to reflect current capital projects for purposes of allocation of REET funds;
 - Twenty zoning code text changes.
- All changes were unanimously recommended by the Planning Commission. Testimony was offered on only two.

Strategic Plan Alignment

N/A

Present Situation

The Four Seasons Residential map change proposal is from Community Commercial (CC) and Mixed Use (MX) zoning to R-22 and R-18 on approximately 11 acres near the intersection of NE 112th Avenue and 28th Street. A Development Agreement (DA) is included to ensure future development complies with applicable standards and addresses issues raised by the very small single family lot development envisioned. Neighbors to the southwest testified with concerns that future development would block their direct access to nearby commercial uses. A condition was added to the DA ensuring pedestrian access through the southwest portion of the site. See pages 1 and 4-6 of November 5 City Council work shop memorandum.

The second private map change request, Delta Management, is for a Light Industrial (IL) to General Commercial (GC) zone change on 0.3 acres on the south side of Columbia House Blvd near Grand Avenue. The proposal site is surrounded on three sides by undeveloped industrially-zoned property already owned by the applicant. See pages 2 and 7 of the November 5

memorandum.

The 37 staff-identified map corrections are addressed in page 8 of the memorandum. The Comprehensive Plan text changes are addressed on page 9.

The 20 zoning code text changes are primarily updates to reflect application submittal changes, and to other code corrections and updates. See pages 3 and 11-34. Advance written testimony was submitted for one change, regarding requirements for subdivision applications. Staff modified the proposal before the Planning Commission hearing to require surveyor preparation of existing conditions plans only, and to make no changes regarding as-built plans submittals. No testimony was offered at the hearing.

Two of the zoning text changes drew no testimony but have modest policy implications: First, a proposed change would allow affordable housing projects in most commercial zones under limited circumstances without providing first floor retail as currently required. Second, an update to review criteria for map and text changes would shift some initial recommendation authority between the Planning Commission and Hearings Examiner, although final decisions would continue to rest with the City Council.

Advantage(s)

1. The proposed Four Season Residential map change would likely result in relatively less expensive workforce housing at a site near 112th Avenue and 28th Street well suited to high densities.
2. The proposed map corrections would bring Comprehensive Plan and zoning designations into consistency with property use.
3. Proposed Comprehensive Plan text change would reflect current projects for purposes of REET fund allocations.
4. Most of the proposed code changes update outdated standards. A change allowing affordable housing projects in commercial zones without first floor retail implements a specific recommendation of the Affordable Housing Task Force.

Disadvantage(s)

1. The Four Seasons Residential rezone would foreclose possible future high wage employment or apartment development, although the mid-term market viability of either appears limited.
2. The proposed code change allowing affordable housing in commercial zones may add some pressure on commercial land supplies, but applicability requirements in the code change will limit likely impacts.

Budget Impact

No direct impacts

Prior Council Review

- A City Council workshop on all items was held on November 5, 2018.
- Code change allowing affordable housing in commercial zones was further discussed under

City Manager Communications on Nov. 19, 2018.

- One item, the Delta Plaza rezone, was originally submitted in 2017 and withdrawn during Council review because purchase of the property and an associated Boundary Line Adjustment had not been finalized.

Action Requested

On Monday, December 3, 2018, subject to second reading and public hearing, approve ordinances.

Bryan Snodgrass, Principal Planner, 487-7946

ATTACHMENTS:

- ▢ Ordinance - Four Seasons Residential Map Amendment and Development Agreement
- ▢ Ordinance - Delta Management Map Amendment
- ▢ Ordinance - City-Sponsored Map Corrections
- ▢ Ordinance - Comprehensive Plan and Zoning Code Text Amendments
- ▢ Memo - November 5 Council Memorandum with Planning Commission staff reports and minutes

ATTACHMENT A - ORDINANCE – Four Seasons Residential Comprehensive Plan and zoning map change and Development Agreement

11/26/18

12/03/18

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for certain properties, authorizing the City Manager to enter into a Development Agreement governing future development of the property, providing for severability, and providing for an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, an application for a property-specific changes to Comprehensive Plan and zoning map designations was submitted to the City of Vancouver pursuant to the Annual Review program; and

WHEREAS, in reviewing the application, City staff supported the proposed changes but determined that a Development Agreement, attached hereto as Exhibit A, was warranted to ensure future development complied with all applicable standards and addressed concerns raised by the type of future development envisioned; and

WHEREAS, the Vancouver Planning Commission reviewed the proposed map designation changes and Development Agreement at a duly advertised work session on August 28, 2018, and public hearing on September 25, 2018, and, in consideration of cumulative impacts of all the proposed Comprehensive Plan changes, voted unanimously to recommend approval of the Comprehensive Plan and zoning map and text amendments and Development Agreement described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 5

ORDINANCE - 1

2018, first reading on November 26, a public hearing on December 3, following which the Council wishes to adopt the Planning Commission recommendations for approval; and

WHEREAS, the cumulative environmental impacts of the proposed Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. A Notice of Determination of Non-significance (DNS) was issued on August 13, 2018 for the proposed Comprehensive Plan and zoning text and map changes, and no SEPA comments or appeals were received; and

WHEREAS, the City Council finds and concludes that the proposed changes are consistent with all relevant criteria for Comprehensive Plan and Zoning Plan Map and Text Amendments (VMC 20.60 and 20.285) and consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW; and

WHEREAS, the City Council finds the proposed Development Agreement is consistent with development regulations and will ensure future development complies with all applicable standards and addresses concerns raised by the type of future development envisioned.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the September 25, 2018 public hearing, are hereby adopted as the City Council's findings of fact; and

Section 2. Comprehensive Plan Map Amendments. The Vancouver Comprehensive Plan Land Use Map, established as part of the Vancouver Comprehensive Plan 2011-2030, adopted through Ordinance M-3994, is amended to change the Comprehensive Plan Land Use Map designation on Clark County Assessor tax lots 162742034, 16742026, 162742028, 162742030, 162742032, 162742014, and 162742012 from Commercial to Urban High Density.

ORDINANCE - 2

Section 3. Zoning Code Map Amendments. The City of Vancouver Zoning Map established under VMC 20.130.020 is hereby amended to change the zoning map designation from Community Commercial to R-22 on Clark County Assessor tax lots 162742034, 16742026, 162742028, 162742030, 162742032, 162742014, which are located southwest of the intersection of NE 28th Street and NE Four Seasons Lane; and from Mixed Use to R-18 on tax lot 162742012, which is located southwest of the intersection of NE Angelo Drive and NE 114th Avenue.

Section 4. Development Agreement. The Development Agreement, attached hereto as Exhibit A, is approved and the City Manager is authorized to execute the Agreement.

Section 5. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. Effective Date. This ordinance shall go into effect 30 days after adoption

Section 6. Instruction to City Clerk. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018

Anne McEnery Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

ORDINANCE - 4

SUMMARY

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for certain properties, and authorizing the City Manager to enter into a Development Agreement governing future development of the property; and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

DEVELOPMENT AGREEMENT

EFFECTIVE DATE: _____, 2018

PARTIES: Ginn Development LLC
7223 NE Hazel Dell Ave.
Vancouver, WA 98665
Hereinafter: "GINN"

City of Vancouver
P.O. Box 1995
Vancouver, WA 98668-1995
Hereinafter: "CITY"

RECITALS:

Pursuant to City of Vancouver LUP-69300, "GINN" has requested Comprehensive Plan and zoning map designation changes from Commercial and CC to Urban High Density/R-22 on tax lots 162742034, 16742026, 162742028, 162742030, 162742032, 162742014, located southwest of the intersection of NE 28th Street and NE Four Seasons Lane; and from Commercial and MX to Urban High Density/R-18 on tax lot 162742012, located southwest of the intersection of NE Angelo Drive and NE 114th Avenue.

NOW THEREFORE, The Parties agree as follows:

1. **Recital.** The recitals are hereby incorporated into the Parties Agreement and shall bind the Parties as to the terms of this Agreement.
2. **Purpose.** The purpose of this Development Agreement is to ensure that future development conforms with applicable provision of the Vancouver Comprehensive Plan, Vancouver Municipal Code Title 20, and the 112th Avenue Corridor Subarea Plan, and address issues raised during the Comprehensive Plan and zoning map change review.
3. **Term.** The initial term of this Development Agreement shall be for twenty (20) years from the effective date of this Agreement, which may be extended by mutual agreement between the Owner and the City and approved by the City Council in accordance with state law.
4. **Conditions.**
 - 4.1 Future Development Review.** Future development shall conform to any requirements of the development review process, which shall include but not be limited to the following:
 - a. A comprehensive parking study that examines public safety and mobility implications based on reasonable assumptions of residents or visitors use of garages, driveways, alleys or streets for parking. Based on the results of the parking study, the City may require the developer to provide additional parking spaces above current parking standards.
 - b. Compliance with applicable fire access requirements, including implications for any homes proposed for alley access only.
 - c. Compliance with transportation standards, including a traffic analysis demonstrating consistency with intersection performance and capacity standards, and revisions to the proposed street network if necessary to meet those standards.
 - d. Provisions to ensure home frontages are as envisioned in the applicant's concept plan and supporting materials submitted, particularly on 28th Street and the associated planter strip, plantings, and detached sidewalk.
 - e. Provisions to ensure compliance with applicable 112th Corridor Subarea Plan Design Guidelines, such as F.2 limitations on fence height to 36 inches as applied particularly to 28th Street, and internal pedestrian connections.
 - f. Options to facilitate variety and/or openings in any proposed extended and unbroken rows of housing, along 28th Street and within the development.

ORDINANCE - 6

g. If multi-family densities are proposed to be achieved through single family structures, design provisions shall be incorporated to achieve subarea plan building design guidelines overall intent of reducing scale and adding visual interest, particularly on 28th Street. Homes in the development should be comparable in terms of articulation and design quality to Four Seasons North Illustrative Concept materials submitted on July 25, 2018.

h. Provisions to facilitate tree retention consistent with the 112th Corridor Subarea Plan.

i. A requirement to record against the properties covenants, conditions and restrictions that will impose a design review process to ensure all landscaping and building on the proposed development complies with design restrictions and maintenance requirements set forth in the final land use decision approving development of the subject property and that will require future property owners to maintain all private common open areas through a Homeowners Association.

j. A requirement to ensure pedestrian access is provided from NE 25th Avenue envisioned in the southeastern portion of the rezone site to the NE Angelo Drive roundabout.

5. **Successors.** This Development Agreement and all of its provisions shall be binding on the Parties and any and all of their assigns and successors in interest for the Term set forth above.

6. **Enforcement.** This Development Agreement may be enforced by the City through any remedy provided by law or in equity.

7. **Severability.** If any provision of this Development Agreement, or the application of the provision to any person or circumstance, is declared invalid, then the rest of the agreement or the application of the provision to other persons or circumstances shall not be affected.

8. **Authority.** Those signatories who sign on behalf of a limited liability company are expressly vested by the governing documents of such limited liability company which they purport to represent with the authority to bind such limited liability company in the manner in which such signatories have purported to bind their principal herein.

9. **Controlling Law.** In the event of any litigation arising hereunder, or with respect hereto, the law of the State of Washington shall control, and all signatories hereto, do hereby submit themselves personally to the jurisdiction of the courts of the State of Washington, and do hereby agree that any action arising hereunder may be instituted in Clark County Superior Court, if the parties are served including anywhere not within the State of Washington, by any method authorized by Washington Law.

10. **Required Public Hearing.** This Development Agreement is authorized by a Resolution of the City Council of the City of Vancouver following a hearing as required by RCW 36.70B.170.

11. **Extensions of Time for Performance.** Notwithstanding anything to the contrary contained in this Agreement, neither party shall be deemed to be in default where delays and performance or failure to perform are due to war, insurrection, strike or other labor disturbances, walkouts, riots, floods, earthquakes, fires, casualties, acts of God, extended appeals by third parties or similar basis for excused performance which are not within the reasonable control of the party to be excused. Upon the request of either Party, an extension of time for such cause shall be granted in writing for the period of the forced delay, or longer, as may be mutually agreed upon.

12. **Vesting.** The Parties agree that the development of the Property and this Development Agreement vests as to the permitted use, land use ordinance, regulation, and development standards in effect in Title 20 VMC as of the earlier of the date of any fully complete land use application being processed for approval with this Development Agreement, or the date of the execution of this Development Agreement. "Vesting" shall mean that that the Property is entitled to be eligible to receive land use approval of development proposals ("implementing land use approval(s)") that are consistent therewith, in accordance with the zoning, development and land use ordinances in effected upon the date of the vesting of this Development Agreement without any such application being subject to changes in ordinance, regulation, and development standards and regulations that are enacted or implemented subsequent to the date of vesting of this Development Agreement. Further, if an implementing land use approval has become final (not appealed), which is at variance with such ordinance, regulation, and development standards and regulations with the agreement of the applicant(s), the ordinance, regulation, and development standards and

regulations manifested in such implementing land use approval(s) shall become vested under this Development Agreement. This Development Agreement and the development standards in, and terms of, this Development Agreement govern during the term of this Development Agreement and may not be subject to an amendment to a zoning ordinance, land use regulation, or development standard adopted after the effect date of this Development Agreement except with the agreement of the applicant or owner; provided that an applicant or owner of the Property may elect to waive vesting as to an ordinance, requirement, condition or standard and proceed under any ordinance, requirement, condition or standard more recently in effect by the City of Vancouver as allowed under VMC 20.250.040. This vesting shall continue beyond the term of this Development Agreement as to any fully complete implementing land use application in process or granted by the City during the term of this Development Agreement, for the normal term of approval of any such application or approval. Any permit or approval issued by the City, including any implementing land use approval, after the vesting of this Development Agreement must be consistent with this Development Agreement. Nothing contained herein shall preclude the City from exercising any and all rights it has under RCW 36.70B.170 to address issues of public health and safety.

13. **Exception to Vesting/Serious Threat to Public Health.** Nothing contained in this Development Agreement shall preclude the City from exercising any and all rights it has under RCW 36.70.170(4) to address issues of public health and safety.

14. **Construction.** This Development Agreement sets forth the entire agreement of the parties. This Agreement shall be construed as a whole. No amendment, change or modification of any provision of this Agreement shall be valid unless set forth in writing and signed by both parties. To the extent of any conflict with any City regulations which may otherwise govern the Property, the terms and conditions of this Development Agreement shall prevail.

15. **Binding Effect.** This Development Agreement, or a summary therefore, shall be recorded against the Property and shall run with the land subject only to the express conditions or limitations of this Agreement, and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties. Upon assignment of this Development Agreement or the conveyance of any parcel of the Property to which this agreement is applicable, the assignee/grantee shall be deemed to assume all rights, obligations and liabilities set forth in this Agreement as they relate to such parcel.

16. **Cooperation.** Each party shall take such action (including, but not limited to the execution, acknowledgement and delivery of documents) as may reasonably be requested by the other party for the implementation or continuing performance of this Development Agreement. In the event of any administrative, legal or equitable action or proceeding instituted by any person or party to this Agreement challenging the validity of any provision of this Agreement, or any subsequent action taken consistent with this Agreement, the parties shall cooperate in defending such action or proceeding to settlement or final judgment, including all appeals. Each party shall select its own legal counsel and retain such counsel at its own expense.

17. **Effective Date.** This Development Agreement will become effective on signature by the City of Vancouver and Ginn Development LLC or successor.

Development Agreement by ordinance after a public hearing.

DATED THIS ____ day of _____, 2018

[Signature page to follows]

CITY OF VANCOUVER:

By:

Eric J. Holmes, City Manager

Dated: _____

Attest:

_____,
City Clerk

STATE OF WASHINGTON)

: ss.)

County of Clark)

I certify that Eric J. Holmes appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the City Manager of the CITY OF VANCOUVER to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this ____ day of _____, 2018

NOTARY PUBLIC FOR WASHINGTON

My Commission Expires: _____

GINN DEVELOPMENT LLC:

By: Patrick Ginn, Owner

Dated: _____

STATE OF WASHINGTON)

: ss.)

County of Clark)

I certify that Patrick Ginn appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this ____ day of _____, 2018

NOTARY PUBLIC FOR WASHINGTON

My Commission Expires: _____

ATTACHMENT B - ORDINANCE – Delta Plaza Comprehensive Plan and zoning map change

11/26/18

12/03/18

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for a site specific property, providing for severability, and providing for an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, an application for a property-specific change to Comprehensive Plan and zoning map designations was submitted to the City of Vancouver pursuant to the Annual Review program; and

WHEREAS, the Vancouver Planning Commission reviewed the proposed map designation changes at a duly advertised public hearing on October 10, 2017, and voted unanimously to recommend approval of the Comprehensive Plan and zoning map amendment described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 5 2018, first reading on November 26, and a public hearing on December 3, and in consideration of cumulative impacts of all the proposed Comprehensive Plan changes, wish to adopt the Planning Commission recommendations for approval; and

WHEREAS, the cumulative environmental impacts of the proposed Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determination of Non-significance (DNS) were issued on September 8, 2017 for the proposed Comprehensive Plan and zoning map changes, and no SEPA comments or appeals were received; and

ORDINANCE - 1

WHEREAS, the City Council believes that the adopted Comprehensive Plan Map and Land Use and Development Code requires revision in order to allow for re-designation of the subject property to recognize changing circumstances; and

WHEREAS, the City Council finds and concludes that the proposed changes are consistent with all relevant criteria for Comprehensive Plan and Zoning Plan Map and Text Amendments (VMC 20.60 and 20.285) and consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the October 10, 2017 public hearing, are hereby adopted as the City Council's findings of fact; and

Section 2. Comprehensive Plan and Zoning Code Map Designation Amendments The Vancouver Comprehensive Plan Land Use Map designations established by the Vancouver Comprehensive Plan 2011-2030, adopted through Ordinance M-3994, and the City of Vancouver Zoning Map established under VMC 20.130.020 are amended to change Comprehensive Plan Land Use Map designation from Industrial to Commercial and the VMC Title 20 zoning map designation from Light Industrial to General Commercial on a 0.3 acre parcel east of the intersection of Grove St and Columbia House Blvd, which is assigned Clark County Assessor parcel number 31041000.

Section 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part

ORDINANCE - 2

of this law are hereby declared to be severable.

Section 4. Effective Date. This ordinance shall go into effect 30 days after adoption

Section 5. Instruction to City Clerk. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018

Anne McEnerny Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

ORDINANCE - 3

SUMMARY

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for one property, providing for severability, and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

ATTACHMENT C - ORDINANCE – City-identified Comprehensive Plan and zoning map changes

11/26/18

12/03/18

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for 37 site specific properties, providing for severability, and providing for an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, in 2018 City staff identified 37 properties in which Comprehensive Plan or zoning designations were inconsistent with the their current and envisioned future uses. Thirty six of these properties are publicly owned and intended for continued recreational or public facility usage, but include residential, commercial, or industrial Comprehensive Plan or zoning designations. One property is a private single-family home, but includes both multi-family and single family designations effectively splitting the parcel; and

WHEREAS, the Vancouver Planning Commission reviewed the proposed map designation changes at a duly advertised work session on August 28, 2018, and public hearing on September 25, 2018, and voted unanimously to recommend approval of the Comprehensive Plan and zoning map amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 5 2018, first reading on November 26, a public hearing on December 3, and in consideration of cumulative impacts of all the proposed Comprehensive Plan changes, wishes to adopt the Planning Commission recommendations for approval; and

WHEREAS, the cumulative environmental impacts of the proposed Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determination of Non-significance (DNS) were issued on August 13th and 20rd, 2018 for the proposed Comprehensive Plan and zoning map changes, and no SEPA comments or appeals were received; and

WHEREAS, the City Council believes that the adopted Comprehensive Plan Map and Land Use and

ORDINANCE - 1

Development Code requires revision in order to allow for redesignation of individual properties to recognize changing circumstances as appropriate, streamline certain review procedures, implement new policies, and to correct minor inconsistencies and omissions; and

WHEREAS, the City Council finds and concludes that the proposed changes are consistent with all relevant criteria for Comprehensive Plan and Zoning Plan Map and Text Amendments (VMC 20.60 and 20.285) and consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the September 25, 2018 public hearing, are hereby adopted as the City Council's findings of fact; and

Section 2. Comprehensive Plan and Zoning Code Map Designation Amendments. The Vancouver Comprehensive Plan Land Use Map designations, and Figure 1-6 of the Vancouver Comprehensive Plan 2011-2030, adopted through Ordinance M-3994, and the City of Vancouver Zoning Map established under VMC 20.130.020, are amended as follows:

Park Sites					
Name	Clark County Assessor Parcel Identification Number	Previous Zoning Map Designation	Previous Comp. Plan Designation	Current Zoning Map Designation as Amended	Current Comp. Plan Designation as Amended
Bagley	30790354, 30790355	R18	PF	P	OS
Behrens Woods	91800000, 91810000, 91820000	Park	UL	P	OS
Brickyard	135000	R18	UH	P	OS
Burnt Bridge Creek Greenway	29374030, 100444000, 100448000, 151582000	R9	UL	GW	OS
Burnt Bridge Creek Greenway	29467000, 29467000	GW	P/OS/IND	GW	OS
Burnt Bridge Creek Greenway	37919100	R6	UL	GW	OS
Burnt Bridge Creek Greenway	163214000	GW/R9	P/OS/UL	GW	OS
Burnt Bridge Creek Greenway	986034260	GW/R18	P/OS/UH	GW	OS
Burton Ridge	163472000	Park	UL	NA	OS
Burton Ridge North	108491648, 108491650, 108491652, 108491654	R9	UL	P	OS
Diamond	163963054, 163963056	R9	UL	P	OS
East Biddle Lake	122591000	R4	UL	NA	OS
East Image	164126000	R9	UL	P	OS
Ellsworth Springs	112862000	R-22	UH	P	OS

ORDINANCE - 2

Endeavor	162659021	Park	UH	P	OS
Firstenburg Rec. Center	165180000	IL	IND	P	OS
Fisher Basin	177463000, 177487000	Park	UL	P	OS
Fisher's Creek	126838000	Park	UL	P	OS
General Anderson	37912533	R6	P/OS	P	OS
George & Hazel Stein	111011444, 165498000	R6	UL	P	OS
Gretchen Fraser	114790000	CC	UH	P	OS
Hanna Acres	177227190, 177227192	Park	UL	P	OS
Henry J Biddle Nature Preserve	112539062, 112539064, 112539066, 112539068, 112539070, 112539072, 112539074, 112539076, 112539078, 112539080, 112539082, 167414004	R4	UL	NA	OS
Kelley Meadows	105240000, 105522616	R9	UL	P	OS
Kevanna	159749002	R6	UL	P	OS
Lauren	163724000	Park	UL	P	OS
Marine	37910176	WX	COM	P	OS
Marine	37917211	Park/IL	PF/P/OS/IND	P/IL	OS/PF
Marine	502388000, 502389000	IH	IND	P	OS
Marine	503080000	IL	POS/IND	P	OS
Marine	503091000	NA/IL	P/OS/IND	P	OS
Marine	503110000	WX	COM	P	OS
Mims Marsh	122571000	R4	UL	NA	OS
North Image	109590000	R9	UL	P	OS
North Image	109720000	Park	UL	P	OS
Park Sites (Cont.)					
Orchards West	159568000	Park/R22	P/OS/UH	P	OS
Peter S Ogden	109785000	R6	PF	P	OS
Sam Brown	37912622	R6	UL	P	OS
Sam Brown	37912623	R6	UL	P	OS
Summers Walk	177017000	Park	UL	P	OS
The Downs	108805000, 108806000	R30	UH	P	OS
Tranquility	165408000, 165490000	Park	UL	NA	OS
Vancouver Lake Lowlands	147354000, 152595000	IL	IND	NA	OS
Vancouver Waterfront	986038098, 986038099	CX	COM	P	OS
Village Woods	126790000	R9	UL	NA	OS
Wildwood	114783534	R9	UL	P	OS
Public Facilities Site					
4205 E 5 th Street	37910108, 37910106	P/OS	IL	PF	IL
Private Homesite					
2409 Carlson Road	30239041	UL/UH	R-9/R-18	UL	R-9

Section 3. Instruction to City Planning Official. The planning official shall update the Comprehensive Plan Land Use Designation Map and the Zoning Map established under VMC Chapter 20.130 in accordance with this Ordinance.

Section 4. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order

or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. Effective Date. This ordinance shall go into effect 30 days after adoption.

Section 6. Instruction to City Clerk. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018

Anne McEnerny Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

SUMMARY

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designations for 37 properties, providing for severability, and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

**ATTACHMENT D - ORDINANCE – COMPREHENSIVE PLAN AND ZONING CODE
TEXT AMENDMENTS**

11/26/18

12/03/18

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Chapter 5 and Appendix D, and Vancouver Municipal Code 20.160, 20.210, 20.220, 20.270, 20.285, 20.310, 20.320, 20.410, 20.420, 20.430, 20.440, 20.450, 20.690, 20.885, 20.890, 20.895, 20.910, 20.945; providing for severability; and establishing an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, the City Council wishes to amend the Comprehensive Plan to recognize that the City's current and future capital projects include parks acquisition, improvement of existing parks, and remodeling of the 2018 Grand Boulevard building; and

WHEREAS, the adopted Land Use and Development Code under VMC Title 20 requires revision in order to allow for re-designation of individual properties to recognize changing circumstances, streamline certain review procedures, implement new policies, and to correct minor inconsistencies and omissions; and

WHEREAS, the Vancouver Planning Commission reviewed the proposed changes at duly advertised work sessions on June 26, August 28 and September 11, 2018, and duly advertised public hearings on July 24, August 28, September 11 and September 25, 2018, and at those hearings, in consideration of cumulative impacts of all the proposed Comprehensive Plan

ORDINANCE - 1

changes, voted to recommend approval of the Comprehensive Plan and zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 5 2018, a first reading of the proposed ordinance on November 26, and a public hearing on December 3, 2018, following which the Council agrees with the Planning Commission recommendations for approval; and

WHEREAS, the cumulative environmental impacts of the proposed Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determinations of Non-significance (DNS) were issued on August 13 and 20, 2018, for the proposed Comprehensive Plan and zoning text changes, and no SEPA comments or appeals were received; and

WHEREAS, the City Council finds and concludes that the proposed changes are consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the July 24, August 28, September 11 and September 25, 2018 public hearings, are adopted as the City Council's findings of fact; and

Section 2. Comprehensive Plan Text Changes.

A. The last row of Table 5-1, under Chapter 5 of the Vancouver Comprehensive Plan 2011-2030, adopted by Ordinance M-3994, is amended as follows:

General government	•City of Vancouver (Administrative Offices, Support Facilities; <u>community service facilities</u>) •Clark County (unincorporated urban area, urban correctional facilities, law enforcement and emergency response support services)*
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B. The section titled “Real Estate Excise Tax (REET),” on the first page, second column, of

Appendix D to the Vancouver Comprehensive Plan 2011-2030 is amended as follows:

Real Estate Excise Tax (REET). State statute authorizes the City to impose two taxes of ¼% each on the sale of real estate within the city limits. The proceeds of the tax must be used for capital purposes as allowed by State law and as directed by the City Council. The City has implemented both taxes. The proceeds from one ¼% REET are dedicated to the City’s pavement management program in Transportation. Proceeds from the other ¼ % REET from 2005 through 2009 were split between parks and recreation and transportation. A total of 70% of the proceeds was dedicated to parks and recreation, largely funding the debt service for bonds issues to remodel Marshall and build Firstenburg Community Centers and the remaining 30% was dedicated to funding neighborhood traffic safety projects. Beginning in 2009 this funding source continues to fund debt service on the two recreation community centers, but the remaining balance has been or will be allocated between funding the debt service on the Waterfront Access Project (20%), reduced in scope neighborhood traffic safety program, (6% of revenue) and, if any funds remain, parks capital programs, including parks acquisition and improvement of existing parks, and remodeling of the 2018 Grand Blvd. building.

Section 3. Zoning Code Text Changes.

A. VMC 20.160.020, which was adopted by Ordinance M-3643, and last amended by

Ordinance M-4187, is amended as follows:

20.160.020 Listing of Use Classifications.

A. *Residential use types.*

1. *Household Living.* Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping, and hygiene. Tenancy is longer than 30 calendar days. Household structures include single-family detached and attached dwellings; duplexes; multi-family dwellings; and modular and manufactured housing units. Most types of senior housing, (e.g.,

congregate care or assisted living) are considered to be household living if residents live in self-contained units, even if there are also shared facilities within the building. The maximum number of people who may reside in any given dwelling unit shall be determined by the City Adopted Building Code.

2. *Group Living.* Living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents. Larger group living facilities may also be characterized by shared facilities for eating, hygiene and/or recreation. Examples include nursing/convalescent homes, residential care homes or centers; single-room occupancy (SROs) facilities; sororities/fraternities and convents/monasteries. Tenancy is typically 30 days or more. Excludes detention and post-detention facilities (see 20.160.020(E)(5) VMC, Detention Facilities).

3. *Transitional Housing.* Public or non-profit living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents where tenancy is typically less than 30 days. Examples include: homeless shelters and drug/alcohol treatment facilities. Can include associated soup kitchens or other on-site food preparation and service. These uses are subject to the standards and review criteria of VMC 20.870, Human Service Facilities. Excludes private, for-profit-short-term housing (see 20.160.020(C)(1) VMC, Commercial Lodging); and detention and post-detention facilities (see 20.160.020(E)(5) VMC, Detention Facilities).

4. *Home Occupation.* Commercial, office or other economic activity wholly contained within the residence or accessory building within which it is located, and is clearly subordinate to the primary residential use.

5. *Medical Center Residential.* Extended stay facilities and medical center uses that typically occur in a residential setting, if approved through a Public Facilities Master Plan pursuant to VMC 20.268. Examples include extended stay housing for employees and patient families and midwifery practices that occur in a single-family residential scaled structure. Maximum occupancy and other parameters may be determined through the master plan review process.

B. *Civic use types.*

1. *Basic Utilities.* Unstaffed community infrastructure, including but not limited to water tanks, sewer pump stations, telephone exchanges, and electric power substations. Excludes facilities that include offices, service centers and/or material storage (See 20.160.020(C)(6) VMC, Office, and 20.160.020 (D)(1) VMC, Industrial Services).

2. *Colleges.* Institutions of higher education. Accessory uses may include classrooms, laboratories, theaters, auditoriums, libraries, dormitories, eating facilities, bookstores, other small-scale retail, general offices, and parking. Excludes private, profit-making trade, and vocational schools (see 20.160.020(C)(4)(b) VMC, Personal Services). Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

3. *Community Recreation.* Public, private, and non-profit recreational, social and multi-purpose facilities that are open to the public for free or fee (including membership fees). Examples include: community centers; senior centers; health/fitness clubs; indoor or outdoor tennis/racquetball and soccer clubs and other sports fields; indoor/outdoor swimming pools; boat launches; golf courses, and shooting ranges. Accessory uses include clubhouses, pro shops, offices, locker rooms, restaurants/delis/concession stands, child care facilities, rest rooms, maintenance facilities, and parking. Excludes such facilities when collocated in a public park (see 20.160.020(B)(9) VMC, Parks/Open Space); and certain types of indoor recreational facilities (see 20.160.020(C)(3)(b) VMC, Indoor Entertainment.)

4. *Cultural Institutions.* Public or non-profit cultural facilities including libraries, museums, historic sites, and galleries.

5. *Day Care.*

a. *Child Care.* As defined by the Revised Code of Washington (RCW) State Statute:

1. *Family Child Day Care Home.* A facility where a person regularly providing care during part of the twenty-four-hour day to twelve or fewer children in the family abode of the person or persons under whose direct care the children are placed.

2. *Child Care Center.* A person or agency that provides care for thirteen or more children during part of the twenty-four hour day.

b. *Adult Day Care.* Provision of daytime services, including respite, recreational, social and therapeutic activities, to disabled and/or elderly adults in a group setting. Categories include:

1. *Residential Adult Day Care.* Provision of adult day care services for six or fewer handicapped and/or elderly adults, with or without compensation, in the home of the provider.

2. *Institutional Adult Day Care.* Provision of adult day care services for seven or more handicapped and/or elderly adults either in a residential or institutional, e.g., nursing home, setting.

6. *Emergency Services.* Public safety facilities including police and fire stations, and emergency communications, but not including ambulance services.

7. *Human Service Facilities.* Any office, store, assembly place or facility, the general purpose of which is to provide human need services directly and at no or reduced cost to individuals who do not have the means, ability or opportunity to obtain such services themselves. Offices or clinics where medical, dental, psychological or other such essential human services are provided shall not be considered human service facilities unless low or no cost services are provided to more than 50% of patients or clients. Human Service Facilities that provide on-site food, shelter and/or sleeping accommodations or beds are contained in 20.160.020(A)(3) VMC Transitional Housing.

8. *Medical Centers.* Facilities providing inpatient, outpatient, emergency, and related ancillary services to the sick and infirm. Usually developed in campus setting. Accessory uses may include diagnostic and treatment facilities; laboratories; surgical suites; kitchen/food service facilities; laundry; housekeeping and maintenance facilities; administrative offices; and parking. Medical centers may also include free-standing offices for hospital-based and/or private-practice physicians and other allied health care professionals; these medical office buildings are regulated as offices. (see 20.160.020(C)(6)(b) VMC) Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

9. *Parks/Open Space.* Lands that are maintained in a natural state and/or developed that are designed for public active and passive recreation. Examples include parks, public squares, recreational trails and nature preserves. Does not include areas in active cultivation (see 20.160.020(E)(1), Agriculture/Horticulture); or cemeteries (20.160.020(E)(2) VMC, Cemeteries).

a. *Neighborhood parks.* Small parks usually no greater than five acres designed to serve the immediate neighborhood. Access is on foot or bicycle with little or no on-site parking provided. Accessory uses may include low-impact outdoor playing/practice fields (without associated parking), playgrounds, sports courts, picnic areas, educational/interpretive facilities, walking/jogging paths, rest rooms, and seating areas. May collocate with schools.

b. *Community parks.* Larger parks typically 15 acres or larger designed to serve a larger geographic area than a neighborhood park. Access is on foot and by bicycle, transit, and vehicle. May contain one or more Community Recreation uses as defined in 20.160.020(B)(3) VMC. Other accessory uses may include walking/jogging trails; picnic shelters; outdoor performance facilities; off-leash dog, bicycle, and skateboard parks; sports courts, community gardens; bicycle, pedestrian, and transit amenities; educational/interpretive facilities; viewpoints; concessions; rest rooms; caretaker and maintenance facilities; and parking. May collocate with schools.

c. *Regional parks.* Any park greater than 100 acres designed to serve regional needs. Accessory uses include any of the facilities found in neighborhood and community parks.

d. *Trails.* Publicly accessible walking, jogging or bike trails that extend beyond the boundaries of a single subdivision or development project. Accessory uses may include signage/maps; interpretive centers; viewpoints; and trailhead facility, restrooms, and parking. Does not include trails or portions of trails created as part of Neighborhood, Community and Regional Parks.

10. *Postal Service.* Refers to postal services and processing as traditionally operated by the U.S. Postal Service. Such facilities include customer sales, mail sorting, and fleet truck storage. Excludes profit-making parcel post or mail services (see 20.160.020(C)(4)(b) VMC, General Retail, Personal Services).

11. *Religious Institutions.* Permanent places of religious worship that may include related accessory uses that are clearly incidental and secondary to religious worship, congregation, and teaching such as administrative offices; child care centers/pre-schools; classrooms for religious instruction; auditoriums; social halls; rectories; and gymnasiums, playgrounds and other recreational facilities.

12. *Schools.* Public and private pre-school, kindergarten, elementary, middle, and high schools. Accessory uses include administrative offices; classrooms and laboratories; kitchen/cafeterias; auditoriums; gymnasium, swimming pools; playing fields and related indoor and outdoor physical education facilities; and storage and maintenance facilities. The programs and activities of other public and non-profit organizations including those associated with adult education, after-school care, recreation and social services may collocate in a school facility. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

13. *Social/Fraternal and Clubs/Lodges.* Non-profit organizations with social, philanthropic and/or recreational functions and activities.

14. *Transportation Facilities.* Bus, trolley, street car; light and heavy rail transit stops and stations; water taxi and ferry stations; and accessory bicycle parking. Excludes airports (see 20.160.020(E)(2) VMC, Airports/Airparks); public streets and sidewalks; and heavy and light rail maintenance/switching yards (see 20.160.020(D)(3) VMC, Railroad Yards); and heliports (see 20.160.020(E)(7) VMC, Heliports). Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

15. *Park & Ride Facilities.* Park & Ride facilities means parking facilities that serve motorists transferring to or from urban public transportation vehicles or private car-pool vehicles.

C. *Commercial use types.*

1. *Commercial Lodging.* Residential facilities such as hotels, motels, rooming houses and bed-and-breakfast establishments where tenancy is typically less than one month. May include accessory meeting, convention facilities, and restaurants/bars.

2. *Eating and Drinking Establishments.* Establishments that sell prepared food and beverages for consumption on site or take-away including restaurants, delicatessens, bars, taverns, brew pubs, and espresso bars.

3. *Entertainment-Oriented.*

a. *Adult Entertainment.* Facilities including adult motion picture theaters; adult video/book stores; and topless, bottomless, and nude dance halls which include materials and activities characterized or distinguished by an emphasis on matters depicting specified sexual activities or anatomical areas.

b. *Indoor Entertainment.* Commercial indoor facilities such as ~~skating rinks~~, bowling alleys, arcades, trampoline or bounce house facilities, shooting ranges, movie, and live performance theaters.

c. *Major Event Entertainment.* Facilities such as auditoriums, stadiums, arenas, amphitheaters, convention centers, and race tracks which provide athletic, cultural or entertainment events and exhibits for large groups generally exceeding 1,000 spectators.

4. *General Retail.*

a. *Sales-Oriented.* Establishments which provide consumer-oriented sales, leasing and rental of consumer, home and business goods including art; art supplies; bicycles; clothing; dry goods; electronic equipment; fabric; gifts; groceries; hardware; household products; jewelry; pets and pet products; pharmaceuticals; plant; printed materials; stationery; and videos. Excludes large-scale consumer products (see 20.160.020(C)(4)(d) VMC, Bulk Sales); and those sold primarily outdoors (see 20.160.020(C)(4)(e) VMC, Outdoor Sales).

b. *Personal Services.* Establishments which provide consumer services such as banks and credit unions; barber and beauty shops; automated teller machines (ATMs) and related automated vending facilities; pet grooming; laundromats and dry cleaners; copy centers; photographic studios; specialized instructional schools; trade/vocational schools; massage therapy; acupuncture; and mortuaries.

c. *Repair-Oriented.* Establishments which engage in the repair of consumer and business goods including television and radios; bicycles; clocks; jewelry; guns; small appliances and office equipment; tailors and seamstresses; shoe repair; locksmiths; and upholsterers.

d. *Bulk Sales.* Establishments which engage in the sales, leasing and rental of bulky items requiring extensive interior space for display including furniture, large appliances, and home improvement sales.

e. *Outdoor Sales.* Establishments that engage in sales requiring outdoor display and/or storage including lumberyards and nurseries.

5. *Motor Vehicle Related.*

a. *Motor Vehicle Sales/Rental.* Includes car, light and heavy truck, mobile home, boat and recreational vehicle sales, rental and service.

b. *Motor Vehicle Servicing/Repair.* Free-standing vehicle servicing and repair establishments including quick and general vehicle service, car washes and body shops not an accessory to new vehicle sales.

c. *Vehicle Fuel Sales.* Establishments engaging in the sale of gasoline, diesel fuel, and oil products for cars, trucks, recreational vehicles, and boats.

d. *Electric Vehicle (EV) Basic Charging Station.* A slow to medium level charging station for electric vehicles that is typically accessory to another use, such as single family residences, apartments, and businesses. Level 1 (120 volt AC) is considered slow charging. Level 2 (208 or 240 volt AC) is considered medium charging.

e. *Electric Vehicle (EV) Rapid Charging Station.* An industrial grade electrical outlet that allows for faster charging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. Such stations are also known as Level 3 facilities and are considered fast or rapid charging (480-volt AC), and are generally available to the public.

f. *Electric Vehicle (EV) Battery Exchange Station.* A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully-charged battery. Such exchange stations may use a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.27 RCW.

6. *Office.*

a. *General Office.* Government, business and professional offices that operate during typical weekday hours. Examples include local, regional, state, and federal offices and agencies; veterinary clinics; medical and dental laboratories; blood collection centers; offices for attorneys, architects, accountants, engineers, stockbrokers, real estate agents, mortgage bankers, insurance brokers, and other consultants; headquarters offices; sales offices; radio, and television studios. Also includes painting, landscaping, building and janitorial contractors where the indoor storage of materials and equipment are incidental to the office use. If this storage exceeds 50% of occupied space, such uses are classified as Industrial Services [see 20.160.020(D)(1) VMC]. Offices that are part of and are located within a firm in another use category are considered accessory to the firm's primary activity. Also excludes medical office and related facilities [see 20.160.020(C)(6)(b) VMC].

b. *Medical Office.* Offices for physicians, dentists, chiropractors, and allied health care professionals; free-standing outpatient health care facilities; urgency clinics; naturopathic, and homeopathic facilities; and home health organizations that provide on-site services to patients and that generally operate during typical peak weekday hours.

c. *Extended Office.* Offices that operate during non-traditional hours including evenings, nights, and weekends. Examples include taxis and other vehicles for hire, funeral homes and accessory crematoria, telemarketing/service centers and internet communication centers. Accessory uses may include fleet vehicle parking, communication switching and other equipment and limited storage of goods.

7. *Non-Accessory Parking.* Any private or public vehicle and bicycle parking, either paid or free, which is not accessory to a primary use. Includes public and private parking structures and lots; and free-standing fleet vehicle parking lots.
8. *Self-Service Storage.* Commercial operations that provide rental of storage space to the public. The storage areas are designed to allow private access by the tenant for storing or removing personal property. These facilities do not include moving and storage companies where there is no individual storage or where employees are primary movers of the goods to be stored [see 20.160.020(D)(5) VMC, Warehouse/Freight Movement].
9. *Marina.* A facility that provides secure moorings for recreational or commercial boats.
10. *Artisan and Specialty Goods Production.* Small scale businesses that manufacture artisan goods or specialty foods. Small manufacturing production aims at direct sales rather than the wholesale market. This small-scale manufacturing use is intended to be allowed where compatible with the commercial and residential fabric of the City Center. An allowance for public viewing or customer service space is required with artisan and specialty goods production. This use category includes the following uses: Sugar and confectionary, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries. Refer to Commercial Use Table 20.430.1 and Special Limitations 20.430.050.

D. *Industrial use types.*

1. *Industrial Services.* Includes the repair and servicing of industrial and business machinery, equipment and/or products. Examples include welding shops; machine shops; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire recapping and retreading; truck stops; building, heating, plumbing or electrical contractors; exterminators; janitorial and building maintenance contractors where the indoor storage of materials is more than incidental to the office use [see 20.160.020(C)(6)(a) VMC]; fuel oil distributions; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.
2. *Manufacturing and Production.* Includes production, processing, assembling, packaging or treatment of semi-finished or finished products from raw materials or previously prepared materials or components. Manufacturing production is intended for the wholesale market rather than for direct sales. ~~For specific list of activities in this category, see NAICS assignment adopted by reference to this title, Table 20.440-2 and/or Commercial Use Table 20.430-1.~~
3. *Railroad Yards.* A terminus of several light or heavy railroad lines where the loading, unloading, transshipment, switching, maintenance, and storage of rail cars is undertaken.
4. *Research and Development.* Facility featuring a mix of uses including office, research laboratories, and prototype manufacturing. If the use contains no on-site manufacturing component, then it is considered General Office (see 20.160.020(C)(6)(a) VMC).

5. *Warehouse/Freight Movement.* Uses involved in the storage and movement of large quantities of materials or products indoors and/or outdoors; associated with significant truck and/or rail traffic. Examples include free-standing warehouses associated with retail furniture or appliance outlets; household moving and general freight storage; cold storage plants/frozen food lockers; weapon and ammunition storage; major wholesale distribution centers; truck, marine and air freight terminals and dispatch centers; bus barns; grain terminals; and stockpiling of sand, gravel, bark dust or other aggregate and landscaping materials.

6. *Waste-Related.* Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material. Examples include: recycling/garbage transfer stations; landfills; composting, energy recovery and sewage treatment plants; and hazardous waste handling and transfer facilities that do not treat or dispose of hazardous waste, as that term is defined in the Code of Federal Regulations, Title 40, Part 261. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act. Hazardous waste or disposal facilities are not included in this classification and are therefore not permitted in the City of Vancouver.

7. *Wholesale Sales.* Involves sales, leasing or rental of equipment or products primarily intended for industrial, institutional or commercial businesses. Businesses may or may not be open to the general public, but sales to the general public are limited. Examples include the sale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, and building hardware.

8. *Major Utility Facilities.* Those facilities which have a substantial public impact, including but not limited to: sewage treatment plants and lagoons; electric generation facilities including biomass and coal energy generating facilities; and essential public facilities as defined in Chapter 20.855 VMC, Essential Public Facilities.

E. *Other use types.*

1. *Agriculture/Horticulture.* Open areas devoted to the raising of fruits, vegetable, nuts, nursery stock and/or flowers, including community gardens; may include on-site sales of products grown on the site. Excludes nurseries (see 20.160.020(C)(4)(e) VMC, Outdoor Sales).

2. *Airports/Airparks.* Includes aircraft runways, landing strips and uses supporting airport operations such as control towers, hangars, and fuel storage facilities. Also includes uses incidental to airports such as aerial mapping; air cargo warehousing and distribution, airport pilot training schools; aircraft sales and repair; aviation clubs and museums; and public transportation transfer areas. Such a facility that has “regional” or “state-wide” significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

3. *Animal Kennel/Shelters*. Animal kennel and shelter facilities for the overnight boarding of dogs, cats and other domestic pets. Excludes dog day care (see 20.160.020(E)(6) VMC, Dog Day Care); and veterinary clinics (see 20.160.020(C)(6)(a) VMC, General Offices).

4. *Cemeteries*. Facilities for storing human remains. Accessory uses may include chapels, mortuaries, crematoria, mausoleums, administrative offices, maintenance facilities, and parking.

5. *Detention and Post-Detention Facilities*. Uses which have the characteristics of Group Living but are devoted to the housing, training and supervision of those under judicial detention. Examples include prisons; jails; probation centers; juvenile detention homes; and related post-incarceration and half-way houses. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

6. *Dog Day Care*. Dog Day Care shall mean any premises containing four or more dogs, which are five months or older, where these domestic animals are dropped off and picked up daily for temporary care on site and where they may be groomed, trained, exercised, and socialized, but are not kept or boarded overnight, bred, sold or let for hire. Excludes Animal Kennel/Shelters (See 20.160(E)(3) VMC, Animal Kennel/Shelters).

7. *Heliports*. Public or private facilities designed for the landing, departure, storage, and fueling of helicopters.

8. *Mining*. Uses that mine or extract mineral or aggregate resources from the ground for off-site use. Accessory uses may include storage, rock crushing, sorting, and transfer facilities.

9. *Rail Lines/Utility Corridors*. The regional corridors in public or private ownership dedicated for use by rail lines; above-grade or underground power or communication lines; water, sewer and storm sewer lines or similar services.

10. *Temporary Uses*

11. *Wireless Communication Facilities*. Includes publicly- and privately-owned towers and related transmitting equipment for television; FM/AM radio; cellular and two-way radio and microwave transmission; and related ancillary equipment buildings. Does not include radio/television transmission facilities that are part of the public safety network (see 20.160.020(B)(6) VMC, Emergency Services). Does not include amateur (ham) radio antennas or towers.

B. VMC 20.210.020, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4147, is amended as follows:

20.210.020 Types of Development Applications.

A. *General.* All development applications shall be decided by using one of the following procedure types. The procedure type assigned to each action governs the decision-making procedure for that application, except to the extent otherwise required by applicable state or federal law.

B. *Types defined.* There are four types of decision-making procedures, as follows:

1. Type I procedure. Type I procedures apply to ministerial permits. Type I applications are decided by the planning official without public notice prior to the decision and without a public hearing. If any party with standing appeals a planning official's Type I decision, the appeal of such decision will be heard by the Hearings Examiner, with further appeal to the Superior Court pursuant to applicable law.
2. Type II procedure. Type II procedures apply to quasi-judicial permits and actions that contain some discretionary criteria. Type II applications are decided by the planning official with public notice and an opportunity for comment. If any party with standing appeals a planning official's Type II decision, the appeal of such decision will be heard by the Hearings Examiner, with further appeal to the Superior Court pursuant to Section 20.210.130 VMC.
3. Type III procedure. Type III procedures apply to quasi-judicial permits and actions that predominantly contain discretionary approval criteria. Type III applications are decided by the Hearings Examiner or Planning Commission, depending on the permit. If any party with standing appeals a Hearings Examiner's or Planning Commission's Type III decision, the appeal of such decision will be heard by City Council pursuant to Section 20.210.130 VMC, with further appeal to Superior Court.
4. Type IV procedure. Type IV procedures apply to legislative matters, planned unit developments, and rezones. Legislative matters involve the creation, revision or large-scale implementation of public policy. Type IV applications are considered initially by the Planning Commission or Hearings Examiner with final decisions made by the City Council, automatically or on appeal.

C. *Summary of permits by type of decision-making procedure.* Table 20.210.020 – 1 VMC summarizes the various development applications by the type of decision-making procedure.

Table 20.210.020 – 1. Summary of Development Applications By Type of Decision-Making Procedure

Type	Development Application	Cross Reference	Review Body
I	Accessory Dwelling Units	20.810	Planning Official

Type	Development Application	Cross Reference	Review Body
	Boundary Adjustments	20.310	Planning Official
	Conditional Use—Minor Modification	20.245	Planning Official
	Critical Areas Permit (Type I)	20.740.040B	Planning Official
	Design Review (without Site Plan Review)	20.255	Planning Official
	Historic Property Certificate of Appropriateness/Administrative Review	17.39.080	Planning Official
	Interpretations – Quasi-Judicial	20.255	Planning Official
	Parking/Loading – Reduction of Minimum Ratios, Joint Parking	20.945	Planning Official
	Planned Developments – 1 Year Extension	20.260	Planning Official
	Site Plan Review – Minor Projects Below Type II Site Plan Review Thresholds	20.270	Planning Official
	Site Plan Review – Extension/Phasing	20.270	Planning Official
	Shoreline Permit Exemption	20.760	Planning Official
	Subdivision/Short Subdivision – Phasing, 1 st Extension	20.320	Planning Official
	Temporary Use	20.885	Planning Official
	Tree Plan/Removal – without Site Plan Review	20.770	Planning Official
	Type I Variance	20.290	Planning Official
II	Adult Entertainment Uses	20.820	Planning Official
	Critical Areas Permit (Type II)	20.740	Planning Official
	Critical Areas Permit - Minor Exception	20.740.070	Planning Official
	Human Services Facilities – Collocation	20.870	Planning Official
	Planned Developments – Detailed Plan, 2-Year Extension	20.260	Planning Official

Type	Development Application	Cross Reference	Review Body
	Public Facility Master Plans – Concept Plan Subsequent Phases & Extensions	20.268	Planning Official
	Shoreline Substantial Development Permit	20.760	Planning Official
	Short Subdivision – Preliminary Plat	20.320	Planning Official
	Site Plan Review	20.270	Planning Official
	Subdivision – 2 nd Extension	20.320	Planning Official
	Type II Variance	20.290	Planning Official
III	Conditional Uses – Initial, Major Modifications	20.245	Hearings Examiner
	Critical Areas Permit-Reasonable Use Exception	20.740.080	Hearings Examiner
	Historic District Nomination	17.39.070	Clark County Historic Preservation Commission
	Historic District or Property Designation Removal	17.39.070	Clark County Historic Preservation Commission
	Historic Register Nomination	17.39.070	Clark County Historic Preservation Commission
	Historic Property Certificate of Appropriateness Public Review	17.39.080	Clark County Historic Preservation Commission
	Human Service Facilities – Initial, Spacing Modification	20.870	Hearings Examiner
	Public Facility Master Plans - Initial Approval	20.268	Hearings Examiner
	Shoreline Conditional Use Permit (recommendation to State Department of Ecology)	20.760	Hearings Examiner

Type	Development Application	Cross Reference	Review Body
	Shoreline Substantial Development Permit	20.760	Hearings Examiner
	Shoreline Variance (recommendation to State Department of Ecology)	20.760	Hearings Examiner
	Subdivisions - Preliminary Plat	20.320	Hearings Examiner
IV	Annexations	20.230	Planning Commission City Council
	Development Agreements	20.250	Planning Commission, <u>if Agreement is part of proposal before the Commission</u> City Council
	Habitats of Local Importance	20.740	Planning Commission City Council
	Interpretations—Codification	20.255	Planning Commission City Council
	Planned Developments, greater than 25 acres in size	20.260	Planning Commission, <u>except Hearing Examiner for Planned Developments 25 acres or smaller in size</u> City Council
	Planned Developments, 25 acres or less	20.260	Hearings Examiner City Council
	<u>Master Plans in the Riverview Gateway and Section 30 subareas</u>	<u>20.680,</u> <u>20.690</u>	<u>Planning Commission</u> <u>City Council</u>
	Comprehensive Plan or zoning Text/Map Amendment — Legislative	20.285	Planning Commission, <u>except review of VMC 20.180, Fees</u> City Council
	Zoning Map Amendments, greater than 25 acres in size	20.285	Planning Commission, <u>except Hearings Examiner review in</u>

Type	Development Application	Cross Reference	Review Body
			<u>cases of stand-alone zone changes from one single or multi-family residential designation to the next most or least dense that also involve a concurrent subdivision proposal.</u> City Council
	Zoning Map Amendments 25 acres or less	20.285	Hearings Examiner City Council

D. *Concurrent review.* When the city must approve more than one application for a given development, all applications required for the development pursuant to this chapter may be submitted for review at one time. When more than one application is submitted for a given development, and those applications are subject to different types of procedure, then all of the applications are subject to the highest type of procedure that applies to any of the applications; provided, however that each development application shall only be subject to the relevant criteria applicable to that particular development application. For example, a development proposal that includes a Type II application and a Type III application shall be wholly subject to the procedures applicable to a Type III application, but the Type II portion of the development proposal shall be decided according to the relevant approval criteria applicable to the Type II application.

E. *Assignment of procedure type.* Applications shall be processed according to the assigned review type in the above table. If the Vancouver Municipal Code does not expressly provide for review using one of the four types of decision-making procedures, and another specific procedure is not required by law, the planning official shall classify the application in question as one of the four types of decision-making procedure using the following criteria:

1. The act of classifying an application shall be a Type I decision;
2. Questions about what procedure is appropriate shall be resolved in favor of the decision-making procedure providing the greatest opportunity for public notice; and
3. The planning official shall classify the application by determining whether the application is similar in nature and degree to another type of application that has been classified by type as listed in Table 20.210–1 VMC and under the same approval criteria applicable to the type of application most similar in nature and degree to the application.

F. *Comprehensive Plan Amendments.* New development applications or pre-applications which are inconsistent with the Comprehensive Plan shall not be accepted by the City, until the Planning Commission recommends approval of a Comprehensive Plan amendment or in the event that Planning Commission recommends denial, until the effective date of final action by the City Council approving the Comprehensive Plan amendment on appeal.

C. VMC 20.220.010, which was adopted by Ordinance M-3691, and last amended by Ordinance M-3931, is amended to read as follows:

VMC 20.220.010 Planning Commission

A. *Establishment.* Pursuant to Article XI, Section 11 of the Washington State Constitution and Section 8.01 of the City Charter, a Vancouver Planning Commission shall be established and maintained consisting of seven residents of the city or Vancouver Urban Growth Area to be appointed by the Mayor with the approval of the City Council.

B. *Representative membership.* In selecting members for appointment to the Planning Commission, the Mayor and City Council shall seek to provide representation to a wide variety of neighborhoods, businesses and other interests concerned with the land use, development and quality of life in Vancouver. No more than one member of the Planning Commission may represent the unincorporated urban growth area intended to annex and develop as a part of the City of Vancouver.

C. *Authority and responsibilities.*

1. The Planning Commission shall have such powers and perform such duties as are prescribed by Chapter 35.63 RCW, other applicable state law, and the city code. The Planning Commission shall review and make recommendations to City Council on planned developments greater than 25 acres in size, amendments to the comprehensive land use plan, amendments to the zoning map of 25 acres or greater in size, and implementing standards and regulations that are generally legislative in nature.

2. The Planning Commission is specifically responsible for the following:

- a. Formal review of actions listed under Chapters 20.210 and 20.285 VMC, and review of SEPA appeals filed pursuant to such actions.
- b. Informal or advisory review of studies, analysis or reports related to land use matters as directed by City Council.
- c. Other duties related to land use matters as directed by City Council, provided they are not inconsistent with state law.

D. VMC 20.270.040, adopted by Ordinance M-3643, and last amended by Ordinance M-4179, is amended as follows:

20.270.040 Submission Requirements.

Unless waived in writing and in advance by the Planning Official, an applicant shall submit all of the following items with an application for a Type I or Type II site plan review:

A. *General.*

1. A completed application form provided by the Planning Official, ~~and 10 copies of the information required.~~
2. ~~Site Plan Review drawings shall be on sheets not larger than 24"x 36" unless approved otherwise by the Planning Official. Site plans drawings shall include the following: shall be drawn at a scale of 1" equals 60' or larger, e.g., 1" equals 30'. Building elevations and floor plans shall be drawn at a scale of 1/4" or 1/8" equals 1'.~~
 - a. An existing conditions plan described in Subsection (B) below.
 - b. A site plan described in Subsection (C) below.
 - c. A preliminary stormwater and erosion control plan or plans described in Subsection (D) below.
 - d. Architectural plans and elevations described in Subsection (E) below.
 - e. A landscape plan described in Subsection (F) below.
 - f. ~~8 1/2 x 11 inch reduced copies of all plans.~~
3. ~~A site plan review application also shall include a n~~ A narrative describing the development including uses proposed for the site, hours of operation, hours and frequency of deliveries, and construction schedule.
4. Payment of all applicable review fees.
5. Certified mailing list (not applicable for Type I applications). Current Clark County Assessor map(s) showing the property(ies) within a 500' radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500' radius. Such list shall be certified as accurate and complete by the Clark County Assessor, ~~a title company~~. For non-owner occupied

properties, provide mailing labels addressed to "occupant" as can be determined from available County Assessor records (two copies).

6. The location of natural conditions, such as:

- a. Waterbodies, the 100-year floodplain, aquatic habitats, natural drainage courses, wetlands, spring seeps, closed depression areas, groundwater elevations, aquifers, and wellhead protection areas.
- b. Geological hazard areas such as slopes in excess of 15% unstable or weak soils, soils with high erosion potential, rock outcroppings, and areas of healthy native soils and hydraulic conductivity.
- c. Existing vegetation including stands of trees and individual trees with a caliper greater than 6", additional information necessary to comply with VMC 20.770 Tree, Vegetation, and Soil Conservation, and areas of wildlife habitat.

B. *Existing conditions plan.* An existing conditions plan shall include the following information:

1. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations within a given radius of the site.
2. The site size, dimensions and orientation relative to north.
3. The location, name and dimensions of all streets adjoining the site indicating whether privately or publicly owned.
4. The location of existing structures and other improvements on the site, including structures, driveways, parking, loading, pedestrian and bicycle paths, passive or active recreational facilities or open space, and utilities.
5. Elevation of the site at 2' contour intervals for grades 0% to 10% and at 5' contour intervals for grades more than 10%.
6. The approximate location of significant natural conditions, such as
 - a. The 100-year floodplain.
 - b. The location of drainage patterns and drainage courses.
 - c. Slopes in excess of 15%.
 - d. Unstable ground, e.g., land subject to slumping, slides or movement.
 - e. High seasonal water table or impermeable soils.
 - f. Areas having severe soil erosion potential.
 - g. Areas having severe weak foundation soils.
 - h. Significant wildlife habitat or vegetation.
 - i. Rock outcroppings.

j. Information necessary to comply with Chapter 20.770 VMC, Tree Conservation, where applicable.

C. *Proposed site development plan.* The proposed site plan shall be drawn at the same scale as the existing conditions plan and shall include the following information:

1. The proposed site and its dimensions and area, orientation relative to north.
2. Abutting properties or, if abutting properties extend more than 100' from the site, the portion of abutting properties within 100' of the site, and the approximate location of structures and uses on abutting property or portion of the abutting property.
3. The location and dimensions of proposed development, including the following:
 - a. Streets and other rights-of-way and public or private access easements on and adjoining the site;
 - b. Vehicle, pedestrian and bicycle parking and circulation areas, including handicapped parking stalls and disembarking areas, accessible route of travel, proposed ramp and signage as required by WAC 51-40;
 - c. Loading and service areas;
 - d. Active or passive recreational or open space features;
 - e. Above-ground utilities;
 - f. Existing structures to be retained on the site and their distance from property lines;
 - g. Proposed structures on the site, including signs, fences, etc., and their distance from property lines;
 - h. The location and type of proposed outdoor lighting and existing lighting to be retained; and
 - i. The size and location of solid waste and recyclables storage areas.
4. Summary table which includes parcel zone, total site area, gross floor area by use, (i.e., manufacturing, office, retail, storage), itemized number of full size, compact and handicapped parking stalls and the collective total number, total lot coverage proposed, including residential density calculations.

D. *Grading, Erosion Prevention, and Stormwater plans.*

1. Grading Plan indicating areas of soil protection and compaction prevention.
2. Erosion Prevention measures as required in VMC 14.24, and
3. Stormwater Site Plan as required in VMC 14.25, including identification of areas and types of vegetation preserved as part of low impact development plan.

E. *Architectural plans and elevations.* The following architectural plans and elevations shall be provided:

1. Floor plans showing at least the gross square footage of each structure and outdoor activity area proposed on the site, including existing structures and outdoor activity areas to be retained.
2. A description of the proposed and potential uses of each structure or portions of a structure and each outdoor activity area.
3. Typical elevation drawing of each structure.
4. Identify locations of walls, exits and openings.

F. *Landscape plan.* The landscape plan shall be drawn at the same scale as the existing conditions plan, or a larger scale if necessary. A landscape plan shall show the following:

1. The location, species and size, i.e., diameter and/or height, of existing landscape material, identifying the material to be removed and to be retained;
2. The location, species, size at planting and spacing of proposed plant materials;
3. The proposed landscape area of the site (i.e., in terms of square feet and a percentage of the net site area);
4. The location, height and material of fences, buffers, berms, walls and other proposed screening;
5. The location and dimensions or area of terraces, decks, shelters, play areas and open spaces;
6. Surface water management features that are integrated with landscape, recreation or open space areas including stormwater facility planting plans and areas of vegetation preserved as part of a low impact development plan; and

G. *Tree, Vegetation, and Soil Plan.* As required by 20.770 VMC Tree, Vegetation, and Soil Conservation. Tree plan may be combined with the landscape plan.

~~H. *Sign plan.* Sign drawings are optional. If submitted, sign drawings shall be reviewed for compliance with Chapter 20.960 VMC Signs.~~

~~I-H. *Other.* Other information shall be provided as needed to show the development complies with other applicable standards and with conditions of approval of related SEPA determinations and land use actions and permits.~~

~~J-I. *Fees payable.* Applicable fees as specified in Table 20.180-1, Planning Fees, shall be paid at the time of application for Site Plan Review.~~

E. VMC 20.285.010, adopted by Ordinance M-3643, is amended as follows:

20.285.010 Purpose.

~~The purpose of This Chapter is to set forth the~~ provides standards and processes governing for the review of amendments to maps or text of the Comprehensive Plan and Title 20 Development Code text and maps. These will be referred to as “text and map amendments.” It is recognized that Such amendments may be periodically necessary from time to time to reflect changing community conditions and needs and desires or to address legal considerations, mistakes and/or to address changes in the law.

F. VMC 20.285.020, adopted by Ordinance M-3643, is amended as follows:

20.285.020 Applicability.

A. Types of proposals. The following types of proposals are reviewed under this chapter:

1. ~~Map changes to Amendments to the Comprehensive Plan or to VMC Title 20 zoning designations applying to one or more properties, comprehensive plan designations, including associated zoning map changes, if any.~~
2. Development Agreements that are included with property specific Comprehensive Plan or zoning map changes being reviewed under this chapter.
3. Text changes to the comprehensive plan or to VMC Title 20 zoning code, except fees under VMC 20.180. including the capital facilities plan and other elements adopted as part of the comprehensive plan.
2. Amendments to zoning, land use or environmental standards:
 - a. ~~Area wide residential zoning map changes which are consistent with the current comprehensive plan map designation but characterized by one of the following:~~
 1. ~~Are greater than 25 acres in size. For the purposes of determining acreage size under this~~
~~section, adjacent proposals submitted by the same proponent within a one year period shall be considered to constitute a single project;~~
 2. ~~Involve a change in single family residential designations of at least two classification levels, such as from R-9 to R-4; and/or~~
 3. ~~Involve a designation change from R-4 to R-2, or vice versa.~~
 - b. ~~Text changes to zoning, land use or environmental regulations.~~
3. ~~Review of appeals of the zoning administrator pursuant to VMC 20.210 and of appeals of stand~~
~~alone administrative variance decisions pursuant to 20.210.~~
4. ~~Review of planned development pursuant to VMC 20.260.~~
5. ~~Development proposals reviewed pursuant to criteria of VMC 20.430, Waterfront Mixed Use (WX) or VMC 20.430.060, Mixed Use (MX). Appeal provisions shall be as specified by VMC 20.210.~~
4. 6. Other development proposals which the City Manager or designee determines warrant consideration under this chapter by virtue of their size, complexity, or impact on area wide planning policies.

G. VMC 20.285.030, adopted by Ordinance M-3643, is amended as follows:

~~20.285.030 Initiation of Amendments.~~

~~A. Unless otherwise provided for herein, proposed amendments may be initiated by any of the following:~~

- ~~1. Property owner(s) or their representatives;~~
- ~~2. Any citizen, agency, neighborhood association or other party; or~~
- ~~3. City staff, Planning Commission or council.~~

A. Proposals reviewed under this chapter may be initiated by property owners or their representatives, the City of Vancouver, or private citizens or groups as follows:

1. Map Changes. Property owners or any individual, group or organization may initiate Comprehensive Plan and associated zoning map designation changes applying to one or more properties, through submittal of an Annual Review application and associated fees specified in VMC 20.180. Stand-alone zoning changes not requiring a Comprehensive Plan change shall be subject to zone change application and associated fees per VMC 20.180.

2. Text Changes. Property owners or any individual, group, or organization may initiate Comprehensive Plan or zoning code text changes through submittal of a text change application and associated fees per VMC 20.180.

3. City Initiated Map or Text Changes. The City of Vancouver, on its own behalf or on behalf of an outside individual or group, may initiate Comprehensive Plan or zoning map and/or text changes. City initiation of outside requests for amendments, shall be at City discretion, and generally limited to proposals that are limited in scope and/or clearly warranted in terms of policy implications, and subject to the following:

a. Private parties shall submit a written summary of the amendment proposed to Community and Economic Development Department staff, an indication of why it is needed, and the potential land use impacts if approved. No application fees shall be assessed.

b. City staff shall maintain a docket listing of private party requests, and shall provide the listing not less than once per year to the Planning Commission, which shall determine which items shall be scheduled for public hearing review, deferred to future work programs, or discontinued. Requesting parties of discontinued proposals shall have the option of submitting formal applications under this chapter.

H. VMC 20.285.040, adopted by Ordinance M-3643, is amended as follows:

~~20.285.040 Types of Amendments.~~ Review Process

- ~~A. Legislative. For the purpose of this Chapter, the text and/or map amendment of the Comprehensive Plan is to be undertaken legislatively. These changes are processed collectively during the annual update of the Comprehensive Plan. A text and/or map amendment of this Title is legislative if it affects an entire class of properties or development projects, with some exceptions described in Section (C) below.~~
- ~~B. Quasi-judicial. For purposes of this Chapter, a quasi-judicial amendment of this Title is one that amends the zoning designation of a specific property owner or development of 25 or fewer acres or the approval of a Planned Unit Development. When such an amendment also requires a change of plan designation on the Comprehensive Plan, a concurrent request for a legislative map change is required and both amendments will be processed as a legislative amendment.~~
- ~~C. Exceptions. Amendments to the Zoning Map that would ordinarily be considered quasi-judicial actions will be processed as legislative actions in the following circumstances:~~
- ~~1. Are greater than 25 acres in size. For the purposes of determining acreage size under this section, adjacent proposals submitted by the same proponent within a one year period shall be considered to constitute a single project; and/or~~
 - ~~2. Involve a change in single-family residential designations of at least two classification levels, such as from R-9 to R-4 or from R-2 to R-6; and/or~~
 - ~~3. Involve a designation change from R-4 to R-2, or vice versa.~~
- A. Overall Timing. Except as noted herein, all Comprehensive Plan map or Comprehensive Plan text amendments will be reviewed concurrently and not more than once per calendar year. Site specific zoning map amendments applying to properties proposed for Comprehensive Plan map changes shall also be submitted at that time. All other zoning map or zoning text amendments may be reviewed independently and more frequently than once per year.
- B. Pre-Application. Comprehensive Plan or zoning map amendments proposed by private parties shall require a pre-application conference. The conference shall be scheduled upon receipt of a complete Map Amendment Pre-application Form. Based on the information provided, the pre-application conference is intended to provide for a discussion of major issues and concerns and possible staff recommendation. Staff will provide a written summary within 14 days following the conference. Pre-application conferences are non-binding, and do not vest the development rights of the proposals involved. Pre-application conferences shall not be required for city initiated map amendments, or text amendments initiated by any party.
- C. Review Body.

1. All proposed Comprehensive Plan or zoning map or text changes shall be initially reviewed by the Planning Commission unless noted herein.
2. Stand alone zoning map changes that propose to shift from one residential zoning designation to the next most or least intensive designation, and are accompanied by a proposed subdivision, shall be reviewed by the Hearings Examiner.
3. Development Agreements accompanying a proposed zoning map change shall be reviewed by the body reviewing the map change.

D. Hearings Process. The Planning Commission at a duly advertised public hearing shall develop and forward a recommendation for approval, approval subject to modifications or conditions, or denial to the Vancouver City Council. The Vancouver City Council shall hold a duly advertised, open record public hearing to make final decisions on the Planning Commission recommendation.

E. Timing Exceptions. The following Comprehensive Plan changes may be reviewed more frequently than once per year.

1. The initial adoption of a subarea plan.
2. The adoption or amendment of a shoreline master program pursuant to RCW 90.58.
3. The adoption or amendment of the capital facilities or transportation element of the Comprehensive Plan is undertaken concurrently with a related budget action.
4. The adoption of Comprehensive Plan amendments necessary to enact a Planned Action under RCW 43.21C.031(2).
5. Comprehensive Plan amendments concurrent and related to an annexation.
6. Corrections of scrivener or mapping errors. Scrivener or mapping errors are defined as minor map or text errors in the comprehensive plan or development regulations which were clearly unintended and inconsistent with the record of their original adoption, as determined by the City. Correction of such errors shall be submitted by the City only, at no charge to parties demonstrating the error.
7. Emergency comprehensive plan amendments, defined as a change of community wide significance, and including but not limited to the following:
 - a. Action necessary to address threats to public health or safety.
 - b. Action necessary to ensure that the goals and policies of the comprehensive plan are not substantially obstructed.
 - c. Action necessary to respond to an order from the Growth Management Hearings Board or competent court of law.

F. Periodic comprehensive plan updates. At least once every eight years or as otherwise provided by state law, the City shall initiate a periodic review of the overall comprehensive plan and land use regulations. Within the calendar year of such review the City may alter the procedural requirements herein, although other approval criteria of this chapter shall still apply.

I. VMC 20.285.050, adopted by Ordinance M-3643, and last amended by Ordinance M-3922, is amended as follows:

20.285.050 Approval Process—General—Approval Criteria – Comprehensive Plan and Concurrent Zoning Map Amendments

~~A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 20.285.070 VMC. The review authority shall be as follows:~~

- ~~1. The Planning Commission shall make a recommendation to the City Council on all applications for comprehensive plan map and text amendments and those zone change applications for parcels greater than 25 acres which do not involve comprehensive plan map amendments.~~
- ~~2. The Planning Commission shall make a recommendation to the City Council on a zone change
—application that also involves a concurrent application for a Comprehensive Plan Map amendment.~~
- ~~3. The Planning Commission shall make a recommendation to the City Council for changes in the text of the Title 20 of the Vancouver Municipal Code, unless such change relates merely to development review fees.~~

~~B. Quasi-judicial amendments. Quasi-judicial zoning map amendments shall be undertaken by means of a Type IV procedure, Section 20.210.070 VMC, using standards of approval contained in Section 20.285.040 VMC below. The review authority shall be as follows:~~

- ~~1. The Hearings Examiner shall make a recommendation to the City Council on zone change applications for parcels 25 acres or less in size which do not involve comprehensive plan map amendments.~~
- ~~2. Exception from Consolidated Review. Applications reviewed under this chapter shall be considered exempt from RCW 36.70B.120 requirements which mandate consolidation of all related project permits into a single application review if requested by the applicant. Projects involving a Comprehensive Plan amendment and associated change of zone shall not be processed under concurrent review under VMC 20.210.020D.~~

A. Overall Proposed map amendments reviewed under this chapter shall be approved only if demonstrated by the proponent to be in the public interest, as based on a review of all applicable principals from the following:

1. How the proposal is more consistent than the existing designation with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan, and
2. How the proposal is more consistent than the existing designation with each of the following objectives as applicable:
 - a. Encourage more intensive development to locate in major urban centers and corridors, particularly downtown Vancouver. Encourage development of distinct neighborhoods served by commercial nodes, and discourage urban sprawl and strip commercial development;
 - b. Provide development of uses which are functionally integrated with surrounding areas and neighborhoods in terms of local shopping, employment, recreational or other opportunities;
 - c. Provide development which is compatible and integrated with surrounding uses in terms of scale, orientation, pedestrian enhancements, and landscaping;
 - d. Conserve or enhance significant natural or historical features;
 - e. Provide adequate provision of transportation, water, sewer, and other public services;
 - f. Provide significant family wage employment opportunities and broadening of the Vancouver economy;
 - g. Provide for the formation and enhancement of neighborhoods and communities; and
 - h. Provide affordable or below market-rate housing opportunities.

2. Scope of review. Review and evaluation of proposed comprehensive plan or zoning map changes shall consider both the likely and possible future use of the site and associated impacts.

3. Cumulative Impacts. The review of individual comprehensive plan map or policy amendments, other than exceptions noted in 20.285.040, shall also consider the cumulative transportation, land supply, and environmental impacts of other plan amendments proposed within the same annual cycle.

- J. VMC 20.285.060, adopted by Ordinance M-3643, and last amended by Ordinance M-3959, is amended as follows:

20.285.060-Comprehensive Plan Map Amendments and Large Scale Rezones Approval Criteria – Stand Alone Zoning Map Amendments

~~A. Approval process for Comprehensive Plan map amendments and rezones of more than 25 acres~~

~~1. Overall. All proposed map amendments to the comprehensive plan will be reviewed concurrently and not more than once per calendar year, except as noted herein. Zoning map amendment proposals which do not include corresponding comprehensive plan changes may be reviewed separately from one another, and at any time.~~

~~2. Pre-application. All proposed map amendments shall require a pre-application conference. The conference shall be scheduled upon receipt of a complete Map Amendment Pre-application Form. Based on the information provided, the pre-application conference is intended to provide for a discussion of major issues and concerns and possible staff recommendation. Staff will provide a written summary within 14 days following the conference. Pre-application conferences are non-binding, and do not vest the development rights of the proposals involved.~~

~~3. Application. A completed Map Amendment Application Form may be submitted at any time. Comprehensive plan amendments will be collected and reviewed concurrently with the next scheduled comprehensive plan review (VMC 20.285.120.C)~~

~~4. Public Hearings before Planning Commission. All fully complete applications received in a timely manner shall be scheduled for review at a public hearing or hearings before the Planning Commission as scheduling allows. The Planning Commission shall issue a recommendation for approval, approval subject to recommended modifications or conditions of approval, continuance, or a decision for denial. Denials shall be considered final unless appealed.~~

~~5. Public Hearings before City Council. An open record public hearing or hearings shall be scheduled before City Council to review Planning Commission approval recommendations, or denial decisions which have been appealed. At the hearings council shall issue a final decision for approval, approval with conditions, continuance, denial, or remand of the proposed amendment.~~

~~B. Approval criteria for Comprehensive Plan map amendments and rezones of more than 25 acres~~

1. Overall. Proposed amendments reviewed under this chapter shall be approved only if demonstrated by the proponent to be in the public interest, as based on a review of all applicable principals from the following:

- a. ~~How the proposal is more consistent with applicable policies of the comprehensive plan than the existing designation, and~~
- b. ~~How the proposal is more consistent with each of the following objectives than the existing designation. Consistency is not required where the objective is clearly not applicable to the type of proposal involved.~~

~~1. Encourage more intensive development to locate in major urban centers and corridors, particularly downtown Vancouver. Encourage development of distinct neighborhoods served by commercial nodes, and discourage urban sprawl and strip commercial development;~~

~~2. Provide development of uses which are functionally integrated with surrounding areas and neighborhoods in terms of local shopping, employment, recreational or other opportunities;~~

~~3. Provide development which is compatible and integrated with surrounding uses in terms of scale, orientation, pedestrian enhancements, and landscaping;~~

~~4. Conserve or enhance significant natural or historical features;~~

~~5. Provide adequate provision of transportation, water, sewer, and other public services;~~

~~6. Provide significant family wage employment opportunities and broadening of the Vancouver economy; and~~

~~7. Provide for the formation and enhancement of neighborhoods and communities.~~

~~2. Scope of review. Review and evaluation of proposed comprehensive plan or zoning map changes shall consider both the likely and possible future use of the site and associated impacts.~~

~~3. Cumulative Impacts. The review of individual comprehensive plan map or policy amendments, other than exceptions noted in 20.285.030, shall also consider the cumulative transportation, land supply, and environmental impacts of other plan amendments proposed within the same annual cycle.~~

~~4. Required Findings. No amendment to comprehensive plan or zoning maps shall be approved unless the required findings of VMC 20.285.085 have been addressed in the written staff report and the written decision of the review authority.~~

A. Zoning Map amendments not involving associated Comprehensive Plan Map amendments shall demonstrate the following:

1. How the proposal is more consistent with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan than the existing designation, and
2. That a change in circumstances has occurred since the existing designation was established.

K. VMC 20.285.070, adopted by Ordinance M-3643, and last amended by Ordinance M-3959, is amended as follows:

~~20.285.070 Comprehensive Plan Text Amendments.~~ Approval Criteria – Comprehensive Plan or Zoning Code Text Amendments

~~A. Approval process for Comprehensive Plan text amendments.~~

~~1. Initiation. All proposed text amendments to the comprehensive plan shall be developed, submitted and presented by the City staff, based on direction from the City Council, Planning Commission, or the City Manager or designee.~~

~~2. Private party requests.~~

~~Private parties shall submit a written summary of the amendment proposed to City staff, an indication of why it is needed, and the potential land use impacts if approved, paying all applicable fees.~~

~~3. Process. Text amendments submitted by City staff, including those originated from outside party requests if applicable, shall be scheduled for Planning Commission and City Council, subject to procedural criteria of this chapter, except that staff initiated actions shall not be considered final without council consent. Hearing scheduling shall be determined by City staff based on work program constraints or direction from the City Manager, Planning Commission and/or council. All proposed text amendments to the comprehensive plan will be reviewed concurrently and not more than once per calendar year, except as noted herein.~~

~~B. Approval criteria for Comprehensive Plan text amendments.~~

~~1. Proposed plan text changes shall be considered based on the following:~~

- ~~a. The proposed change is consistent with the applicable provisions of the Growth Management Act, state and federal law, or other legal mandates; and~~
- ~~b. The proposed change is consistent with the applicable provisions of the Community Framework Plan, Countywide Planning Policies, and the Vancouver Comprehensive Plan; and~~
- ~~c. The proposed change is necessary to further the public interest based on present needs and conditions.~~

~~A. Text amendments to the Comprehensive Plan or Title 20 zoning standards shall demonstrate the following:~~

- ~~1. The proposal is consistent with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan, and~~
- ~~2. The proposal is necessary to further the public interest based on present needs and conditions.~~

~~L. VMC 20.285.080, adopted by Ordinance M-3643, and last amended by Ordinance M-3922, is amended as follows:~~

~~20.285.080-Small Scale Rezones-Notice Provisions.~~

~~A. Approval process for rezones of 25 acres or less and Planned Unit Developments
All proposals for amendments to the zoning map for parcels of less than 25 acres in size and for approval of Planned Unit Developments shall be processed in accordance with the procedures set forth for a Type IV process in VMC 20.210. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.~~

~~B. Approval criteria for rezones of 25 acres or less and Planned Unit Developments
Zone change proposals submitted without an associated comprehensive plan change shall demonstrate consistency with the Comprehensive Plan and that a substantial change in circumstances has occurred since the original designation. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.~~

~~C. Required Findings for rezones of 25 Acres or less and Planned Unit Developments~~

~~No zone change shall be approved unless the required findings of VMC 20.285.085 have been addressed in the written staff report and the written decision of the review authority.~~

A. Notice indicating the time and place of public hearings for review of proposed amendments pursuant to this chapter shall be provided as follows:

1. For all amendments subject to this chapter, published notice within a newspaper of record at least 10 calendar days prior to the hearing.
2. For site specific map amendments, the following additional notice shall be provided:
 - a. Written notice mailed at least 10 calendar days prior to the public hearing to property owners and residents located within 500 feet of subject properties, as determined by records of the county assessor.
 - b. If located within or adjacent to an officially recognized neighborhood, notice shall also be sent to the neighborhood association president or chair.
 - c. A sign or signs on or adjacent to the proposal site posted at the site at least 10 calendar days prior to the hearing.
 - d. Written or posted notice may be foregone at the Planning Official's discretion for map amendments which are limited to minimal adjustment of Comprehensive Plan or zoning designation borders within a property, or other corrections which do not increase the potential of additional land use development impacting the surrounding area
3. For text amendments, written notice mailed at least 10 calendar days to individuals, groups, or agencies which are deemed necessary and appropriate by the City or which have requested notice of the particular action.
4. With the exception of newspaper publication, failure to provide notice to any person or group subject to this chapter shall not automatically invalidate the proceedings associated with the proposed action.

M. VMC 20.285.085, adopted by Ordinance M-3730, is repealed.

N. VMC 20.285.090, adopted by Ordinance M-3643, is amended as follows:

20.285.090 ~~Zoning Code Text Amendments~~ Appeals of Final Decisions

~~A. Approval process for Zoning Code text amendments~~

~~1. Initiation. All proposed text amendments to the development or zoning regulations shall be~~

~~developed, submitted and presented by the City staff, based on direction from the City Council, Planning Commission, or the City Manager or designee.~~

~~2. Private party requests. City staff shall submit proposals from private individuals or groups as follows:~~

~~a. Private parties shall submit a written summary of the amendment proposed to City staff, an indication of why it is needed, and the potential land use impacts if approved. No fees shall be assessed.~~

~~b. Staff shall maintain a docket listing of private party requests, and shall provide the listing not less than once per year to the Planning Commission, which shall determine which items shall be further reviewed by staff and submitted as a formal proposal, which shall be deferred to future work programs, and which shall not be considered. Decisions to defer or not consider private requests shall be considered final unless appealed as provided herein.~~

~~3. Process. Text amendments submitted by City staff, including those originated from outside party requests if applicable, shall be scheduled for Planning Commission and City Council, subject to procedural criteria of subsections of this chapter, except that staff initiated actions shall not be considered final without council consent. Hearing scheduling shall be determined by City staff based on work program constraints or direction from the City Manager, Planning Commission and/or council. Proposed text amendments to zoning or development regulation amendments which do not include corresponding comprehensive plan changes may be reviewed separately from one another, at any time.~~

~~B. Approval criteria for Zoning Code text amendments. Proposed zoning or development regulation text changes shall be considered based on the following:~~

~~1. The proposed change is consistent with the comprehensive plan; and~~

~~2. The proposed change is necessary to further the public interest based on present needs and conditions.~~

Final decisions of the City Council may be appealed to the Washington Growth Management Hearings Board or Superior Court where appropriate, in accordance with provisions and timelines set forth by state statute and regulations. Where state statute or regulations do not provide timelines, an appeal must be submitted within 30 calendar days of the final council decision. Aggrieved parties shall

exhaust local administrative remedies prior to state or federal administrative or judicial review of the City Council decision.

O. VMC 20.285.100, adopted by Ordinance M-3643, is amended as follows:

20.285.100 ~~Notice Provisions.~~ Amendments within the Unincorporated Vancouver Urban Growth Area.

~~A. Notice indicating the time and place of public hearings for review of proposed amendments pursuant to this chapter shall be provided as follows:~~

- ~~1. Published within a newspaper of record at least 10 calendar days prior to the hearing.~~
- ~~2. For quasi-judicial map amendments, written notice mailed at least 10 calendar days prior to the public hearing to property owners and residents located within 500 feet of subject properties, as determined by records of the county assessor. If located within or adjacent to an officially recognized neighborhood, notice shall also be mailed to the neighborhood association president or chair.~~
- ~~3. For quasi-judicial map amendments, sign or signs posted at the site at least 10 calendar days prior to the hearing.~~
- ~~4. For text amendments, written notice mailed at least 10 calendar days to individuals, groups, or agencies which are deemed necessary and appropriate by the City or which have requested notice of the particular action.~~

~~B. With the exception of newspaper publication, failure to provide notice to any person or group subject to this chapter shall not automatically invalidate the proceedings associated with the proposed action.~~

A. Comprehensive plan and regulation map or text amendments within the Vancouver Urban Growth Area outside of City limits are the jurisdictional responsibility of Clark County. The City shall review notice provided from Clark County on such amendments, and shall reciprocally provide notice to Clark County of proposed amendments within City limits.

B. The City shall not support amendments which raise inconsistencies with this chapter, capital facilities plans or adopted population projections.

P. VMC 20.285.110, adopted by Ordinance M-3643, and last amended by Ordinance M-3922, is amended as follows:

20.285.110 ~~Appeal Provisions.~~ Record of Amendments.

~~A. Final decisions of the City Council may be appealed to the Western Washington Growth Management Hearings Board or Superior Court where appropriate, in accordance with provisions and timelines set forth by state statute and regulations. Where state statute or regulations do not provide timelines, an appeal must be submitted within 30 calendar days of the final council decision. Aggrieved parties shall exhaust local administrative remedies prior to state or federal administrative or judicial review of the council decision.~~

The Planning Official shall maintain a record of amendments to the text and map of this Title in a format convenient for the use of the public.

Q. VMC 20.285.120, adopted by Ordinance M-3643, is repealed.

R. VMC 20.285.130, adopted by Ordinance M-3643, is repealed.

S. VMC 20.285.140, adopted by Ordinance M-3643, is repealed.

T. VMC 20.310.040, adopted by Ordinance M-3643, is amended as follows:

20.310.040 Submittal Requirements

Applicants shall submit the following documentation as part of a request for a Boundary Adjustment compliance check:

A. Completed application form including signatures of all property owners involved in boundary line adjustment.

~~B. Site plan. One site plan drawn to scale on 8 ½" x 11" paper, Survey. The proposed boundary line adjustment shall be prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 18.90 RCW), clearly showing the following:~~

1. The dimensions of the existing property/properties involved
2. The location of any improvements (structures, septic system, etc.)
3. The location and dimension of any access or utility easements
4. The dimensions of the proposed new lot lines
5. North arrow
6. Zoning of each involved property

~~C. Quarter section map. One (1) copy of the quarter section map with the properties highlighted. (This can be obtained from the Clark County Assessor's Office.)~~

~~D. C. Recorded deed.~~ ~~One (1) -~~ Copy of all property owners' recorded deeds, verifying current ownership.

~~E. D. Sales history.~~ Complete sales history of all parcels since 1969. Sales history is comprised of copies of all deeds or real estate contracts showing previous owners or divisions for the properties involved. It is used to verify the legal creation of the parcel and is available from either a title company or the Clark County Assessor's Office. This is not required if the request involves lots within a subdivision which have not been altered or further divided.

~~F. E. Letter of intent.~~ Letter of intent explaining the purpose of the request. The letter should also include information that may be helpful in evaluating the request.

~~G. F. Existing conditions or related development restrictions.~~ Copies of existing conditions of approval, covenants, restrictions and/or easements.

~~H. G. Application fee.~~ Application fee as contained in Chapter 20.180 VMC.

~~I. Signatures of authorized parties.~~ Signatures of all property owners authorizing the proposed adjustment of their property lines as certified by a Notary Public.

U. VMC 20.320.020, adopted by Ordinance M-3643, and last amended by M-4034, is amended to read as follows:

20.320.020 Approval Process.

A. *Decision-making process*

1. *Short subdivisions.* The Planning Official shall approve, approve with conditions or deny an application for a short subdivision preliminary plat by means of a Type II procedure, pursuant to 20.285.050 VMC, using approval criteria contained in Section 20.320.040 VMC, and additional requirements of 20.920 VMC if a qualifying infill development, and 20.927 VMC if a qualifying narrow lot development.

2. *Subdivisions.* The Hearings Examiner shall approve, approve with conditions or deny an application for a subdivision preliminary plat by means of a Type III procedure, pursuant to 20.210.060 VMC, using approval criteria contained in Section 20.320.040 VMC, and additional requirements of 20.920 VMC if a qualifying infill development or 20.927 if a narrow lot development.

B. *Term of preliminary plat approval.* Approval of a preliminary short subdivision or

subdivision shall be valid for a period of seven years, except as provided by RCW 58.17.140(3)b, subject to verification of utility availability, during which time an application for final plat meeting all the requirements of this Chapter and all conditions of preliminary plat approval shall be made; provided, that extensions of preliminary short subdivision or subdivision plat approval may be granted in accordance with the procedures and criteria set forth in Section (D) below.

C. *Phasing.* The developer may develop the short subdivision or subdivision in phases. Any phasing proposal shall be submitted with application materials for the preliminary plat and approved by the Review Authority, except that the Planning Official may approve a phasing plan for an approved short subdivision or subdivision by means of a Type I procedure, governed by 20.210.040 VMC Type I Applications upon finding that:

1. The phasing plan includes all land identified within the legal notice of the approval hearing;
2. The sequence of phased development is identified by map;
3. Each phase shall constitute an independent project meeting all of the requirements for density, open space, public and private infrastructure, landscaping, pedestrian and vehicle circulation etc.; and
4. The Director of Public Works and Transportation Manager have approved the necessary documents to determine that all streets, sanitary and storm sewers, water and other public improvements, including but not limited to drainage improvements, and erosion control measures are assured.

D. *Extensions.* Extension requests shall be reviewed in accordance with the following criteria:

1. An initial one-year extension request, which has been filed at least 30 days prior to the expiration of the seven-year period, shall be reviewed by the Planning Official by means of a Type I procedure, as governed by Section 20.210.040 VMC, upon showing that the applicant has attempted in good faith to meet the conditions for the final plat within the seven-year period.
2. Two additional two-year extension requests may be granted by the Planning Official by means of a Type II procedure, as governed by Section 20.210.050 VMC, providing the applicant demonstrates compliance with all of the following criteria:
 - a. The applicant has pursued compliance with all conditions of preliminary plat approval and submitting the final plat in good faith; and
 - b. There have been no changes to the Comprehensive Plan, zoning ordinance,

development standards or other applicable codes that are inconsistent with the approved preliminary plat.

3. Short subdivisions or subdivisions that have been approved for phased development pursuant to Subsection (C) above may receive subsequent two-year extensions in accordance with the criteria of Subsection (D)(2) above so long as at least one phase received final plat approval and was properly recorded within four years prior to each such subsequent extension request.

E. *Transportation concurrency.* The approval of extensions notwithstanding, the applicant shall comply with the provisions of Chapter 11.95 70 VMC, Transportation Concurrency.

F. *Land transfer agreements.* Agreements to transfer land prior to final plat are authorized, provided, that the performance of an offer or agreement to sell, lease or otherwise transfer a lot, tract or parcel of land following preliminary plat or short plat approval is expressly conditioned on the recording of the final plat or short plat containing the lot, tract or parcel and shall comply with the requirements of 58.17.205 RCW.

V. VMC 20.320.030, adopted by Ordinance M-3643, and last amended by M-4179, is amended to read as follows:

20.320.030 Preliminary Plat Application Requirements.

A. *Application/fees.* The applicant must submit a completed application form as prescribed by the Planning Official with applicable fee per VMC 20.180.~~The applicant shall provide one original and eight copies of the application for a completed application form provided by the planning official, and copies of the information required. A preliminary plat of a short subdivision or subdivision consisting of the following information:~~

- ~~1. Subdivision or short subdivision name that must be other than the name of an existing subdivision, addition or plat recorded in Clark County Washington;~~
- ~~2. Name, mailing address, and telephone number of the owner and/or developer;~~
- ~~3. Name, mailing address, telephone number, and signature of person preparing the application~~
- ~~4. Date;~~
- ~~5. Location, including ¼ of ¼ section, section, township, range and, as applicable, donation land claim and/or subdivision;~~
- ~~6. Total parcel area in acres and square feet;~~
- ~~7. Comprehensive Plan and zoning designations;~~
- ~~8. Existing and proposed land uses;~~

9. ~~Number and size of residential, commercial and industrial lots;~~
10. ~~Names of all utility purveyors;~~
11. ~~Signatures of all property owners; and~~
12. ~~Fee, as governed by Chapter 20.180 VMC.~~

B. Submittal Requirements. Preliminary plat information. ~~The applicant shall provide one original and eight copies of the following information. Drawings shall be on sheets not larger than 24" X 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Plans for the preliminary plat will not be accepted if they are not collated and folded. Applications for preliminary short subdivisions or subdivisions shall be on a scale legible for digital reproduction and shall include the following:~~

1. Existing conditions plan. ~~The preliminary plat application shall include the following information: on one or more to-scale drawings: The existing conditions plan, shall include pertinent survey data compiled as a result of a survey made by or under the supervision of a licensed land surveyor in the state of Washington and shall include the following information:~~
 - a. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations within a 500' radius of the site;
 - b. The site size, dimensions and orientation relative to true north;
 - c. Remaining easements
 - d. The location, name and dimensions of public and private streets adjoining the site, identifying whether the streets are public or private;
 - e. Location, dimension, and purpose of existing easements;
 - f. The location of existing structures and other improvements on the site, including buildings, driveways, parking, loading, pedestrian and bicycle paths, passive or active recreational facilities or open space and utilities;
 - g. Elevation of the site at 2' contour intervals for grades 0% to 10% and at 5' contour intervals for grades more than 10%;
 - h. The location of natural conditions such as:
 1. Waterbodies, the 100-year floodplain, aquatic habitats, natural drainage courses, wetlands, springs, seeps, closed depression areas, groundwater elevations, aquifers, and wellhead protection areas;
 2. Geological hazard areas such as slopes in excess of 15%, unstable or weak soils, soils with high erosion potential, rock outcroppings, and areas of healthy native soils and hydraulic conductivity;
 3. Existing vegetation including stands of trees and individual trees ~~with a caliper greater than 6"~~, additional information necessary to comply with VMC 20.770 Tree, Vegetation, and Soil Conservation, and areas of wildlife habitat. (PMC to check with Charles)

2. Preliminary plat. ~~The proposed preliminary plat shall include the following: The proposed preliminary plat shall include the following information presented on one or more drawings. Plans shall be on sheets not larger than 24" x 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Other scales may be used with the approval of the Planning Official. Plans for the preliminary plat will not be accepted~~

~~if they are not collated and folded.~~

- a. The proposed site and its dimensions and area.
- b. Proposed lots, tracts and easements, including dimensions, individual lot areas and total acreage.
- c. Abutting properties or, if abutting properties extend more than 100' from the site, the portion of abutting properties within 100' of the site, and the approximate location of structures and uses on abutting property or portion of the abutting property.
- d. The location and dimensions of development, including but not limited to the following:
 1. Streets and other rights-of-way and public or private access easements on and adjoining the site;
 2. Vehicle, and bicycle parking and pedestrian bicycle and vehicular circulation areas;
 3. Loading and service areas;
 4. Active or passive recreational or open space features;
 5. All utilities;
 6. Existing structures to be retained on the site and their distance from proposed property lines;
 7. Proposed structures on the site, including signs and fences, and their distance from property lines if known at time of land division;
 8. The location and type of proposed outdoor lighting and existing lighting to be retained if known at time of land division.; and
 9. Boundary delineation of any wetlands including required buffers and shoreline setback lines if applicable

3. *Narrative.* ~~A Preliminary plat application~~ The narrative shall include the following:

- a. A comprehensive narrative addressing how the development complies with preliminary plat approval criteria 20.320.040 and the technical standards in Section 20.320.0870 VMC; other applicable standards of this Title and the policies of the Comprehensive Plan outlined by staff as being applicable to the proposed

development;

b. Description of the uses proposed for the site;

c. Phasing plan, if applicable;

~~d. Construction schedule;~~

~~e. d.~~ Any variances requested pursuant to the regulations in Chapter 20.290 VMC;

~~f. e.~~ Existing covenants or restrictions and easements, if applicable; and

~~g. f.~~ History of any previous subdivisions and short subdivisions of the property.

4. *Supplementary information.* ~~One original and eight copies, collated and folded,~~
~~of t~~ The following supplemental information shall also be submitted unless
otherwise indicated in parentheses:

a. Environmental checklist that complies with Chapter 20.790 VMC, SEPA
Regulations (if applicable),

b. Legal description;

~~c. Reproducible copies of all plans identified in 8 1/2 x 11" or 11" x 17"~~
~~format;~~

~~d. Assessor's map(s) showing all properties within 1,000' of the plat~~
~~boundary;~~

~~e. Results of any completed percolation tests, if applicable (four copies);~~

~~f. 1 copy of the proposed plat map, reduced to fit on either 8 1/2" X 11" or~~
~~11" X 17" paper;~~

~~g. c.~~ Geotechnical/soils survey (~~four copies~~), if applicable;

~~h. d.~~ Tree, vegetation, and soil plan that complies with the requirements of
Chapter 20.770 VMC, Tree, Vegetation, and Soil Conservation;

~~i. e~~ Preliminary grading, erosion prevention and stormwater plans

1. Grading Plan indicating areas of soil protection and compaction
prevention.

2. Erosion Prevention measures as required in VMC 14.24, and

3. Stormwater Site Plan as required in VMC 14.25

~~j. f.~~ Archaeological Pre-Determination Report, if applicable, that complies with the requirements of Chapter 20.710 VMC, Archaeological Resource Protection (~~four copies~~);

~~k. g.~~ Sales history. A deed history of all applicable properties dating back to 1969 or to the date when a legal lot determination was made (~~one copy~~);

~~l. h.~~ Clark County ~~Public Health Department~~ Development Review Evaluation Form or copy of application to the Clark County Public Health Department (~~four copies~~);

~~m. Pre-application conference notes; and~~

~~n. i.~~ Certified mailing list. Current Clark County Assessor map(s) showing the property(ies) within a 500' radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500' radius. Such list shall be certified as accurate and complete by the Clark County Assessor; ~~a title company~~. For non-owner occupied properties, provide mailing labels addressed to "occupant" as can be determined from available County Assessor records (two copies).

~~o. j. Request for Certificate of Concurrence or Certificate of Concurrence Survey and applicable traffic studies. Traffic Study or Trip Generation and Distribution Report in compliance with Title 11.~~

W. VMC 20.320.050, adopted by Ordinance M-3643, and last amended by M-4179, is

amended to read as follows:

20.320.050 Final Plat Application.

A. ~~Final plat application.~~ Applications for final plat approval of a short subdivision or subdivision shall be filed with the Planning Official. Note that Tier I and Tier II and Tier I, II and III submittal requirements may be filed concurrently. Final plat application and fees. A complete application, including all supplemental documentation and correct number of copies, shall be filed with the Planning Official along with all associated fees per VMC 20.180.

B. ~~Fees, materials and reproduction.~~ The applicant shall submit the requisite fee, a completed application form and five collated and folded paper copies of the information required below. Plans for final plat will not be accepted if they are not collated and folded. Include one reduced 8 1/2" x 11" copy of all plans. Proposed final plat. The proposed final plat shall be prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 18.90 RCW) as it now exists or hereafter amended. The plat shall consist of one or

more pages of a size acceptable to the recording authority, and drawn to a minimum scale of one inch equals fifty feet. The drawing shall contain the following:

1. Date, north arrow and scale;
2. Name of subdivision and applicable project numbers;
3. Letter height must not be less than .08”;
4. Heavy dashed line around the exterior boundary;
5. All section, township, municipal and county lines lying within or adjacent to the subdivision;
6. Legend;
7. The location of all monuments or other evidence used as ties to establish the subdivision’s boundaries, and all permanent monuments with linear dimension, including dimensions to every curb screw;
8. The boundary of the subdivision with complete bearings and linear distances;
9. The length and bearings of all straight lines and the radii, arcs and semi-tangents of all curves;
10. The length of all lot lines, together with bearings and other data necessary for the location of any lot line in the field;
11. Identification of areas to be dedicated or reserved clearly indicated with location, size and purpose. These may include rights-of-way width, public easements, private easements, specific utility easement and type, open space tracts, wetland, etc.;
12. Numbers assigned to all lots, indication of the acreage and/or square footage of each lot, and letters assigned to all blocks within the subdivision;
13. Certification on the face of the plat by a registered land surveyor:

I, _____, registered as a land surveyor by the state of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by or under my supervision, during the period of _____ through _____; that the distances, courses and angles are shown thereon correctly, and that monuments other than those monuments approved for setting at a later date have been set and lot corners staked on the ground as depicted on the plat.

14. Signature blocks for the following:
 - a. Director of Public Works;

- b. Director of Community and Economic Development;
- c. Clark County Public Health signature or a letter from Public Health is provided confirming completion of the Public Health's Development Review Process;
- d. County assessor;
- e. Auditor's certification;
- f. Surveyor's certification, with license number, signature, date and seal.

C. Additional final plat application requirements:

- 1. Final Performance and Maintenance Bond (if applicable);
- 2. Legal description of boundary which has been certified by the land surveyor with seal and signature as being an accurate description of the lands actually surveyed;
- 3. Mathematical closures;
- 4. Certification of platting from a title company;
- 5. Dedication of Plat. A plat certificate shall be provided, including dedications, if any (RCW 58.17.165). The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, or modification showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing;
- 6. Treasurer's certificate;
- 7. Conditions, covenants and restrictions, notes, and/or binding agreements as required by this code, SEPA, conditions of preliminary plat approval or other law, including but not limited to the following:
 - a. Private road maintenance agreement (if applicable);
 - b. Recorded conservation covenant (if applicable);
- 8. Final tree and landscaping plan, including street trees;
- 9. Other supporting documents required pursuant to the preliminary plat decision;
- 10. Mylar Submittal. Upon compliance of the final plat and the construction plans with all preliminary plat conditions and with all applicable adopted statues and local ordinances, the Planning Official shall request submittal of the final plat Mylar(s) for signature.

~~C. Tier I minimum submittal requirements for final plat subdivision. An application form shall be provided by the Planning Official, and shall contain the following Tier I submittal~~

requirements:

1. Mathematical lot closure calculations for each lot prepared by a surveyor licensed in the State of Washington
2. Boundary survey prepared by a surveyor licensed in the State of Washington which shows dimensions, orientation of all boundary lines and indicating all property corners;
3. Incorporation of all plat notes from decision;
4. Drafting and indexing requirements:
 - a. ~~21" x 30" sheet;~~
 - b. ~~North arrow indicated;~~
 - c. ~~Scale noted and shown graphically;~~
 - d. ~~Letter height must not be less than .08";~~
 - e. ~~Heavy dashed line around the exterior boundary;~~
 - f. ~~Legend;~~
 - g. ~~Approved Street names;~~
 - h. ~~Lot, block, street right of way, street dedication and centerline dimensions.~~
5. Title block on right or lower edge. The Title block shall appear on all sheets with the name of the business/owner with the firm and/or surveyor and telephone number.
Include sheet designation for multiple sheets.
 - a. ~~Name, mailing address, and telephone number of owner and/or developer, and surveyor of the plat;~~
 - b. ~~Date;~~
 - c. ~~Acreage;~~
 - d. ~~Number of lots; and~~
 - e. ~~Zoning designation.~~
6. ~~Indexing information. Location, including 1/4 of 1/4 section, section, township, range, and as applicable, donation land claim and/or subdivision.~~
7. ~~Signature blocks.~~
 - a. ~~Director of Public Works.~~
 - b. ~~Director of Community Development.~~
 - c. ~~Mayor, for subdivisions only.~~
 - d. ~~Clark County Public Health Department signature shall be required unless a letter from the Public Health Department is provided confirming completion of the Health Department's Development Review Process.~~
 - e. ~~County Assessor.~~
 - f. ~~Surveyor's certificate with license number, signature, date and seal.~~
 - g. ~~County Auditor.~~
8. ~~Special requirements~~
 - a. ~~Identification of areas to be dedicated or reserved (rights of way, open space tracts, wetlands, etc);~~

b. ~~Special setbacks;~~
c. ~~Private easements and streets;~~
d. ~~Utility easements;~~
e. ~~Any conditions that need to be recorded with the plat denoted on the face of the plat, as indicated in the Planning Official's or Hearing Examiner's Final Order and Decision;~~

f. ~~Public and private stormwater management facilities;~~

g. ~~Identification of responsible party for maintenance of stormwater facilities;~~

h. ~~Access restrictions;~~

i. ~~Corner lot driveway locations;~~

j. ~~Parking restrictions.~~

9. ~~Survey information~~

a. ~~Monument setting;~~

b. ~~Site dimensions; and~~

c. ~~General information including property corners, lot areas, dimensions and bearings of all property lines and areas of right of way dedication.~~

D. Tier II minimum submittal requirements for final subdivision/short subdivision plat.

1. ~~Paper copies of approved engineering plans (full size and 8 ½" x 11");~~

2. ~~Final performance and maintenance bonds:~~

d. ~~Stormwater facilities, if applicable;~~

e. ~~Street(s), if applicable;~~

f. ~~Wetland, if applicable; and~~

g. ~~Trees, if applicable.~~

3. ~~Four copies of approved street lighting plan (full size and 8 ½" x 11");~~

4. ~~Street signing and striping plan;~~

5. ~~Final tree and landscaping plan, including street trees, if applicable;~~

E. Tier III submittal requirements for final subdivision/short subdivision plat

1. ~~Two sets of final mylars for signatures;~~

2. ~~Three paper copies of approved as-built plans (full size and 8 ½" x 11" PMTs);~~

3. ~~Plat certificate, including dedications;~~

4. ~~Certificate of Title;~~

5. ~~Covenants, conditions and restrictions (CC and R's), if applicable;~~

6. ~~Treasurer's Certificate;~~

7. ~~Recording fee established by the County Auditor's office and made payable to the Clark County auditor.~~

F. Legal description. The legal description of the boundary which has been certified by the land surveyor shall be provided, with seal and signature as being an accurate description of

~~the lands actually surveyed.~~

X. VMC 20.320.060, adopted by Ordinance M-3643, is amended to read as follows:

20.320.060 Final Plat Approval.

A. *Final plat procedure.* ~~Three copies of the proposed final plat map with mathematical closures calculations shall be submitted to the Planning Official. The Planning Official shall forward a copy of the final plat and the mathematical closures to the Director of Public Works or assigned designee within five working days of receipt. A second copy of the plat and closure calculations shall be forward to the Clark County Surveyor for review and comment. The third copy shall be kept on file in Community and Economic Development.~~

1. An applicant requesting final approval of a plat shall submit to the Planning Official copies of the materials specified in VMC 20.320.050.
2. The Planning Official shall coordinate the final plat review among the appropriate city and/or county departments.
3. Upon consideration of the approval criteria below, the Planning Official shall forward the final plat to the Public Works Director and Community and Economic Development Director for signature.
 - a. The plat is in proper form for recording as established by the submittal requirements;
 - b. The final plat map and mathematical closures are in compliance with the survey standards set forth in RCW 58.17;
 - c. All required improvements have been completed or security acceptable to the City in lieu of completion guaranteeing that all required improvements will be completed;
 - d. The final plat is in conformance with conditions of preliminary plat approval;
 - e. The final plat complies with the requirement of this chapter and all applicable, adopted states and local ordinances.
4. The final plat shall be recorded with the Clark County auditor. It shall be the responsibility of the applicant to record the plat with the county auditor.

5. Upon recording of the final plat with the Clark County auditor, the applicant shall submit two full-size copies of the actual recorded Mylar to the Planning Official.

~~1. The Director of Public Works or assigned designees shall review final plats for conformance with conditions of preliminary plat approval and the mathematical closures for compliance with the survey standards set forth in Section 20.320.080(D) VMC and return his written approval or comments for correction to the Planning Official within 10 working days. The Clark County Surveyor shall return his written approval or comments for corrections to the Planning Official within 10 working days.~~

~~2. After compliance with the procedures of Subsections (A) and (A)(1) above, the final plat application and final plat map shall be submitted to the Planning Official as set out in Section 20.320.050 VMC.~~

~~3. Public improvement plans for the design of required street, utility and other public improvements shall be submitted to the Director of Public Works or assigned designee, who shall review them for compliance with conditions of preliminary plat approval and other standards as of the date of preliminary plat approval. Approval shall be indicated by the signature of the Director of Public Works or assigned designee appearing on the public improvement plans. The Director of Public Works shall indicate on the plan that the design is approved for construction, or within 20 working days return the plan to the applicant with modifications, if necessary.~~

~~4. Upon finding that the final plat and the public improvement plans comply with all preliminary plat conditions and all applicable statutes and local ordinances, the Planning Official shall sign the final plat. In the case of subdivisions only the final plat and accompanying recommendation shall then be forwarded to the Mayor for his signature on behalf of the City Council as provided by 58.17.140 RCW within five working days.~~

~~5. Upon approval of the final plat by the City Council and after all other statutory requirements have been met, the applicant shall record the plat with the County Auditor. The applicant shall provide the Planning Official with one mylar original and two paper copies of the recorded final plat.~~

B. *Construction prior to final plat approval*

1. In lieu of the completion and acceptance of any required public or private improvements prior to approval of a final plat, the Director of Public Works may accept an escrow or other form of security acceptable to the City, in an amount and with conditions satisfactory to him. The security to the City shall be sufficient to ensure that the actual construction and installation of such improvements occur within a period specified in the agreement by the Director of Public Works ~~and/or Transportation Division Manager~~; and completion of the improvements in accordance

with the agreement shall be enforced by the Director of Public Works and/or Transportation Division Manager by appropriate legal and equitable remedies.

2. Construction of streets and utilities shall not start prior to the approval of the civil engineering construction plans by the Director of Public Works. However, rough grading operations may proceed before the plans are approved by the Director of Public Works under the following conditions:

- a. The grading plan and erosion control plans, are submitted along with an application for the grading permit; including applicable fees;
- b. The grading plan is in conformance with the approved preliminary plat;
- c. The grading plan will not be in conflict with the street profiles and drainage structure plans;
- d. A hold harmless agreement signed by the applicant in the case of mandated change to the engineering plans associated with the plat; and
- e. These plans receive approval from the Department of Public Works and/or Transportation Division.

Y. VMC 20.320.070, adopted by Ordinance M-3643, and last amended by Ordinance M-4179, is amended to read as follows:

20.320.070 Technical Standards.

A. *Subdivision Layout and Required Improvements*

1. *Principles of acceptability.* The short subdivision or subdivision shall conform to the Comprehensive Plan. The short subdivision or subdivision shall conform to the requirements of the state law and to the standards established by this Title.

a. *Street improvement standards.* All proposed streets and street improvements shall comply with the provisions of Title 11 and approved transportation standards details on file with the Public Works Department.

b. *Blocks.* The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography.

c. Blocks shall not exceed 1,300' in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical conditions justify variation. The recommended minimum distance between intersections of arterial streets is 1,800'. Minimum length of a block shall not be less than 180'.

d. Easements

1. *Utility lines.* Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider.

2. *Watercourses.* If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a stormwater easement for the width of the watercourse plus 15' on each side of the watercourse. Streets or parkways parallel to a major watercourse may be required.

3. *Pedestrian/bicycle ways in and through residential subdivisions.* In blocks over 800' in length, a pedestrian/bicycle way with a minimum width of 16' shall be required through the middle of the block when required by the Transportation Manager for public convenience and safety; 12' of the 16' corridor shall be paved in a durable material. If unusual conditions require blocks longer than 1,200' in length, two pedestrian/bicycle ways shall be required. When required by the Transportation Manager for public convenience and safety, pedestrian ways shall be required to connect cul-de-sacs or to pass through unusually shaped lots.

e. *Flag lots.* Flag lots may be permitted, provided that the minimum width of the flag stem be 15' for a single lot and 20' for a shared flag access, and it is in compliance with fire access standards contained in VMC 16.04.150. No more than four lots may be accessed from a single flag stem. A private maintenance agreement shall be recorded for driveways which serve more than one lot.

f. *Lot side lines.* Side lines, as far as practical, shall run at right angles to the street on which the lot faces.

g. *Lot frontage.* With the exception of flag lots, all lots shall abut on a public or private street with a minimum frontage of not less than 20'.

~~h. *Lot depth and setbacks.* Lots fronting or accessing on primary or secondary arterials shall be avoided when possible. If lots front on arterials, the lots shall have an average minimum depth of 100'.~~

~~h.~~ *i. Parks and playgrounds.* The Review Authority shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.

~~i.~~ *j. Narrow Lot Land Divisions.* Land divisions which contain one or more residential lots having a width or less than 40 feet shall meet the development standards of VMC

20.927.040.

~~4j. 2k.~~ *Existing trees.* All subdivision developments shall comply with the tree and vegetation management provisions contained in Chapter 20.770 VMC, ~~Tree Conservation~~ Tree, vegetation & soil conservation.

2. *Procedure for installation.* In addition to other requirements, improvements installed by the developer of the short subdivision or subdivision, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Title and improvement standards, specifications, inspections and procedures as set forth by the city and administered by the Department of Public Works and Community and Economic Development Department, and shall be installed in accordance with the following procedures:

a. Public work shall not commence until civil engineering plans, prepared in accordance with the requirements of the city, have been approved by the city: all required permits have been obtained and a pre-construction conference has been conducted. Public work shall not be commenced until the city has been notified in advance.

b. If work has been discontinued for any reason, it shall not be resumed until the city has been notified.

c. Public improvements shall be constructed under the inspection and to the satisfaction of the Director of Public Works or their designee. The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

d. All underground utilities, sanitary sewers and storm drains installed in the streets by the developer of the short subdivision or subdivision shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length precluding the necessity for disturbing the street improvements when surface connections are made.

e. A plan showing all improvements “as built” shall be filed with the Development Review Services upon the completion of the improvements.

f. *Public improvements required.* Improvements to be installed at the expense of the owner of the short subdivision or subdivision are as follows:

1. All full-width streets, sidewalks, curbs and gutters, including alleys, within or adjacent to the subdivision or short subdivision; streets adjacent but only partially within the short subdivision or subdivision; and the extension of short subdivision or subdivision streets to the intercepting paving line of existing streets with which short subdivision or subdivision streets intersect shall be graded for the full right-of-way width and improved to the city's improvement standards and specifications.

2. *Half-width roads.* In situations where the property being developed does not permit

full-width public streets, half roads having a minimum right-of-way or easement and roadway improvement width of 1/2 of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the street on such adjoining property; provided, that public street half-width shall be a minimum of 20' wide. Public half-width streets serving six or more parcels shall be required to dedicate additional right-of-way as necessary to provide for a minimum of 1' of right-of-way beyond the edge of the sidewalk. Further, additional right-of-way or easement may be required between the edge of the roadway and the property line for construction clearance, slopes or other features. Half-width public streets shall serve a maximum of 200 ADT. If the number of trips generated is greater than 200 ADT, the street shall be widened to full-width standards. Parking shall be prohibited along any half-width street and necessary signs and pavement markings shall be the responsibility of the developer.

3. *Bench marks.* When required, Elevation bench marks shall be established within the subdivision with elevations to U.S. Geological Survey datum.

4. Surface drainage systems shall be provided within the subdivision or short subdivision. The design of the drainage system within the short subdivision or subdivision shall be in accordance with the standards set forth by VMC 14.25, as administered by the Department of Public Works.

5. *Erosion control and stormwater quality.* Facilities shall be provided within the short subdivision or subdivision to enhance stormwater runoff and protect existing and future drainage facilities. The design of the erosion control and stormwater quality system shall be in accordance with the standards set forth by the city, pursuant to VMC 14.24 and 14.25, as administered by the Department of Public Works.

6. *Sanitary sewers.* Sanitary sewers shall be installed to serve the short subdivision or subdivision and to connect the short subdivision or subdivision to existing mains. In the event that it is impractical to connect the short subdivision or subdivision to the city trunk sewer system, the Review Authority may authorize the use of septic tanks if the lot area is adequate, taking into consideration the physical characteristics of the area determined by the County Health Department.

7. *Water system.* Water lines with valves and fire hydrants serving the short subdivision or subdivision and connecting the subdivision or short subdivision to the city mains shall be installed according to specifications of the city, pursuant to Title 14 VMC, Water and Sewer Facilities, as administered by the Department of Public Works.

8. *Sidewalks.* Sidewalks shall be installed along both sides of each street within and/or adjacent to the short subdivision or subdivision, unless exempted by approval of a Roadway Modification, by the Review Authority and along pedestrian ways of the short subdivision or subdivision. Sidewalks shall be installed according to the specifications of the city, pursuant to Title 11 VMC, Streets and Sidewalks, as administered by the Department of Public Works.

9. *Street trees.* Street trees shall be planted along both sides of each street within the

short subdivision or subdivision and along any portion of the short subdivision or subdivision that fronts upon an existing street. Street trees shall be planted 30' on-center and be of a species approved by the city Planning Official.

10. *Other.* When special conditions are encountered in the plans for improvements such as fill section requiring the placement of guardrails, ditches requiring drainage appurtenances, or other protection against erosion such as slopes requiring use of sod and/or seeding, such improvements shall be considered as an integral part of the improvement construction. Such special improvements shall be approved by the Director of Public Works or Transportation Manager prior to commencement of construction.

g. Conditions of agreements

1. Short Subdivisions or Subdivisions. Before the ~~City Council~~ Public Works and Community and Economic Development Directors approval is certified on the plat of a subdivision, the developer shall either install required improvements and repair any damage to the existing streets or other facilities damaged due to the development of a the subdivision, or at the city's discretion execute and file with the City Clerk an agreement between herself/himself and the city specifying a period not to exceed two years in which the required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the subdivider.

~~2. Short subdivisions. Before the Planning Official's approval is certified on the plat of a short subdivision, the developer shall either install the required improvements and repair any damage to the existing streets or other facilities damaged due to the development of a the short subdivision, or at the city's discretion execute and file with the City Clerk an agreement between himself and the city specifying a period not to exceed two years in which required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the developer of the short subdivision.~~

~~3.~~ 2. Escrow or other form of security acceptable to the city required – Public Improvements. The city may accept from the developer of any short subdivision or subdivision, in lieu of completion and acceptance of certain approved required public improvements prior to approval of a final plat, an escrow agreement or other form of security acceptable to the city which secures and provides for the actual construction and installation of the improvements of the conditions of plat approval and subject to the following:

a. The use of escrow in lieu of construction completion shall be limited to work items representing end-of-project issues that are generally outside the control of the developer. Examples may include; top layer of pavement, landscaping or sidewalk construction in unfavorable weather seasons; delayed delivery of long-lead-time items like street lighting or traffic signal equipment. The use of escrow shall not be approved for underground utility installation.

~~a. Use of escrow or other form of security acceptable to the city in lieu of completion and~~

acceptance of such required private improvements shall include:

- ~~1. Approved public transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;~~
- ~~2. Approved water system improvements;~~
- ~~3. Approved sanitary sewer improvements;~~
- ~~4. Approved public stormwater collection and management facilities; and~~
- ~~5. Approved landscaping and street trees, including installation and maintenance costs.~~

b. The developer shall submit a written request and the appropriate forms to ~~the Development Review Services, and~~ the Director of Public Works, or designee, for review, which shall include the following information:

1. A scheduled unit cost breakdown for project work to be completed presented as Exhibit "A", an agreement will not be accepted without an approved unit cost breakdown for the project.

2. ~~The executed~~ A draft of the escrow agreement in a form approved by the city.

3. Any other documents deemed necessary by the city.

4. Applicable processing fee.

c. Upon approval of an escrow or other form of security acceptable to the city, recording of the final plat is allowed, provided all other conditions to be met prior to final plat approval have been satisfied.

~~4.3.~~ *Escrow or other form of security acceptable to the city required – Private Improvements.* The city may accept from the developer of any subdivision or short subdivision, in lieu of completion and acceptance of certain approved required private improvements prior to approval of a final plat, an escrow agreement or other form of security, acceptable to the city, which secures and provides for the actual construction and installation of the private improvements or the performance of the conditions of agreement for plat and subject to the following:

- a. Use of escrow or other form of security acceptable to the city in lieu of completion and acceptance of such required private improvements shall be limited to:

1. Approved private transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;

2. Approved private stormwater collection and management facilities;

3. Approved landscaping and trees to meet minimum on-site tree density, including installation and maintenance costs.

b. The developer shall submit a written request along with the appropriate forms to the Planning Official for review.

c. Each escrow or other form of security acceptable to the city request shall include the following:

1. A scheduled cost breakdown for project work to be completed presented as Exhibit "A", an escrow agreement shall not be accepted without an approved unit cost breakdown for the remaining improvements.

2. A draft escrow agreement in a form provided by the city.

3. An irrevocable license signed by the owner of subject property to run with the property which provides the city with the right to allow the employees, agents, or contractors of the city to go on access the subject property for the purpose of inspecting and, if necessary, doing completing the work or making the improvements covered by the escrow or other form of security acceptable to the city.

4. Any other documents deemed necessary by the city.

5. Applicable processing fee.

d. Upon approval of an escrow or other form of security acceptable by to the city, recording of the final plat is allowed, provided all other conditions required to be met prior to the final plat approval have been satisfied.

~~5.4.~~ *Amount of escrow or other form of security acceptable to the city.* Such assurance of full and faithful performance shall be for a sum approved by the Planning Official as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

~~6.5.~~ *Failure to carry out agreement.* In the event the developer of the short subdivision or subdivision fails to carry out provisions of the agreement and the city has unreimbursed costs or expenses resulting from such failure, the escrow or other form of security acceptable to the city shall be forfeited and the money shall be paid to the city to defray its costs. If the amount of the escrow or other form of security acceptable to the city exceeds the cost and expense incurred by the city, the city shall release the remainder and if the amount of the escrow or other form of security acceptable to the city is less than the cost and expense incurred by the city, the subdivider shall be liable to the city for the difference.

7-6. Guarantee of workmanship and materials. It shall be required that a 110% maintenance bond or bonds be posted to guarantee all workmanship and material for a period of one year from the date of the acceptance of the improvements by the city. This is provided that in the judgment of the Director of Public Works any defects are not the result of public abuse, misuse or acts of God. City inspection does not give relief from the one-year guarantee on workmanship.

8-7 Release of escrow or security. Upon completion of required improvements, the subdivider shall request in writing that the Planning Official or Director of Public Works release all or a portion of the funds held in escrow. Such improvements shall be inspected and accepted as complete by the city prior to the release of any such escrow funds, or portion thereof.

B. *Public improvements plan.* Where public improvements are required, plans for such improvements shall be submitted to the Director of Public Works. Public improvements shall be designed by or under the direct supervision of a licensed professional civil engineer as required by statute, pursuant to 18.08, 18.43, and 18.96 RCW, and shall meet, as a minimum, the requirements of Section 20.320.080(A) VMC. The engineer shall certify the plans by seal and signature. Such certification shall contain the following: (1) subdivision name; (2) name, mailing address, and telephone number of engineer preparing the plan; and (3) date, including month and year. All public improvement plans shall be submitted for review and approval by the Director of Public Works.

C. *Monument-setting.* All monuments set in subdivisions shall be at least ½" X 24" steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

1. Centerline monument-setting After paving, except as provided in, Subsection (4) below, monuments shall be driven flush with the finished road surface at the following intersections:

- a. Street centerline intersections;
- b. Points of intersection of curves if placement falls within the paved area or otherwise, at the beginnings and endings of curves; and
- c. Intersections of the plat boundaries and street centerlines.

2. *Property line monument-setting.* All front corners, rear corners, and beginnings and endings of s curves shall be set with monuments, except as provided in Subsection (4) below. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property-line monuments may be provided by brass screws or concrete nails with the surveyor's license number at the intersections of curb lines and the projections of side property lines. If curb monuments are used, it shall be noted on the plat, and also that such is monuments are good for projection of line only and not for distance.

3. *Post-monument-setting.* All monuments for the exterior boundaries of the short

subdivision or subdivision shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final short subdivision or subdivision construction inspection by the Director of Public Works, and if the developer guarantees such interior monument-setting.

a. The developer shall sign the following certification, the existence of which shall be noted on the plat, if post- monument-setting of the interior monuments is chosen:

DEVELOPER'S CERTIFICATION FOR POSTMONUMENTATION

I, certify that the post-monument-setting of the interior monuments of this plat shall be accomplished within ninety (90) days of final acceptance of subdivision construction by the Director of Public Works for the City of Vancouver, Clark County and State of Washington.
(Signature)”

b. The land surveyor who performs any post-monument-setting shall certify that the interior monuments have been set in compliance with the final plat, and shall record the following certification with the County Auditor:

“I, certify that I have set the interior monuments for (name of subdivision) a subdivision plat recorded in Book (_____), page (____), Records of Clark County, and that said monuments are set in compliance with said final plat.
Dated this (_____) day of (____), 20 ____ .
(License number, seal, and signature of surveyor).

c. If the surveyor cannot certify that the monuments are in compliance with the final plat, the discrepancy shall be resolved by filing an amended final plat in accordance with the provisions of Section 20.320.030(D)(1) VMC.

4. *Post- monument-setting bonds.* In lieu of setting interior monuments prior to final plat recording as provided in Section 20.320.080 (C)(2) VMC, the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to him/her, or other secure method as the Director of Public Works may require, providing for and securing to the city the actual setting of the interior monuments as provided in Section 20.320.080 (C)(2) VMC and to be enforced by the Director of Public Works by appropriate legal and equitable remedies.

D. *Survey standards.* All surveys shall comply with standards set forth by state statutes, drafting standards of this Title, and WAC 332-130, except that linear closures after azimuth adjustment shall be at least a ratio of 1:10,000 for WAC 332-130-090. Where conflicts are identified, the most restrictive standard shall prevail.

1. *Elevations of vertical information.* Where required, any elevations or vertical information shall have an accuracy of third-order specifications as published by the U.S.

Department of Commerce in a bulletin entitled "Classification, Standards of Accuracy, and General Specifications of Geodetic Control Surveys," and bench marks with the datum used shall be shown on the plat.

E. *Drafting standards*

1. *Preferred scale proportions.* The preferred scale proportions for preliminary and final plat are ratios as follows:

- a. 1:600 or 1"=50'
- b. 1:1,200 or 1" = 100' and 1:2,400; or 1" = 200'; but in no case shall the proportion exceed 1:2,400.

2. *Final plat drawing requirements.* The final plat shall be drawn with ink upon three-mil mylar film, or equivalent; sheet size as required by recording agency ~~said sheets to be 30" X 24"~~, with a 1" border on each side.

3. *Lettering.* Lettering shall be at least 0.08" high, and the perimeter of the final plat shall be depicted with heavier lines (dashed) than the remaining portion of the plat.

4. *Location.* All data necessary for the location in the field of all points within the plat shall be shown. Straight lines shall be designated with bearing and distance; curves shall be designated by arc length, central angle and radius. All dimensions shall be in feet or meters, and decimals thereof to the nearest 1/100 of a foot, or 5/1,000 of a meter; except that angles shall be in degrees to the nearest second.

Z. VMC 20.320.080, adopted by Ordinance M-3643, and last amended by Ordinance M-3701, is amended to read as follows:

20.320.080 Other Provisions.

A. *Variances.* One or more variances may be requested relating to any of the design or development standards contained within Section 20.320.070 VMC except those for which variances are expressly prohibited, as listed in Chapter 20.290.010 VMC. These shall be requested concurrently subject to the procedural requirements and approval criteria contained in Chapter 20.290.040 VMC. No variances to procedural regulations are permitted.

B. *Proximity to agricultural and mineral activities*

1. All plats or development approvals under this Title issued for residential development activities within 1/4 mile of lands zoned agricultural or from existing agricultural or mineral resource operations shall be accompanied by a notice provided by the Planning Official. Said

notice shall include the following disclosure:

a. The subject property is within 1/4 mile of designated agricultural land or mineral resource land as applicable, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery, including aircraft, during any hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.

b. In the case of subdivision plats, short subdivision plats or recorded binding site plans, such notice shall also be recorded separately with the Clark County Auditor.

2. All plats or development approvals under this Title issued for residential development activities shall provide a barrier such as fencing or vegetation between the immediately-adjacent residential lots and agricultural and mineral resource activities. A natural buffer, such as a wetland, swale or berm, may substitute for the barrier upon approval of the Planning Official. Lots with street frontage are not required to provide a barrier between residential uses and an adjacent agricultural or mineral resource activity across the street.

C. Subdivisions of commercially and industrially zoned properties

1. Preliminary plats for commercial and industrial properties shall comply with all of the requirements of Section 20.320.030 VMC and 20.320.040 VMC.

2. Final plats for commercial and industrial properties shall comply with all of the requirements of Section 20.320.060 VMC except that the final plat shall be in substantial compliance with the preliminary plat if lot sizes are within the range of lots sizes proposed for the preliminary plat, if lot sizes were shown on the preliminary plat.

~~D. Revisions of recorded plats. The subdivider shall file the final short plat or plat and attached documents for record with the Clark County Auditor. Any alteration or modification of a short subdivision or subdivision plat shall be undertaken pursuant to all applicable development standards including regulations established in 58.17.215-220 RCW by a Type II or Type III process, respectively.~~

1. Any alteration or modification of a short subdivision or subdivision plat shall be undertaken pursuant to all applicable development standards including regulations established in RCW 58.17 by a Type II or Type III process, respectively. If approved, the subdivider shall obtain approval of a final plat application as required by this Chapter.

2. Dedicated easements - (Alternative Process): To extinguish or alter a dedicated easement, an alternative process to the above may be used if such process was established on the recorded plat or other document creating the dedicated easement as authorized under RCW 64.04.175.

AA. VMC 20.320.090, adopted by Ordinance M-3643, is amended to read as follows:

20.320.090 Remedies and Penalties.

A. *Remedies and penalties*

1. *Rescinding of sale and recovery of costs.* Any purchaser or transferee of property divided in violation of this Chapter may rescind the sale or transfer and recover costs of investigation, suit and reasonable attorney's fee occasioned thereby, or otherwise recover any damage resulting thereby from the person or agent who illegally subdivided or short subdivided the land.

2. *Injunctive*

a. Whenever any parcel of land is divided into two or more divisions, lots, tracts or parcels of land, and any person, firm or corporation or any agent of any of them sells or transfers any such division, lot, tract or parcel without either having a final plat or short plat filed and recorded as required in this Chapter, the City Attorney shall commence an action to restrain and enjoin further divisions or sales, or transfers, and compel compliance with all provisions of this Chapter. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

b. In the enforcement of this Chapter, the City Attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this Chapter from any person engaging in or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to, the approval of the Superior Court of Clark County. The violation of such assurance shall constitute prima facie proof of violation of this Title.

3. *Penalty for violation.* No land comprising any part of a proposed subdivision or short subdivision to be established henceforth in the City shall be sold or leased until such subdivision or short subdivision has been approved as provided by this Chapter, and a plat or short plat, as appropriate, has been filed and recorded. In addition, any person, being the owner or agent of the owner of such land, or who acts in any capacity in effectuating a sale or lease, who sells or leases any division, lot, tract or portion thereof shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not to exceed ~~\$500~~1,000. Each sale or lease shall constitute a separate and distinct offense for each separate land division, lot, tract or portion of said land.

BB. VMC 20.410.030, which was adopted by Ordinance M-3643, and last amended
by Ordinance M-4187, is amended as follows:

20.410.030 Uses.

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in Low-Density Residential Districts is presented in Table 20.410.030-1.

Table 20.410.030 – 1. LOWER-DENSITY RESIDENTIAL DISTRICTS USE TABLE

USE	R-2	R-4	R-6	R-9
RESIDENTIAL				
Household Living	P ¹	P ¹	P ¹	P ¹
Group Living	P/X ¹	P/X ¹	P/X ¹	P/X ¹
Transitional Housing	X	X	X	X
Home Occupation	L ²	L ²	L ²	L ²
Medical Center Residential	L ²³	L ²³	L ²³	L ²³
HOUSING TYPES				
Single Dwelling, Attached	L ¹⁸	L ¹⁸	L ¹⁸	L ¹⁸
Single Dwelling, Detached	P	P	P	P
Accessory Dwelling Units	L ⁴	L ⁴	L ⁴	L ⁴
Duplexes ²²	L ²¹	L ²¹	L ²¹	L ²¹

USE	R-2	R-4	R-6	R-9
Multi-Dwelling Units	X	X	X	X
Existing Manufactured Home Developments	L ⁵	L ⁵	L ⁵	L ⁵
Designated Manufactured Homes	L/X ¹⁹	L/X ¹⁹	L/X ¹⁹	L/X ¹⁹
New Manufactured Homes	L ²⁰	L ²⁰	L ²⁰	L ²⁰
CIVIC (Institutional)				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
Community Recreation	C ⁶	C ⁶	C ⁶	C ⁶
Cultural Institutions	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷
Day Care				
- Family Day Care Home	P ⁸	P ⁸	P ⁸	P ⁸
- Child Care Center	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
- Adult Day Care	L/C/X ⁹	L/C/X ⁹	L/C/X ⁹	L/C/X ⁹
Emergency Services (except ambulance services)	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Ambulance Services	X	X	X	X
Human Service Facilities	X	X	X	X
Medical Centers	X	X	X	X
Parks/Open Space				
- Neighborhood Parks	P	P	P	P
- Community Parks	L ¹⁰ /C	L ¹⁰ /C	L ¹⁰ /C	L ¹⁰ /C
- Regional Parks	C	C	C	C
- Trails	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰
Postal Service	C	C	C	C

USE	R-2	R-4	R-6	R-9
Religious Institutions	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Schools	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	C ¹²	C ¹²	C ¹²	C ¹²
COMMERCIAL				
Commercial Lodging	L/C/X ¹³	L/C/X ¹³	L/C/X ¹³	L/C/X ¹³
Eating/Drinking Establishments	X	X	X	X
Entertainment-Oriented				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
General Retail				
- Sales-Oriented	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴
- Personal Services	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴
- Repair-Oriented	X	X	X	X
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P

USE	R-2	R-4	R-6	R-9
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
Office				
- General	X	X	X	X
- Medical	X	X	X	X
- Extended	X	X	X	X
Non-Accessory Parking	X	X	X	X
Self-Service Storage	X	X	X	X
Marina	C	C	C	C
INDUSTRIAL				
Industrial Services	X	X	X	X
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight Movement	X	X	X	X
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
OTHER				
Agriculture/Horticulture	P	P	P	P
Airport/Airpark	X	X	X	X
Animal Kennels/Shelters	X	X	X	X

USE	R-2	R-4	R-6	R-9
Cemeteries	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵
Detention & Post Detention Facilities	X	X	X	X
Dog Day Care	X	X	X	X
Heliports	X	X	X	X
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Cooperatives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	P	P	P	P
Temporary Uses	L ¹⁶	L ¹⁶	L ¹⁶	L ¹⁶
Wireless Communication Facilities	L/C/X ¹⁷	L/C/X ¹⁷	L/C/X ¹⁷	L/C/X ¹⁷

1 Residential Care Homes, state or federally approved, with six or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

2 Subject to the provisions of Chapter 20.860 VMC, Home Occupations.

4 Subject to the provisions of Chapter 20.810 VMC, Accessory Dwelling Units.

5 Subject to the provisions of Chapter 20.880 VMC, Manufactured Home Developments. Manufactured Home Developments established prior to July 1, 2005 are exempt from the standards of VMC 20.410.050(F) – Development Standards and may continue to exist and expand within existing previously-approved boundaries. An existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision.

6 Subject to provisions in Chapter 20.895. 040 VMC, Community Recreation and Related Facilities

7 Libraries only permitted outright; all other cultural institutions are conditional uses.

8 Family day care homes for no more than 12 children are permitted when licensed by the State.

9 Adult day care facilities for six or fewer adults allowed as limited uses subject to compliance with the development standards governing Home Occupations, per Section 20.860.020(B)(1)-(7) VMC; facilities with 7-12 adults allowed as conditional uses; and larger facilities are prohibited.

10 Community parks that meet all of the criteria contained in Section 20.410.050(E)(1) VMC are permitted by limited uses; all others require conditional use approval. Trails are limited uses subject to the additional development standards contained in Section 20.410.050(E).

11 Schools, religious institutions, government buildings, fire stations, child care centers, and emergency services facilities that meet all of the criteria contained in Section 20.410.050(D) VMC are permitted by right; all others require conditional use approval. Child care centers permitted by right shall be consistent with VMC 20.840, Child Care Homes and Centers, and be subject to Type II review pursuant to VMC 20.210.050.

12 Except bus, trolley and streetcar stops, including bus shelters, which are allowed by right.

13 One and two bedroom Bed-and-Breakfast facilities are permitted outright and 3-6 bedroom Bed-and-Breakfast facilities are allowed as conditional uses, with all Bed-and-Breakfast facilities subject to provisions of Chapter 20.830 VMC, Bed-and-Breakfast Establishments. No more than six bedrooms are allowed under any circumstances. All other commercial lodging is prohibited.

14 Retail commercial uses limited to 1,500 gsf per use to a maximum of 5,000 sq. ft. in planned developments of 150 units or more. See Section 20.260.020.B.1.b(2).

15 Subject to provisions in Section 20.895.030 VMC.

16 Subject to provisions in Chapter 20.885, except sales of fireworks which is prohibited in residential zones.

17 Building-mounted antennas are allowed by conditional use on non-residential buildings in single-family residential zones subject to requirements contained in Chapter 20.890 VMC, Wireless Communications Facilities.

18 Subject to Section 20.260.020.B.1.a(2), Planned Development and subject to Section 20.910.050 VMC, zero lot line requirements.

19 A "designated manufactured home" is exempt from the development standards of 20.410.050(F) VMC and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only "new manufactured homes" that also meet the "designated manufactured home" criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this Title if within ~~(5)~~ five (5) years of the date of the original placement.

20 Subject to Section 20.410.050(F) Development Standards – Criteria for Placement of Manufactured Homes.

21 Subject to Section 20.920 Infill Development Standards.

22 Existing duplexes built on lots meeting the minimum infill lot size standards of VMC Table 20.920.060-1 shall be considered conforming uses even if not part of an infill development.

23 Medical Center Residential uses, as defined in VMC 20.160.020, are permitted outright if approved through a public facilities master plan per VMC 20.68.040.

CC. VMC 20.420.030, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4223, is amended as follows:

20.420.030 Uses.

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.
4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in Higher Density residential zones is presented in Table 20.420.030–1.

Table 20.420.030–1 Higher Density Districts Use Table				
USE	R-18	R-22	R-30	R-35
RESIDENTIAL				
Household Living	P	P	P	P
Group Living	P	P	P	P
Transitional Housing	C ²	C ²	C ²	C ²

**Table 20.420.030–1
Higher Density Districts Use Table**

USE	R-18	R-22	R-30	R-35
Home Occupation	L ³	L ³	L ³	L ³
HOUSING TYPES				
Single Dwelling Units, Attached	P ⁴	P ⁴	P ⁴	X
Single Dwelling Units, Detached	P ⁴	P ⁴	P ⁴	X ⁵
Accessory Dwelling Units	P ¹	P ¹	P ¹	P ¹
Duplexes	P ⁴	P ⁴	P ⁴	P ⁴
Multi-Dwelling Units	P ⁴	P ⁴	P ⁴	P ⁴
Manufactured Home Developments	L ⁷	L ⁷ /X	L ⁷ /X	L ⁷ /X
Designated Manufactured Home	L/X ²³	X	X	X
New Manufactured Home	L ²³	X	X	X
CIVIC (Institutional)				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
Community Recreation	C ⁸	C ⁸	C ⁸	C ⁸
Cultural Institutions	P/C ⁹	P/C ⁹	P/C ⁹	P
Day Care				
- Family Day Care Home	P/C ¹⁰	P/C ¹⁰	P/C ¹⁰	P/C ¹⁰
- Child Care Center	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
- Adult Day Care	P/C ¹¹	P/C ¹¹	P/C ¹¹	P/C ¹¹
Emergency Services	C ¹²	C ¹²	C ¹²	C ¹²
Human Service Facilities	C ²	C ²	C ²	C ²
Medical Centers	C	C	C	C
Parks/Open Space				

**Table 20.420.030–1
Higher Density Districts Use Table**

USE	R-18	R-22	R-30	R-35
- Neighborhood Parks	P	P	P	P
- Community Parks	L ¹³ /C	L ¹³ /C	L ¹³ /C	L ¹³ /C
- Regional Parks	L ¹³ /C	L ¹³ /C	L ¹³ /C	L ¹³ /C
- Trails	L ¹³ /C	L ¹³ /C	L ¹³ /C	L ¹³ /C
Postal Service	C	C	C	C
Religious Institutions	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
Schools	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
Social/Fraternal Clubs	C ⁶	C ⁶	C ⁶	C ⁶
Transportation Facility	P/C ¹⁵	P/C ¹⁵	P/C ¹⁵	P/C ¹⁵
COMMERCIAL				
Commercial Lodging	L/X ¹⁶	L/X ¹⁶	L/X ¹⁶	L/X ¹⁶
Eating/Drinking Establishments	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
Entertainment-Oriented				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
General Retail				
- Sales-Oriented	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Personal Services	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Repair-Oriented	X	X	X	X
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X
Motor Vehicle Related				

**Table 20.420.030–1
Higher Density Districts Use Table**

USE	R-18	R-22	R-30	R-35
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
Office				
- General	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Medical	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Extended	X	X	X	X
Self-Service Storage	X	X	X	X
Non-Accessory Parking	X	X	X	X
INDUSTRIAL				
Industrial Services	X	X	X	X
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight Movement	X	X	X	X
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
OTHER				

**Table 20.420.030–1
Higher Density Districts Use Table**

USE	R-18	R-22	R-30	R-35
Agriculture/Horticulture	P	P	P	P
Airport/Airpark	X	X	X	X
Animal Kennel/Shelters	X	X	X	X
Cemeteries	C ¹⁸	C ¹⁸	C ¹⁸	C ¹⁸
Detention & Post Detention Facilities	X	X	X	X
Dog Day Care	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹
Heliports	X ²⁰	X ²⁰	X ²⁰	X ²⁰
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Cooperatives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	C	C	C	C
Basic Utilities	P	P	P	P
Temporary Uses	L ²¹	L ²¹	L ²¹	L ²¹
Wireless Communication Facilities	L/C/X ²²	L/C/X ²²	L/C/X ²²	L/C/X ²²

1 Subject to the provisions of Chapter 20.810 VMC, Accessory Dwelling Units.

2 Subject to the provisions of Chapter 20.870 VMC Human Service Facilities.

3 Subject to the provisions of Chapter 20.860 VMC Home Occupations.

4 Provided the minimum required residential density is met, on an overall project basis.

5 Single-family dwelling units legally established prior to March 11, 2004, shall be considered permitted uses.

6 Subject to the provisions of Section 20.895.040 VMC Community Recreation and Related Facilities.

7 Subject to the provisions of Chapter 20.880 VMC, Manufactured Home Developments. Manufactured Home Developments established prior to July 1, 2005 are exempt from the standards of VMC 20.420.050(G) – Development Standards and may continue to exist and expand within existing previously-approved boundaries. An

existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. Manufactured Home Developments in the R-22, R-30, R-35 zones are allowed as a Limited Use (L) only as part of a VMC 20.260 Planned Development that meets overall minimum density standards for the applicable zone.

8 Subject to the additional provisions in Section 20.895.040 VMC.

9 Libraries permitted only; all other cultural institutions are conditional uses.

10 Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers are permitted as conditional uses, subject to the provisions of Chapter 20.840 VMC Child Care Centers, unless part of a Planned Development, in which case they are approved subject to Chapter 20.260 VMC. All Child care facilities must be licensed by the state.

11 Adult day care facilities with 12 or fewer clients are permitted outright; larger facilities are permitted as conditional uses.

12 Subject to the provisions of Chapter 20.870 VMC, Human Service Facilities

13 Community, regional parks and trails that meet all of the development standards in Section 20.420.050 (E)(1),(2) and (3), respectively, are permitted by as limited uses; all others require a Conditional Use approval.

14 Schools, child care centers, and religious institutions that meet all of the locational criteria contained in Section 20.420.050(F) VMC are permitted by right; all others require conditional use approval. Child care centers permitted by right shall be consistent with VMC 20.840, Child Care Homes and Centers, and be subject to Type II review pursuant to VMC 20.210.050.

15 Except bus, trolley and street car stops, including bus shelters, which are allowed by right.

16 Bed-and-breakfasts establishments as limited uses subject to provisions of Chapter 20.830 VMC Bed-and-Breakfast Establishments; all other commercial lodging prohibited.

17 New commercial uses allowed as limited uses subject to special development restrictions in Section 20.420.060VMC. Existing commercial uses permitted if legally established prior to code effective date. However, alterations and expansions shall be subject to 20.245 (Conditional Use Permits).

18 Subject to the provisions in Section 20.895.030 VMC.

19 Subject to the provisions of Chapter 20.850 VMC, Dog Day Care.

20 Except as an accessory to a medical center.

21 Subject to provisions of Chapter 20.885, except sale of fireworks prohibited in residential zones.

22 Subject to the provisions of Chapter 20.890 VMC Wireless Communications Facilities.

23 A “designated manufactured home” is exempt from the development standards of 20.420.050G VMC and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this Title if within ~~(5)~~ five (5) years of the date of the original placement.

~~**24** Subject to the provisions of Chapter 20.840 VMC, Child Care Centers.~~

DD. VMC 20.430.030, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4187, is amended as follows:

20.430.030 Uses.

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.
4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the commercial and mixed use zones is presented in Table 20.430.030–1.

Table 20.430.030 - 1. Commercial and Mixed-Use Districts Use Table

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
RESIDENTIAL								
Household Living	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁵		P ⁶	P

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
Group Living	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷		P ⁶	P
Transitional Housing	X	C ⁹	L ⁹	L ⁹	C ⁹		X	X
Home Occupation	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰		L ¹⁰	L ¹⁰
HOUSING TYPES								
Single Dwelling Units, Attached	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Single Dwelling Units, Detached	X	X	X	X	X		P ⁶	P
Accessory Dwelling Units	X	X	X	X	X		P ⁶	P
Duplexes	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Multi-Dwelling Units	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Existing Manufactured Home Development	X	X	X	X	X		X	X
Designated Manufactured Home	X	X	X	X	X		X	X
New Manufactured Home	X	X	X	X	X		X	X
<u>Affordable Housing Projects</u>	<u>X</u>	<u>L⁸</u>	<u>L⁸</u>	<u>L⁸</u>	<u>L⁸</u>	<u>L⁸</u>	<u>L⁸</u>	<u>L⁸</u>
CIVIC (Institutional)								
Basic Utilities	C	C	C	P	C		C	C
Colleges	X	C	C	P	C		P	P
Community Recreation	X	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹
Cultural Institutions	L ¹⁹	P	P	P	P		P	P
Day Care								
- Family Day Care Home	P/L ¹³	P/L ¹³	P/L ¹³	P/L ¹³	P/L ¹³		P/L ¹³	P/L ¹³

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
- Child Care Center	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³		P/L ¹³	P/L ¹³
- Adult Day Care	P/C ¹⁴	P	P	P	P		P	P
Emergency Services	X	C	P	P	C		P	P
Human Service Facilities	L ⁹	L ⁹	L ⁹	L ⁹	L ⁹		L ⁹	L ⁹
Medical Centers	X	C	C	P	C		C	P
Parks/Open Space								
- Neighborhood Parks	P	P	P	P	P		P	P
- Community Parks	P	P	P	P	P		P	P
- Regional Parks	X	P	P	P	P		P	P
- Trails	P	P	P	P	P		P	P
Postal Service	L ¹⁹	P	P	P	P		P	P
Religious Institutions	X	P	P	P	C		P	P
Schools (not truck driving schools)	C	P	P	P	P		P	P
Social/Fraternal Clubs	C	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹
Transportation Facility	P	P	P	P	P		P	P
Park & Ride Facilities								
Surface	X	L ⁴⁸	L ⁴⁸	X	X	X	X	X
Structure	X	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	X
COMMERCIAL								
Commercial Lodging	X	C	P	P	L/C ¹⁸		L/C ¹⁸	P
Eating/Drinking Establishments	L ^{19/20}	P	P	P	P		P	P
Entertainment-Oriented								
- Adult Entertainment	X	X	L ²³	X	X		X	X

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
- Indoor Entertainment	X	P/L ²⁴	P/L ²⁴	P/L ²⁴	P/L ²⁴		P/L ²⁴	P/L ²⁴
- Major Event Entertainment	X	X	P	P	C		C	X
General Retail								
- Sales-Oriented	L ¹⁹	P	P	P ²⁵	P		P	P ²⁵ , ⁴⁶
- Personal Services	L ¹⁹	P	P	P	P		P	P
- Repair-Oriented	X	P	P	P	X		P	P
- Bulk Sales	X	P	P	P	X		P	C
- Outdoor Sales	X	C	P/L ²⁶	P/L ²⁶	X		P/L ²⁶	X
Artisan and Specialty Goods Production	X	L ⁴⁰	L ⁴⁰	L ⁴⁰	X		X	X
Motor Vehicle Related								
- Motor Vehicle Sales/Rental	X	P L ²⁷	P	P	X		C ²⁷	X, L ⁴⁵
- Motor Vehicle Servicing/Repair (entirely indoors)	X	P L ²⁸	L ²⁸	L ²⁸	X		C ²⁸	X
- Vehicle Fuel Sales	X	L ²⁸	L ²⁸	L ²⁸	C		C ²⁸	X
- EV Basic Charging Stations (accessory and stand-alone)	P	P	P	P	P		P	P
- EV Rapid Charging Stations (accessory and stand-alone)	P	P	P	P	P		P	P
-EV Battery Exchange Stations	X	P	P	P	X		X	P
Office								
- General	L ¹⁹	P	P	P	P		P	P
- Medical	L ¹⁹	P	P	P	P		P	P

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
- Extended	X	P	P	P	X		X	X
Marina (See also VMC 20.760)	X	P	P	P	P		P	X
Non-Accessory Parking	X	C	C	C ⁴³	C		C	C ⁴³
Self-Service Storage	X	P ³	P	X	X		X	X
INDUSTRIAL								
Industrial Services	X	C	C	X	X		X	C
Manufacturing and Production	X	C/X ³⁰	P/X ³¹	P/X ⁴¹	X		C/X ³²	P ⁴¹
Railroad Yards	X	X	X	X	X	X	X	X
Research and Development	X	X	P	C	C		C	P
Warehouse/Freight Movement	X	X	X	X	X		X	X
Waste-Related	X	X	P ⁴⁷	X	X		X	X
Wholesale Sales	X	X	C	C	X		X	X
Major Utility Facilities	X	X	X	X	X		X	X
OTHER								
Agriculture/Horticulture	X	X	X	X	X		X	X
Airport/Airpark	X	X	X	X	X		X	X
Animal Kennel/Shelters	X	L ³³	L ³³	X	X		X	X
Cemeteries	X	C ³⁴	P ³⁴	C ³⁴	X		C ³⁴	X
Detention & Post Detention Facilities	X	X	C/X ³⁵	C/X ³⁵	X		X	X
Dog Day Care	L ³⁶	L ³⁶	L ³⁶	L ³⁶	L ³⁶		L ³⁶	L ³⁶
Heliports	X	X	X	C ³⁷	C ³⁷		C ³⁷	C ³⁷
Medical Marijuana	X	X	X	X	X		X	X

USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴⁴
Cooperatives								
Recreational Marijuana, Production or Processing	X	X	X	X	X		X	X
Recreational Marijuana Retail	X	L ⁴⁹	L ⁴⁹	X	X		X	X
Mining	X	X	X	X	X		X	C
Rail Lines/Utility Corridors	C	P	P	P	C		C	P
Temporary Uses	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶		L ²⁶	L ²⁶
Wireless Communication Facilities	X	L/C/X ³⁹	L/C/X ³⁹	L/C/X ³⁹	L/C/X ³⁹		L/C/X ³⁹	L/C/X ³⁹

1 Refer to Vancouver Central Park Plan District, 20.640.

2 Refer to Mixed Use standards in 20.430.060.

3 A single ground floor caretaker/security/manager residence is allowed if it is an integral part of a mini-storage building.

4 All of part of residential uses must be located above the ground floor of the structure as specified by VMC 20.430.060.B.2 with exception of Community Commercial (CC) zoned properties fronting Broadway Street and located within the Uptown Village District of the Vancouver City Center Subarea Plan (refer to 20.430.020B).

5 Must have a minimum density of 10 dwelling units/net acre.

6 Allowed pursuant to mixed use standards of 20.430.060.

7 Residential Care Homes with six or fewer residents and any required on-site staff permitted by right in housing above the ground floor; all larger group home uses are permitted conditionally.

8 ~~The language for this footnote has been deleted.~~ Eligible affordable housing projects must a) demonstrate eligibility for Washington State Housing Finance Commission Low Income Housing Tax Credits by providing at least 40% of units affordable to households at 60% of Area Median Income or otherwise as demonstrated eligible for credits; b) Include a guarantee that the threshold is maintained for at least 30 years unless specified longer by the Finance Commission; and c) Be located on properties whose borders are within 1000 feet of a bus rapid transit

or other high capacity transit corridor, or transit corridors with existing weekday peak service frequencies of 35 minutes or less, as indicated in the C-Tran 2018-2033 Transit Development Plan.

9 Subject to provisions of Chapter 20.870 VMC Human Service Facilities.

10 Subject to the provisions of Chapter 20.860 VMC Home Occupations.

11 Subject to provisions of Section 20.895.040 VMC Community Recreation and Related Facilities.

12 This footnote is repealed.

13 Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers (13 or more children) are Limited (L), subject to a Type II procedure in Chapter 20.210. Child care centers can also be approved as part of a Planned Development, VMC 20.260. In all cases child care centers must meet the standards outlined in Chapter 20.840 VMC.

14 In the CN zone, adult day care facilities for six or fewer adults allowed outright in the CN zone, all other facilities are permitted as conditional uses.

15 The language for this footnote has been deleted.

16 The language for this footnote has been deleted.

17 Transportation facilities are permitted except for large or land-intensive facilities such as park-and-ride lots and water taxi and ferry stations.

18 Bed-and-breakfast establishments are allowed as limited uses, subject to the provisions in Chapter 20.830 VMC, and all other lodging allowed as conditional uses.

19 Limited uses subject to the development standards in Section 20.430.040(D) VMC.

20 Eating and drinking establishments are permitted only in conjunction with another permitted use on site. Exclusively or predominantly drive-through eating and drinking establishments are prohibited.

22 Limited uses subject to the development standards in Section 20.430.050(B) VMC.

23 Subject to provisions in Section 20.820 VMC Adult Entertainment.

24 Provisions in Section 20.895.060 VMC apply to Indoor Target Shooting Ranges.

25 Pawnshops allowed in CX and CG Districts only. No more than four (4) pawnshop establishments allowed in the CX District.

26 Subject to provisions in Chapter 20.885 VMC Temporary Uses.

27 Sales/rental lots for motor vehicles only are subject to the following criteria: (a) the lot size is approximately 200' by 200', or 100' by 100' if a corner lot, though smaller lots will be considered if shown to meet all other requirements;

(b) reviewed and approved by the City Transportation Manager for on-site circulation, access, and parking plan; (c) located on a primary arterial with average traffic in excess of 10,000 vehicle trips per day; (d) employee/customer parking is provided at a rate of one space plus an additional space per each 5,000 sq. ft. of lot area; (e) there is no vehicle display in setback areas, and all setbacks are landscaped rather than paved.

28 Subject to provisions in Section 20.895.070 VMC, Motor Vehicle Fuel Sales and Repair.

29 The language for this footnote has been deleted.

30 Micro-breweries and manufacturing of optical, medical and dental devices, goods, and equipment allowed by conditional use; all others prohibited.

31 Micro-breweries, bakeries, printing, publishing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, and manufacturing of optical, medical and dental devices, goods, and equipment allowed outright; all others prohibited.

32 Micro-breweries allowed by conditional use; all others prohibited.

33 Subject to provisions in Section 20.895.020 VMC Animal Kennel/Shelters.

34 Subject to provisions in Section 20.895.030 VMC Cemeteries.

35 Secure Transition Facilities as per 20.855.020(B)(6)(a) are prohibited.

36 Subject to the provisions in Chapter 20.850 VMC Dog Day Care.

37 Subject to provisions in Section 20.895.080 VMC Private Landing Strips and Heliports. Airpark related uses are permitted in Pearson Airpark and Evergreen Airport only.

38 The language for this footnote has been deleted.

39 Subject to requirements in Chapter 20.890 VMC Wireless Telecommunications Facilities.

40 Subject to limitations in Section 20.430.050(A). Uses defined in Section 20.160.020 C 10.

41 Printing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, computer research or assembly, and manufacturing of optical, medical and dental devices, goods and equipment permitted outright; all others prohibited.

42 Ground floor residential is allowed within the CX zone with the exception of properties fronting Main Street between Sixth Street and Mill Plain.

43 Parking structures are permitted outright.

44 Allowed subject to provisions of Riverview Gateway Plan District Standards 20.680, and associated Master Plan adopted for the area of proposed development.

45 Motor vehicle rental permitted where ancillary to another use.

46 Retail uses shall not exceed 50,000 square feet in total floor space unless included in a mixed use building with other uses accounting for at least 20% of floor space, and is in full compliance with Riverview Plan District Design Guidelines.

47 Neighborhood recycling and/or yard debris collection centers which are exempt from a state solid waste handling permits are permitted; all other waste-related uses prohibited. If a neighborhood recycling and/or yard debris collection center is handling organic materials, they shall not be stored on site for a period longer than 7 days.

48 See Section 20.430.040.E, Park & Ride Facilities development standards.

49 Subject to 20.884 VMC.

EE. VMC 20.440.020, which was adopted by Ordinance M-3643, and last amended by Ordinance M-3930, is amended as follows:

20.440.020 List of Zoning Districts.

A. OCI: Office Commercial Industrial. The OCI zoning district provides appropriate locations for office, light industrial and small-scale commercial uses (e.g., restaurants, personal services and fitness centers) either singly or in combination. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, outdoor storage, or process visibility are permitted in the OCI zone. In addition to mandatory site plan review, design and development standards in the OCI zone have been adopted to ensure that developments will be well-integrated, attractively landscaped, and pedestrian friendly. The OCI zone combines two zones that were referred to as the Office Campus (OC) and Industrial Commercial (MC) zones prior to March 11, 2004.

B. IL: Light Industrial. The IL zoning district provides appropriate locations for combining light, clean industries including industrial service, manufacturing, research/development, warehousing activities, and general office uses and limited retail. These activities do not require rail or marine access and have limited outdoor storage.

C. IH: Heavy Industrial. The IH zoning district provides appropriate locations for intensive industrial uses including industrial service, manufacturing and production, research and development, warehousing and freight movement, railroad yards, waste-related and wholesale sales activities. Activities in the IH zone include those that involve the use of raw materials, require significant outdoor storage and generate heavy truck and/or rail traffic. Because of these characteristics, IH-zoned property has been carefully located to minimize impacts on established residential, commercial and light industrial areas.

~~D. A: Airport. The A zoning district provides land use regulations for public use aviation areas that are designated as such on the Comprehensive Plan Map. This district allows for aviation use and those activities that support or are dependent upon aviation activity when such activities benefit from a location within or immediately adjacent to primary flight operations.~~

~~E~~ D. ECX: Employment Center Mixed-Use. The ECX zoning district is designed to provide for a concentrated urban mix of office, light industrial and small-scale commercial uses (e.g., restaurants, personal services and fitness centers) either singly or in combination in the Section 30 Employment Center Plan District. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, outdoor storage, or process visibility are permitted in the ECX zone. In addition, the ECX zoning district provides for optional Urban Neighborhood Overlay(s), allowing for two concentrated urban mixed-use commercial/residential neighborhoods. Mandatory master planning and development standards in the ECX zone have been adopted to ensure that developments will be well-integrated, attractively landscaped, and pedestrian friendly.

FF. VMC 20.440.030, which was adopted by Ordinance M-3922, and last amended by Ordinance M-4187, is amended as follows:

20.440.030 Uses.

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.
4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.
5. Uses may also be subject to restrictions and standards set forth in the Water Resource Protection Ordinance (Title 14).

B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the industrial zoning districts is shown in Table 20.440.030–1.

Table 20.440.030–1. Industrial Zoning Districts Use Table

USE	OCI ²⁰	IL ¹	IH	ECX ²⁷
RESIDENTIAL				
Household Living	L ²	L ²	L ²	L ²⁸
Group Living	P ²¹ /X	X	X	P ²¹ /X
Transitional Housing	P ²¹ /X	X	X	P ²¹ /X
Home Occupation	L ³	L ³	L ³	L ³
HOUSING TYPES				
Single Dwelling, Attached	L ²	X	X	L ²⁸
Single Dwelling, Detached	X	X	X	X
Accessory Dwelling Units	X	X	X	X
Duplexes	L ²	X	X	L ²⁸
Multi-Dwelling Units	L ²	L ²	X	L ²⁸
Existing Manufactured Home Developments	X	X	X	X
Designated Manufactured	X	X	X	X
New Manufactured Homes	X	X	X	X
CIVIC (Institutional)				
Basic Utilities	P	P	P	P
Colleges	X	X	X	C
Community Recreation	L ²⁴	P	X	L ²⁴
Cultural Institutions	X	P	X	P
Day Care				
- Child Care Center	L ⁴	L ⁴	X	L ⁴
- Adult Day Care	P	P	X	P
Emergency Services	P	P	P	P
Human Service Facilities	L ²⁵	L ²⁵	L ²⁵	L ²⁵

USE	OCI ²⁰	IL ¹	IH	ECX ²⁷
Medical Centers	C	X	X	P
Parks/Open Space				
- Neighborhood Parks	P	C	C	P
- Community Parks	C	C	C	C
- Regional Parks	C	C	C	C
- Trails	C	C	C	P
Postal Service	X	P	P	X
Religious Institutions	X	X	X	X
Schools	X	X	X	X
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	P/X ²⁶	P	P	P/X ²⁶
Park & Ride Facilities				
Surface	X	L ¹	L ³¹	X
Structure	L ³¹	L ³¹	L ³¹	L ³¹
COMMERCIAL				
Commercial Lodging	X	X	X	P
Eating/Drinking Establishments	L	L ⁵	L ⁵	L ⁶
Entertainment-Oriented				
- Adult Entertainment	X	L ⁷	L ⁷	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
Artisan Small Scale Manufacturing	X	X	X	P
General Retail				

USE	OCI²⁰	IL¹	IH	ECX²⁷
- Sales-Oriented	L ₋ ⁶	L ⁶	L/C ⁶	L ⁶
- Personal Services	L	L ⁶	X	L ⁶
- Repair-Oriented	L	L ⁶	X	L ⁶
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	P	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	L ⁸	L ⁸	X
- Vehicle Fuel Sales	X	X	L ⁸	L ^{8, 29}
- EV Basic Charging Stations (accessory and stand-alone)	P	P	P	P
- EV Rapid Charging Stations (accessory and stand-alone)	P	P	P	P
- EV Battery Exchange Stations	P	P	X	P
Office				
- General	P	P	L/C ⁹	<u>P</u>
- Medical	P	P	X	P
- Extended	P	P	X	P
Marina (See also VMC 20.760)	X	C	X	X
Non-Accessory Parking	C ¹⁰	L ¹⁰ /X	X	L ³⁰
Self-Service Storage	P	P	X	X
INDUSTRIAL	X			

USE	OCI ²⁰	IL ¹	IH	ECX ²⁷
Industrial Services	P	P	P	P
Manufacturing and Production	P	P ¹¹	P ¹¹	P
Railroad Yards	X	X	P	X
Bulk Crude Oil storage and handling facilities	X ³⁴	X ³⁴	X ³⁴	X ³⁴
Petroleum/Oil Refineries	X	X	X	X
Research and Development	P	P	C	P
Warehouse/Freight Movement	X	L ¹²	P	X
Waste-Related	X	X	P ²² /X	X
Wholesale Sales	P	L ¹²	X	X
Major Utility Facilities	X	X/P ³²	L ³³	X
OTHER				
Agriculture/Horticulture	X	P	P	X
Airport/Airpark	X	L ¹⁹	P	X
Animal Kennel/Shelters	X	L ¹⁷	L ¹⁷	X
Cemeteries	X	X	C	X
Detention & Post Detention Facilities	X	C/X ¹³	C ¹⁴	X
Dog Day Care	L ¹⁵	L ¹⁵	L ¹⁵	L ¹⁵
Heliports	C	C	C	C
Medical Marijuana Cooperatives	X	X	X	X
Recreational Marijuana Retail	X	X	X	X
Recreational Marijuana Growing or Processing	X	L ³⁴	L ³⁴	X

USE	OCI ²⁰	IL ¹	IH	ECX ²⁷
Mining	C ¹⁸	C ¹⁸	C ¹⁸	C ¹⁸
Rail Lines/Utility Corridors	P/X ²³	P	P	P/X ²³
Wireless Communication Facilities	L ¹⁶	L ¹⁶	L ¹⁶	L ¹⁶

1 Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030–1.

2 In the OCI zone, multi-family housing allowed above ground floor only as specified by VMC 20.430.060.B.2. In all industrial zones, one caretaker residence permitted per use.

3 Subject to the conditions in chapter 20.860 VMC Home Occupations.

4 Child care centers allowed as a Limited (L) use, subject to a Type II procedure. Child care centers are permitted in order to provide service for those employees working in the IL district, subject to provisions in Chapter 20.840 VMC Child Care Centers.

5 If within an industrial building, these uses shall consume no more than 10% of the building's total gross square footage. If freestanding, they shall be considered together with the rest of the project and shall consume no more than 10% of the site's total gross square footage.

6 These limited uses, separately or in combination, may not exceed 20% of the entire building square footage within a development complex. No retail uses shall exceed 40,000 gross square feet (gsf) per building or business; retail uses greater than 40,000 gsf but less than 60,000 gsf require conditional use review.

7 Subject to provisions in Section 20.820 VMC Adult Entertainment.

8 Subject to provisions in Section 20.895.070 Motor Vehicle Fuel Sales and Repair.

9 Offices not accessory to a permitted use may not exceed 40,000 gsf; offices greater than 40,000 gsf but less than 60,000 gsf require conditional use review.

10 In the OCI zone, non-accessory surface parking is conditionally permitted on brownfields where subsurface environmental constraints effectively preclude other uses, provided such development complies with applicable local, state and federal environmental standards. In the IL zone, non-accessory surface parking is permitted, and non-accessory structured parking is prohibited. In the ECX zone, non-accessory structural parking only shall be permitted

11 Subject to NAICS Table 20.440-2.

- 12** Permitted as limited use provided all activities, except outdoor storage of materials, are wholly contained within building(s).
- 13** Secure Community Transition Facilities as per 20.150 are prohibited.
- 14** In addition to other detention and post-detention facilities, Secure Community Transition Facilities are allowed by conditional use permit, subject to criteria set forth in 20.855.020(B)(6)(a).
- 15** Subject to provisions in Chapter 20.850 VMC Dog Day Care.
- 16** Subject to requirements in Chapter 20.890 VMC Wireless Telecommunications Facilities.
- 17** Subject to provisions in Section 20.895.020 Kennels/Shelters.
- 18** Surface mining is only allowed by conditional use on sites of 20 acres or larger which are adjacent to existing mining operations. Reclamation activity for existing mining operations approved by the Washington State Department of Natural Resources is a permitted use in any non-residential zoning district.
- 19** Allow airport/airpark related activities such as hangars, air cargo, and warehousing, pilot schools, aircraft sales and repairs, aviation clubs, and museum in the Light Industrial District (IL). New airports/airparks are prohibited.
- 20** All uses locating the OCI zone shall comply with the special use limitations of 20.440.040(C) VMC and 20.440.050(A) VMC. Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistence with these agreements shall not be deemed nonconforming.
- 21** Existing legally established group living and transitional housing uses are permitted. New group living and transitional housing uses are prohibited.
- 22** 10-day hazardous waste handling and transfer facilities, excluding facilities handling radioactive or high explosive materials, are allowed, provided such facilities: a) do not repackage waste (except as necessary to address damaged or improper packaging); b) are located at least 200' from any residential zoning district; and c) do not store hazardous wastes (except for "universal wastes," as that term is defined in Code of Federal Regulations, Title 40, Part 273) for more than ten days.
- 23** Prohibited within 200' of a residential zone.
- 24** Subject to provisions of Chapter 20.895.040 VMC Community Recreation and Related Facilities.
- 25** Subject to provisions of Chapter 20.870 VMC Human Service Facilities.
- 26** Transportation facilities are permitted except for large or land-intensive facilities such as water taxi and ferry stations.

27 All uses locating in the ECX zone shall comply with VMC 20.690, Section 30 Employment Center Plan District. Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties, unless property owners choose differently as provided under VMC 20.690.030. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed nonconforming.

28 In the ECX zone, multi-family housing is allowed above ground floor only; and one caretaker residence permitted per use.

29 Vehicle fuel sales is limited to one operation within the Section 30 Plan District

~~**30** Non-accessory structural parking only is permitted.~~

~~**3031**~~ See Section 20.430.040.E. Park & Ride Facilities Development Standards.

~~**3132**~~ Major Utility Facilities are prohibited with the exception that sewer treatment plants and lagoons are allowed outright.

~~**3233**~~ Biomass and coal energy generating plants are prohibited on Heavy Industrial zoned properties within the Vancouver City Center Subarea and Hough Neighborhood Association boundaries located west of Lincoln Street and east of the Burlington Northern Santa Fe Railroad tracks.

~~**3334**~~ Existing bulk crude oil storage facilities including vested projects as of July 18, 2016 are prohibited to expand the amount of crude oil storage.

~~Table 20.440.030 – 2. North American Industrial Classification System (NAICS) for Industrial Zoning Uses~~

~~The following list of uses is based on the North American Industrial Classification System (NAICS). NAICS is organized in a hierarchical structure much like the existing SIC (Standard Industrial Classification). NAICS industries are identified by a 6-digit code, in contrast to the 4-digit SIC code. The longer code accommodates the larger number of sectors and allows more flexibility in designating subsectors. The use of NAICS codes for permitted uses refers only to the use of a particular site, rather than the type of industry involved. For example, office uses for manufacturing firms are treated as offices and are not permitted in the industrial zones.~~

~~—The first two digits designate a major economic sector (formerly division) such as agriculture or manufacturing.~~

~~—The third digit designates an economic subsector (formerly major group) such as crop production or apparel manufacturing.~~

~~—The fourth digit designates an industry group, such as grain and oil seed farming or fiber, yarn and thread mills.~~

~~—The fifth digit designates the NAICS industry such as wheat farming or broadwoven fabric mills.~~

Retail uses are marked with a “1” in the table below. Please see the footnotes at the end of the table for an explanation of permitted development.

*Industrial uses may be further regulated by the Water Resource Protection Ordinance (Title 14).

*For Artisan and Specialty Goods Manufacturing Uses refer to Section 20.160.020C-10.

Manufacturing Uses			IL²	IH
311	Food Manufacturing			
	3111	Animal food manufacturing	P	P
	3112	Grain and oilseed milling	X	P
	3113	Sugar and confectionery product manufacturing	P	P
	3114	Fruit and vegetable preserving and specialty food manufacturing	P	P
	3115	Dairy product manufacturing	P	P
	3116	Animal slaughtering and processing	X	P
	31161	Animal slaughtering and processing	X	P
	3117	Seafood product preparation and packaging	P	P
	3118	Bakeries and tortilla manufacturing	P	P
	3119	Other food manufacturing	P	P
312	Beverage and Tobacco Product Manufacturing			
	3121	Beverage manufacturing	P	P
	31211	Soft drink and ice manufacturing	P	P
	312111	Soft drink manufacturing	P	P
	312112	Bottled water manufacturing	P	P
	312113	Ice manufacturing	P	P
	31212	Breweries	C	P
	31213	Wineries	P	P
	31214	Distilleries	C	P
	3122	Tobacco manufacturing	P	P
313	Textile Mills			

Manufacturing Uses			II²	III
	3131	Fiber, yarn, and thread mills	P	P
	3132	Fabric mills	P	P
	3133	Textile and fabric finishing and fabric coating mills	P	P
314	Textile Product Mills			
	3141	Textile furnishings mills	P	P
	3149	Other textile product mills	P	P
315	Apparel Manufacturing			
	3151	Apparel knitting mills	P	P
	3152	Cut and sew apparel manufacturing	P	P
	3159	Apparel accessories and other apparel manufacturing	P	P
316	Leather and Allied Product Manufacturing			
	3161	Leather and hide tanning and finishing	X	P
	3162	Footwear manufacturing	P	P
	31621	Footwear manufacturing	P	P
	3169	Other leather and allied product manufacturing	P	P
321	Wood Product Manufacturing			
	3211	Sawmills and wood preservation	X	P
	3212	Veneer, plywood, and engineered wood product manufacturing	X	P
	3219	Other wood product manufacturing	P	P
322	Paper Manufacturing			
	3221	Pulp, paper, and paperboard mills	X	P
	3222	Converted paper product manufacturing	P	P
323	Printing and Related Support Activities			
	3231	Printing and related support activities	P	P

Manufacturing Uses			IL²	IH
324	Petroleum and Coal Products Manufacturing			
	3241	Petroleum and coal products manufacturing	X	P
	324110	Petroleum and Oil Refineries	X	X
325	Chemical Manufacturing			
	3251	Basic chemical manufacturing	X	P
	3252	Resin, synthetic rubber, and artificial and synthetic fibers and filaments manufacturing	X	P
	3253	Pesticide, fertilizer, and other agricultural chemical manufacturing	X	C
	3254	Pharmaceutical and medicine manufacturing	P	P
	3255	Paint, coating, and adhesive manufacturing	X	P
	3256	Soap, cleaning compound, and toilet preparation manufacturing	P	P
	3259	Other chemical product and preparation manufacturing	X	P
	32591	Printing ink manufacturing	X	P
	32592	Explosives manufacturing	X	P
	32599	All other chemical product and preparation manufacturing	X	P
	325991	Custom compounding of purchased resins	P	P
	325992	Photographic film, paper, plate, and chemical manufacturing	X	P
	325998	All other miscellaneous chemical product and preparation manufacturing	X	P
326	Plastics and Rubber Products Manufacturing			
	3261	Plastics product manufacturing	X	P
	32611	Unsupported plastics film, sheet, and bag manufacturing	X	P
	32612	Plastics pipe, pipe fitting, and unsupported profile shape manufacturing	X	P

Manufacturing Uses			II²	III
	32613	Laminated plastics plate, sheet, and shape manufacturing	X	P
	32614	Polystyrene foam product manufacturing	X	P
	32615	Urethane and other foam product (except polystyrene) manufacturing	X	P
	32616	Plastics bottle manufacturing	X	P
	32619	Other plastics product manufacturing	X	P
	3262	Rubber product manufacturing	X	P
	32621	Tire manufacturing	X	P
	326211	Tire manufacturing (except retreading)	X	P
	326212	Tire retreading	X	P
	32622	Rubber and plastics hoses and belting manufacturing	P	P
	32629	Other rubber product manufacturing	P	P
	326291	Rubber product manufacturing for mechanical use	C	P
	326299	All other rubber product manufacturing	P	P
327	Nonmetallic Mineral Product Manufacturing			
	3271	Clay product and refractory manufacturing	P	P
	3272	Glass and glass product manufacturing	P	P
	3273	Cement and concrete product manufacturing	X	P
	3274	Lime and gypsum product manufacturing	X	P
	3279	Other nonmetallic mineral product manufacturing	X	P
331	Primary Metal Manufacturing			
	3311	Iron and steel mills and ferroalloy manufacturing	X	P
	3312	Steel product manufacturing from purchased steel	X	P
	3313	Alumina and aluminum production and processing	X	P
	3314	Nonferrous metal (except aluminum) production and processing	X	P

Manufacturing Uses			II²	III
	3315	Foundries	X	P
332	Fabricated Metal Product Manufacturing			
	3321	Forging and stamping	P	P
	3322	Cutlery and hand tool manufacturing	P	P
	3323	Architectural and structural metals manufacturing	P	P
	3324	Boiler, tank, and shipping container manufacturing	P	P
	3325	Hardware manufacturing	P	P
	3326	Spring and wire product manufacturing	P	P
	3327	Machine shops; turned product; and screw, nut, and bolt manufacturing	P	P
	3328	Coating, engraving, heat treating, and allied activities	P	P
	33281	Coating, engraving, heat treating, and allied activities	P/X ⁺	P/X ⁺
	3329	Other fabricated metal product manufacturing	P	P
	33291	Metal valve manufacturing	P	P
	33299	All other fabricated metal product manufacturing	P	P
	332991	Ball and roller bearing manufacturing	P	P
	332992	Small arms ammunition manufacturing	X	P
	332993	Ammunition (except small arms) manufacturing	X	P
	332994	Small arms manufacturing	X	P
	332995	Other ordnance and accessories manufacturing	X	P
	332996	Fabricated pipe and pipe fitting manufacturing	P	P
	332997	Industrial pattern manufacturing	P	P
	332998	Enameled iron and metal sanitary ware manufacturing	P	P
	332999	All other miscellaneous fabricated metal product manufacturing	P	P
333	Machinery Manufacturing			

Manufacturing Uses			HL²	HH
	3331	Agriculture, construction, and mining machinery manufacturing	P	P
	3332	Industrial machinery manufacturing	P	P
	3333	Commercial and service industry machinery manufacturing	P	P
	3334	Ventilation, heating, air conditioning, and commercial refrigeration equipment manufacturing	P	P
	3335	Metalworking machinery manufacturing	P	P
	3336	Engine, turbine, and power transmission equipment manufacturing	P	P
	3339	Other general purpose machinery manufacturing	P	P
334	Computer and Electronic Product Manufacturing			
	3341	Computer and peripheral equipment manufacturing	P	P
	3342	Communications equipment manufacturing	P	P
	3343	Audio and video equipment manufacturing	P	P
	3344	Semiconductor and other electronic component manufacturing	P	P
	3345	Navigational, measuring, electromedical, and control instruments manufacturing	P	P
	3346	Manufacturing and reproducing magnetic and optical media	P	P
335	Electrical Equipment, Appliance, and Component Manufacturing			
	3351	Electric lighting equipment manufacturing	P	P
	3352	Household appliance manufacturing	P	P
	3353	Electrical equipment manufacturing	P	P
	3359	Other electrical equipment and component manufacturing	P	P
336	Transportation Equipment Manufacturing			

Manufacturing Uses			IL²	HH
	3361	Motor vehicle manufacturing	X	P
	3362	Motor vehicle body and trailer manufacturing	X	P
	3363	Motor vehicle parts manufacturing	P	P
	3364	Aerospace product and parts manufacturing	X	P
	3365	Railroad rolling stock manufacturing	X	P
	3366	Ship and boat building	X	P
	33661	Ship and boat building	X	P
	336611	Ship building and repairing	X	P
	336612	Boat building	P	P
	3369	Other transportation equipment manufacturing	X	P
	33699	Other transportation equipment manufacturing	X	P
	336991	Motorcycle, bicycle, and parts manufacturing	P	P
	336992	Military armored vehicle, tank, and tank component manufacturing	X	P
	336999	All other transportation equipment manufacturing	X	P
337	Furniture and Related Product Manufacturing			
	3371	Household and institutional furniture and kitchen cabinet manufacturing	P	P
	3372	Office furniture (including fixtures) manufacturing	P	P
	3379	Other furniture related product manufacturing	P	P
339	Miscellaneous Manufacturing			
	3391	Medical equipment and supplies manufacturing	P	P
	3399	Other miscellaneous manufacturing	P	P
42	Wholesale Trade		P	P
444	Building Material and Garden Equipment and Supplies Dealers			
	44411	Home Centers	P	X

Manufacturing Uses			IL²	IH
	44419	Other building materials dealers (with sales of bulk construction materials to contractors)	P	X
	5324	Commercial and Industrial machinery and equipment rental and leasing (except 53242— Office machinery and equipment)	P	P
611	Educational Services			
	6111	Elementary and secondary schools (and IH)	C	X
	6112	Junior colleges (and IH)	C	X
	6113	Colleges, universities, and professional schools (and IH)	C	X
	6114	Business schools and computer and management training	C	X
811	Repair and Maintenance			
	8112	Electronic and precision equipment repair and maintenance	P	P
	8114	Personal and household goods repair and maintenance	P	P
812	Personal and Laundry Services			
	81232	Dry cleaning and laundry services (except coin-operated)	P	P
	Miscellaneous			
		Offsite hazardous waste treatment and storage facilities (subject to state siting criteria)	P	X
		Branch Banks	P	P

~~1 Electroplating and related uses not permitted.~~

~~2 Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030-2.~~

GG. VMC 20.450.030, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4071, is amended as follows:

20.450.030 Uses.

A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this Title. Although permitted by right, most of these uses are still subject to the Site Plan Review, as governed by Chapter 20.270 VMC.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions. Most uses also are subject to Site Plan Review, as governed by Chapter 20.270 VMC. If not subject to Site Plan Review, such a use may be subject to a Type I review, per the requirements in Section 20.210.040 VMC.
3. A conditional use (C) is a discretionary use reviewed by the Hearings Examiner. The approval criteria and approval process are set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.
4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. *Use tables.* Lists of permitted, limited, conditional, and prohibited uses in Open Space Districts are presented in Tables 20.450.030-1 and 20.450.030-2. Specialized open space uses and activities are set forth in Table 20.450.030-1. Uses described in the Use Classification section (20.160 VMC), are set forth in Table 20.450-2. Special limitations on uses are set forth in section 20.450.050.

Table 20.450.030–1					
Specialized Open Space Uses/Activities					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields¹	General	Park
OPEN SPACE/ PARKS AND RECREATION					
Agricultural Related ²					

Table 20.450.030–1 Specialized Open Space Uses/Activities					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields¹	General	Park
- Agriculture ²	X	L	L ³	X/ L ⁴	L ⁴
- Horticulture ²	X	L	L	X/ L ⁴	L ⁴
- Silviculture ²	X	C	L	X/ L ⁴	L ⁴
- Roadside Agricultural Stands/Sales ²	X	L	L	X/L ⁴	L ⁴
- Storage Structures ²	X	L	L	L ⁴	L ⁴
- Housing for Agricultural Employees ²	X	X/C ⁵	X	C	X
Environmental Management and Education ²					
- Environmental Education Activities	P	P	P	P	P
- Environmental Maintenance Projects and Activities	P	P	P	P	P
- Environmental Restoration, Rehabilitation, or Enhancement Projects and Activities	P	P	P	P	P
Fences ²	X	P	L	P	P
Fill ²	C	L	L	L	P
Flood Plain and Stormwater Management Projects	C	C	P	P	P

Table 20.450.030–1 Specialized Open Space Uses/Activities					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields¹	General	Park
Wetland Banking	C	C	P	P	P
Wetland Mitigation	C	C	P	P	P
Wildlife Habitat Conservation, Maintenance, Rehabilitation, Restoration, Enhancement, and Education Projects	P	P	P	P	P
Park Facilities					
- Interpretive Stations, Construction and Maintenance ²	C	P	P	P	P
- Playgrounds	X	X	X	P	P
- Restrooms ²	C	L	L	L	P
- Neighborhood Parks	X	X	X	P	P
- Community Parks	X	X	X	P	P
- Regional Parks	X	X	X	X	P
Recreational Facilities					
- Passive or Low-Impact, Low-Intensity Uses	P	C ⁶	P	P	P
-Moderate or High-Impact, High-Intensity Uses	X	X	X	C	P
Motorized Recreational Equipment including	X ⁷	X ⁷	X	X ⁷	C ⁷

Table 20.450.030–1 Specialized Open Space Uses/Activities					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields¹	General	Park
Off-Road Vehicles and All Terrain Vehicles					
- Community Recreation Facilities	X	X	X	X	P
- Trails ²	L	L	L	L	P
- Parking ²	C	L	L	L	P
- Informational and Interpretative Signs ²	P	P	L/X	P	P

1 All uses in the Lettuce Fields Greenway District are subject to the special provisions for uses in 20.450.050(A).

2 The use is allowed (P, L, or C) subject to all applicable development standards set forth in Section 20.450.040 VMC.

3 Agricultural practices existing on or before April 19, 2001 may continue. New agricultural uses must meet the standards of Section 20.450.040 VMC.

4 Permitted uses of this classification or type are limited to those in existence on the date this ordinance was effective.

5 The prohibition on housing for agricultural employees in the Vancouver Lake Greenway District does not include a prohibition for a caretaker residence (see Table 20.450.030-2).

6 Subject to the development standards in 20.450.040(D)(2)

7 Not including motorized boats where permitted on Vancouver Lake and the Columbia River.

Table 20.450.030–2
Permitted, Limited, Conditional and Prohibited
Uses in Open Space District

		Greenway	
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USE	Natural Area	Vancouver Lake	Lettuce Fields ²	General	Park ¹
RESIDENTIAL					
Household Living	X	X/L ³	X/L ³	X/L ³	X/L ³
Group Living	X	X	X	X	X
Transitional Housing	X	X	X	X	X
Home Occupation	X	X	X	X	X
HOUSING TYPES					
Single Dwelling, Attached	X	X	X	X	X
Single Dwelling, Detached	X	X/L ³	X/L ³	X/L ³	X/L ³
Accessory Dwelling Units	X	X	X	X	X
Duplexes	X	X	X	X	X
Multi-Dwelling Units	X	X	X	X	X
Existing Manufactured Home Development	X	X	X	X	X
Designated Manufactured Home	X	X	X	X	X
New Manufactured Home	X	X	X	X	X
CIVIC (Institutional)					
Colleges	X	X	X	X	X
Community Recreation	X	X	X	X	P
Cultural Institutions	X	X	X	X	P
Day Care					
Family Day Care Home	X	L ⁴	X	X	P
Child Care Center	X	C ⁴	X	X	X

Table 20.450.030–2
Permitted, Limited, Conditional and Prohibited
Uses in Open Space District

		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields²	General	Park¹
- Adult Day Care	X	C	X	X	P
Emergency Services	X	X	X	X	X
Human Service Facilities	X	X	X	X	P
Medical Centers	X	X	X	X	X
Postal Service	X	X	X	X	X
Religious Institutions	X	X	X	X	X
Schools	X	C	X	X	P
Social/Fraternal Clubs	X	X	X	X	X
COMMERCIAL					
Commercial Lodging	X	X	X	X	X
Eating/Drinking Establishments	X	X	X	X	X
Entertainment-Oriented					
- Adult Entertainment	X	X	X	X	X
- Indoor Entertainment	X	X	X	X	X
- Major Event Entertainment	X	X	X	X	X
General Retail					
- Sales-Oriented	X	X	X	X	X
- Personal Services	X	X	X	X	X
- Repair-Oriented	X	X	X	X	X
- Bulk Sales	X	X	X	X	X

Table 20.450.030–2
Permitted, Limited, Conditional and Prohibited
Uses in Open Space District

		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields²	General	Park¹
- Outdoor Sales	X	X	X	X	X
Motor Vehicle Related					
- Motor Vehicle Sales/Rental	X	X	X	X	X
-Motor Vehicle Servicing/Repair	X	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X	X
- Electric Vehicle Re-charging Station	X	X	X	X	X
Office					
- General	X	X	X	X	X
- Medical	X	X	X	X	X
- Extended	X	X	X	X	X
Non-Accessory Parking	X	X	X	X	X
Self-Service Storage	X	X	X	X	X
Marina	X	X	X	X	X
INDUSTRIAL					
Industrial Services	X	X	X	X	X
Manufacturing and Production	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
- Light Industrial	X	X	X	X	X
- General Industrial	X	X	X	X	X
- Heavy Industrial	X	X	X	X	X

Table 20.450.030–2
Permitted, Limited, Conditional and Prohibited
Uses in Open Space District

		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields ²	General	Park ¹
Railroad Yards	X	X	X	X	X
Research and Development	X	X	X	X	X
Warehouse/Freight Movement	X	X	X	X	X
Wholesale Sales	X	X	X	X	X
Waste-Related	X	X	X	X	X
OTHER					
Airport/Airpark	X	X	X	X	X
Animal Kennels/Shelters	X	X	X	X	X
Cemeteries	X	X	X	X	C ⁵
Detention Facilities	X	X	X	X	X
Dog Day Care	X	X	X	X	X
Heliports	X	X	X	X	X
Landfills, Sanitary	X	X	X	X	X
Mining	X	X	X	X	X
Public Facilities and Utilities					
- Essential Utilities	X	P	L ⁶	L ⁷	L ⁷
- Major Utilities	X	X	X/C ⁶	C	C
- - Essential Public Facilities	X	X	C ⁶	C	C

**Table 20.450.030–2
Permitted, Limited, Conditional and Prohibited
Uses in Open Space District**

		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields²	General	Park¹
- - Other Major Utilities	X	X	X	C	C
- Minor Utilities	X	C	L ⁶	C ⁷	C ⁷
- Public Utility Corridors	X	C	C ⁶	C	C
- Transportation Facilities	X	C	C ⁸ /X	C	C
Rail Lines	X	X	X	C	C
Recreational or Medical Marijuana Facilities	X	X	X	X	X
Temporary Uses	X	X	X	X	X
Wireless Communication Facilities	X	C/L ⁹	X	C ¹⁰	C

1 Parks shall be developed in accordance with the standards set forth in Section 20.450.040 VMC.

2 All uses in the Lettuce Fields Greenway District are subject to the special provisions for uses in 20.450.050(A).

3 Caretaker residence or existing dwellings are permitted. In the Lettuce Fields Greenway District, only existing dwellings are permitted. New dwellings, including guest houses, accessory dwelling units, bed and breakfast establishments, etc. are prohibited. In the Vancouver Lake Greenway District, single-family dwellings require a minimum of 160 acres each.

4 Family day care homes for no more than 12 children are permitted when licensed by the state. Family day care homes and child care centers (13 or more children) must meet the standards outlined in Chapter 20.840 VMC.

5 Subject to the provisions of VMC 20.895.030 Cemeteries.

6 Subject to the development standards of 20.450.040(B)(5).

7 Plans for the construction or extension of essential utility services are to be reviewed and approved by development review staff. Utilities shall be installed underground or screened as to not be visible within the Greenway or Park. No septic fields are allowed.

8 Only transit stops and shelters and bicycle parking integrated with automobile parking at trailheads are permitted by conditional use. Other transportation facilities are prohibited.

9 Permitted subject to the requirements of Section 20.890 VMC.

10 Permitted only as co-location and through the conditional use process.

HH. VMC 20.690.030, which was adopted by Ordinance M-3930, and last amended by Ordinance M-4034, is amended as follows:

20.690.030 Allowed Uses.

A. Development Agreements in existence on the effective date of this ordinance control the uses and development standards of some of the properties in the Plan District. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed non-conforming.

B. *Zoning designations.* Property within the Plan District is zoned Employment Center Mixed-use (ECX). Additionally, an Urban Neighborhood Overlay that may be located in two areas of the Plan District is established under 20.690.070, Section 30 Urban Neighborhood Overlay. The zone designations and overlay enable development in accordance with the adopted policies of the Section 30 Employment Center Plan.

C. Properties with recorded Development Agreements, following the provisions of this Plan District related to allowed uses and development standards is optional. Properties with a Development Agreement shall develop under one of the following choices:

1. Under the provisions for uses and standards determined by the recorded Development Agreements, or
2. Under the provisions of the zoning code as it exists on the date of application including uses and standards, or
3. Under the provisions for uses determined by the Development Agreements and code standards existing on the date of application.

D. *Master Planning Required.* All development, including properties with an existing Development Agreement shall be subject to the master plan process contained in VMC 20.690.050, Master Planning. Properties applying for an existing use expansion, 20.690.030E are exempt from the Master Plan Process. The Planning Official may at his or her discretion

exempt or limit master planning process requirements for individual development proposals whose development has no significant area wide infrastructure or land use implications.

E. *Existing use expansion.* Existing uses established before the time of the adoption of this ordinance may expand subject to review criteria contained in VMC 20.690.050(C), Review Criteria and Process and the review procedures contained in VMC 20.210, Decision Making Procedures.

F. Mining and related uses are allowed as specified in VMC 20.540, Surface Mining Overlay District, and as permitted in Development Agreements.

G. Future urban uses are allowed as specified in Table 20.440.030-1 for the ECX zone.

II. VMC 20.690.040, which was adopted by Ordinance M-3930, is amended as follows:

20.690.040 Development Standards.

Development within the Plan District shall be subject to the development standards contained in Section 20.440.040 and Section 20.440.050 except as modified herein. Urban Neighborhood Overlay development is subject to the development standards contained in VMC 20.690.070, Section 30 Urban Neighborhood Overlay.

A. New Heavy Industrial (IH) land uses allowed by recorded Development Agreements shall not abut an existing Urban Neighborhood Overlay development unless separated by a major physical barrier (such as topographic break, collector street, water feature, or open space) that will reduce impacts to any commercial and residential activity.

B. Maximum Building Heights - Building heights shall not be restricted within the ECX zoned properties of the Plan District. Refer to the Section 30 Design Guidelines for proposed development along the southwestern quarry slope.

C. Drive-through uses shall be limited to within parking structures or building.

D. *Building Setbacks.*

1. Any development adjacent to the Principal Arterial streets bordering the Section 30 Plan District shall provide a 20 foot minimum landscaped setback from the back of sidewalk.

2. All other street setbacks shall be a landscaped 10 foot maximum from the back of sidewalk. An exception for up to a 20 foot maximum setback shall be allowed for proposed green street features, publicly accessible plazas, or due to topographic constraints.

3. New Heavy Industrial uses allowed by recorded Development Agreements shall provide a minimum 10 foot landscaped side and rear set back. Landscape shall include shrubs to form a six foot high buffer screen 95% opaque year-round.

4. All landscaped setbacks shall at a minimum meet the Section 30 Landscape Design Guidelines.

E. Parking spaces provided for individual uses shall be no less than 80% of the minimum required indicated in VMC Table 20.945.070-~~42~~, and no more than 115% to the amount provided in Table 20.945.070--~~42~~. The planning official may approve parking beyond the maximum or a parking reduction from the required minimum based on a parking study that justifies the change. Structural parking is permitted subject to the design standards contained in VMC 20.945.060. Structural parking shall count toward the minimum but not the maximum number of parking stalls.

F. A shared use path shall be developed along 192nd Avenue and shall be designed at a minimum similarly to the existing shared use path on 192nd Avenue south of SE 1st Street.

G. *Roadways and Access.*

1. Collector arterial roadway alignment shall be consistent with the conceptual roadway alignments shown in the Section 30 Employment Center Plan document.

2. Connections to streets that border Section 30 Plan District shall be substantially as shown in the Section 30 Employment Center Plan document.

3. All collector arterial to collector arterial intersections internal to the Plan District (excludes the four surrounding arterials) shall be roundabout intersections. Use of roundabouts for local roadway connections is also encouraged to promote system efficiency and create a unique identity.

4. Traffic calming and context sensitive design shall be incorporated into the design of all internal roadways.

5. The maximum block face length within the Plan District shall be 600 feet generally, and 300 feet in the Urban Neighborhood Overlay areas.

6. All new streets and street improvements shall meet the intent of the Section 30 Design Guidelines.

H. For collector arterial streets, street trees that provide a large, wide canopy shall be selected from the Street Tree Selection List found in Appendix A of the City's 'Street Tree Manual'.

JJ. VMC 20.690.070, which was adopted by Ordinance M-3930, is amended as follows:

20.690.070 Section 30 Urban Neighborhood Overlay (Optional).

A. *Purpose.* The purpose of the Urban Neighborhood Overlay is to allow for the location of mixed use urban activity centers with quality living, shopping and gathering places for those working and living within the Section 30 urban employment center as described in the Section 30 Employment Center Plan vision, goals, and policies. This urban neighborhood balances livability with auto-oriented accessibility and incorporates design features and uses to encourage active pedestrian environments and a sense of community. The provisions of the urban neighborhood overlay shall determine the size, character and location of a proposed urban neighborhood.

B. *Applicability.* No more than two urban neighborhoods may be proposed and located within the Section 30 Plan District boundary, Figure 20.690-1. The general locations of the overlays depicted in the Section 30 Employment Center Plan document are conceptual. The Urban Neighborhood Overlay is applicable to the entire area shown on Figure 20.690-1.

C. *Urban Neighborhood Form.* The urban neighborhood includes both a mixed use center and an adjacent residential area that is master planned as a cohesive whole. Each urban neighborhood shall be no larger than 50 acres and include no less than 850 housing units. If the minimum average density is not achieved at the outset, the required FSUP included with the Master Plan shall demonstrate how the density can ultimately and realistically be achieved. A variety of unit types shall be provided. The urban neighborhood shall be organized around a commercial and public activity center with traditional neighborhood patterns and design.

1. *Urban Neighborhood Mixed Use Center.* This area is the organizing element and activity center for the urban neighborhood. The mixed use center is built around a focal point, whether it is a main street, or an amenity such as a plaza, a park or a lake. Multi-story mixed use buildings with commercial or office uses on the ground floor and housing above reinforce the center's character. A minimum of 15% of the total urban neighborhood housing units shall be located in the mixed use center.

2. *Urban Neighborhood Residential Area.* This area is organized around the neighborhood mixed use center and includes a mix of housing and densities achieving an average minimum net density of 18 units an acre. A maximum of 85% of all housing units shall be substantially clustered within ¼ mile of the urban neighborhood mixed use center. The ¼ mile shall be measured in a straight line from the outer boundaries of the neighborhood to the nearest boundary of the mixed use center.

3. Future Urban Uses are allowed as specified in Table 20.430.030 for the MX zone with the following exceptions:

- a. Footnotes 2 and 6, subject to provisions of the Mixed Use zone district does not apply instead the future urban uses allowed within a designated Section 30 Urban Neighborhood Overlay are subject to provisions of this section 20.590.

- b. Colleges, as defined in Section 20.160, Use Classifications are prohibited.
- c. Emergency Services, as defined in Section 20.160, Use Classifications require a conditional use permit governed by VMC 20.245, Conditional Uses.
- d. Medical Centers as defined in Section 20.160, Uses Classifications are prohibited.
- e. Religious Institutions as defined in Section 20.160, Uses Classifications require a conditional use permit governed by VMC 20.245, Conditional Uses.
- f. Commercial Lodging limited to bed and breakfast establishments, subject to the provisions in VMC 20.830 and lodging establishments with no more than 50 rooms as defined in Section 20.160, Uses Classifications.
- g. Bulk Sales as defined in Section 20.160, Uses Classifications, is prohibited.
- h. Non-Accessory parking surface lots as defined in Section 20.160, Uses Classifications, are prohibited. Non-accessory parking structures are permitted.
- i. All uses under Industrial heading, as defined in Section 20.160, Uses Classifications are prohibited.
- j. Heliports, as defined in Section 20.160, Uses Classifications are prohibited.
- k. Wireless Communication Facilities are permitted subject to the provisions of VMC 20.890.060(B), Higher-density Residential Districts.

4. No more than 50% of the total square footage envisioned by the Master Plan for any one major use type (commercial, office or residential) can be granted site plan approval until site plan approval is provided for at least 25% of the total square footage of all remaining use types envisioned in the Master Plan. This requirement may be waived by the planning official, if the applicant provides a security or other form of binding assurance that the remaining major use types contemplated in the Master Plan will be built.

D. Development Standards - Urban Neighborhood Mixed Use Center(s).

1. Urban Center Focal Point.

- a. Urban Neighborhood Mixed Use Centers shall be organized around a focal point, which could include a main street, town square, plaza, park, or water feature consistent with the Section 30 Urban Employment Center Plan.

- b. When a linear Main Street acts as the Mixed-use Center's focal point both sides of the street shall include a mix of uses with 75% of the uses within vertical mixed-use buildings.

2. *Density.*

- a. An average minimum of 18 units a net acre as measured by total number of residential units divided by the net site acreage of the Urban Neighborhood Overlay area.
- b. Residential uses are not allowed on the ground floor.

3. *Building Height.*

- a. Mixed-use buildings shall be at least 30 feet in height and shall include a minimum of two useable stories.
- b. Ground floor spaces shall be designed to accommodate active pedestrian uses and shall have a minimum floor to ceiling height of 15 feet.
- c. Maximum building heights shall not be restricted provided architectural methods are applied to reduce the building scale and mass of at least the first 3 floors (including ground floor).

4. *Building Setbacks.*

- a. All new construction along the street frontages shall extend to the edge of the street right-of-way line for the first two stories. Exception may be given when a public open space such as a courtyard or plaza is provided.
- b. Mixed use buildings facing the Urban Center focal point shall comprise 75% of the street frontage. Parking garages where the ground floor is commercial or office uses may be counted for this requirement.

5. *Building Orientation.*

- a. At least one fully functional and visibly identifiable public entrance shall be provided along a street frontage. Buildings organized around a courtyard may feature entrances facing the courtyard provided there is a clear pedestrian access between the courtyard and the street.
- b. Service entrances shall be in the rear of the buildings.

6. *Rain Protection.*

- a. Rain protection shall be provided on buildings facing the Urban Center focal point.

- b. Rain protection features shall provide cover of at least 6 feet in depth over the sidewalk or other surfaced pedestrian way, but shall not extend closer than 2 feet to the curb line.
- c. Rain protection features on each building shall be designed to abut or adjoin rain protection features provided or to be provided on adjacent buildings along the same street frontage to the greatest extent possible to ensure a continuous protected pedestrian walkway.

7. Building Form and Appearance.

- a. Blank walls in excess of 15 lineal feet along sidewalks or other pedestrian areas are not permitted.
- b. Transparent windows/doors shall be provided along at least 75% of the ground floor façades and the base of the windows shall be between 1 and 3 vertical feet above the ground or sidewalk.

8. Buffering and Landscaping.

- a. All setback areas shall be landscaped consistent with the Section 30 Design Guidelines or developed as hardscape plazas.
- b. Street trees that provide a medium to large, wide canopy over the streets of the Mixed-use Center shall be selected from the Street Tree Selection List found in Appendix A of the 'Street Tree Manual'.

9. Streets and Access.

- a. Context Sensitive Design
 - i. The block face length shall be at most 300 feet.
 - ii. All sidewalks shall be at least 12 feet wide.
 - iii. The street(s) facing or as a part of the focal point of the Mixed-use Center shall include pedestrian amenities such as benches, special plantings, art work.
 - iv. Street Lighting - Pedestrian scale street lighting shall be used to meet minimum lighting standards.
- b. Traffic Calming measures to achieve average automobile travel speeds of 25 miles per hour or lower are required as follows.

- i. The main commercial street shall be constructed with raised concrete intersections, or
- ii. Equivalent traffic calming measures shall be constructed that may include some combination of
 - a. Curb extensions to provide short pedestrian crossing distances;
 - b. Raised crosswalks;
 - c. Concrete or brick pavers for intersection pedestrian crossings;
 - d. Speed cushions;
 - e. Narrow travel lanes; and
 - f. On-street parking

c. Access

- i. Vehicular access to off-street parking behind or within buildings, and to loading docks and service areas shall be through public or private alleys. If structural parking is provided access may be located on the street frontage.
- ii. Direct driveway access to the surrounding arterials, SE 1st Street, NE 192nd Avenue, NE 18th Street, and NE 172nd Avenue shall be prohibited.

10. *Parking.*

- a. Parking spaces provided for individual uses shall be no less than 60% of the minimum required indicated in VMC Table 20.945.070-~~42~~, and no more than 115% to the amount provided in Table 20.945.070-~~42~~. The planning official may approve parking beyond the maximum or a parking reduction from the required minimum based on a parking study that justifies the need.
- b. On street parking spaces immediately adjoining a property may be counted towards a development's overall parking requirement.
- c. Structural parking shall count toward minimum but not the maximum number of parking stalls.
- d. Joint parking and parking for mixed use projects shall be governed by VMC 20.945.030 (B) and (C).
- e. Off street parking shall be located to the rear of buildings.
- f. Parking shall meet the Section 30 Design Guidelines.

E. Development Standards - Urban Neighborhood Residential Area(s) - Development within the Urban Neighborhood Residential Area(s) shall be subject to the development standards contained in Section 20.420.050 for the R-22 zone unless modified as follows.

1. *Density and Location of Uses.* An average minimum density of 18 units a net acre, as measured by total number of residential units divided by the net site acreage of the Urban Neighborhood Overlay area shall be provided.

2. *Open Space for Residential Uses.* Private open space at a minimum of 100 square feet per dwelling unit shall be provided and shall meet the Section 30 Design Guidelines.

3. *Building Height.* Maximum building heights shall not be restricted provided architectural methods are applied to reduce the building scale and mass of at least the first 3 floors (including ground floor).

4. *Building Setbacks.*

a. Urban Neighborhood Residential area boundary abutting the ECX zoned area outside of the overlay boundary shall provide a minimum 20 foot landscaped setback that meets the intent of the Design Guidelines.

b. Street frontage setbacks shall be provided with a 10 foot minimum and 20 foot maximum and meet the intent of the Design Guidelines.

5. *Building Orientation.*

a. At least one fully functional and visibly identifiable public entrance shall be provided along a street frontage with an exception for buildings organized around a courtyard or plaza with entrances facing the courtyard/plaza provided there is a clear pedestrian access between the courtyard/plaza and the street.

b. Buildings that are visible from the street shall be oriented to face the street.

c. Service entrances shall be in the rear of the buildings.

6. *Building Form and Appearance.* Building form and appearance shall be consistent with Section 30 Design Guidelines.

7. *Landscaping and Fencing.*

a. A minimum 4 foot wide landscape strip shall be provided between garage entrances along the alley applicable for both free standing and attached garages.

b. Landscaping and fencing shall be consistent with the Section 30 Design Guidelines.

8. *Street Lighting.* Pedestrian scale street lighting shall be used to meet minimum lighting standards.

9. *Streets and Access.*

- a. Vehicular access to off-street parking including garages behind or within buildings, and to service areas shall be through public or private alleys. One access driveway to the alley per block may be provided.
- b. Direct driveway access to the surrounding arterials, SE 1st Street, NE 192nd Avenue, NE 18th Street, and NE 172nd Avenue shall be prohibited.
- c. The maximum block face length within the Urban Neighborhood Overlay shall be 300 feet.

10. *Parking.*

- a. Parking spaces provided for individual uses shall meet the requirements of VMC Table 20.945.070-12. The planning official may approve a parking reduction based on VMC 20.945.070(E). In addition to the reductions allowed in VMC 20.945.070(E), further reductions may be allowed for motorcycle/scooter parking spaces (4 ft by 8 ft). For every 4 motorcycle/scooter parking spaces provided, the number of vehicle parking spaces required may be reduced by one.
- b. Structural parking shall count toward the minimum but not the maximum number of parking stalls.
- c. On street parking spaces immediately adjoining a property may be counted toward a development's overall parking requirement.
- d. Joint parking and parking for mixed use projects shall be governed by VMC 20.945.030(B) and (C).
- e. Off street parking shall be located within or to the rear of buildings.

F. *Master Planning.*

- 1. Overall. Master Plans as described herein are required prior to all development in the Urban Neighborhood Overlay in order to ensure proposed development is consistent with the Section 30 Employment Center Plan. Master plans shall address long term development of the entire Section 30 Employment Plan District as shown in Figure 20.690-1, particularly in regard to street and pedestrian connectivity, transitional grades between developments, stormwater management, open space connectivity, utility services and traffic impacts.

2. Contents of Submittal - Master Plans shall include the submittal requirements included in VMC 20.690.050(B) as applicable, with the following additions:

a. Urban Neighborhood Mixed Use Center

- i. Location and size of associated land area;
- ii. Map and written description of the urban form of the Mixed Use Center's focal point;
- iii. Building elevations, including building height;
- iv. Identify the number of residential units and density and the square footage of commercial uses.

b. Urban Neighborhood Residential Area

- i. Location and size of associated land area;
- ii. Identify the number of residential units and density;
- iii. Building elevations, including building height;

c. Street, Access, and Circulation Plan

3. *Review Criteria and Process.* Master Plans shall be subject to VMC 20.690.050(C), Section 30 Employment Plan District, Master Planning with the following revisions:

- a. The Master Plan implements the Section 30 Employment Center Plan and the requirements of the Urban Neighborhood Overlay.
- b. Provides mixed use buildings of commercial, office and residential uses designed around an urban organizing focal point.
- c. Provides a multi-directional access and circulation to the street system similar to that provided by a traditional street grid with streets intersecting at 90 degree angles at regular intervals of 200 to 300 feet, if topography allows.

4. *Master Plan Modification.* Master Plans shall be subject to VMC 20.690.050(D), Section 30 Employment Plan District, Master Plan Modification. (Ord. M-3930 § 4, 2009)

KK. VMC 20.885.050, which was adopted by Ordinance M-3643, and last amended

by Ordinance M-3922, is amended as follows:

20.885.050 Approval Criteria.

A. *Seasonal and special events.* The planning official shall approve, approve with conditions or deny a request for approval of a seasonal or special events use subject to compliance with all of the following criteria:

1. The event occurs for no longer than 30 days in a calendar year on the approved event site;
2. The event is permitted in the underlying zoning district or within the approved event site;
3. The applicant has proof of the property owner's permission to place the event on his/her property;
4. There will be no parking utilized by the customers and employees of the temporary event which is needed by the property owner to meet his/her minimum parking requirements, as governed by Chapter 20.945.070 VMC, Parking and Loading;
5. The event will not interfere with adequate vision clearance, as governed by VMC 20.985 Vision Clearance, and shall not obstruct pedestrian access on public rights-of-way;
6. Conditions as may be required by building official and/or Fire Marshal to determine compliance with minimum building, fire and life safety codes; and
7. Adequate provisions for trash disposal and sanitary facilities shall be provided.

B. *Unforeseen/emergency situations.* The planning official shall approve, approve with conditions or deny a request for approval of an unforeseen/emergency situation(s) subject to compliance with of all of the following criteria:

1. The need for the use is the direct result of a casualty loss such as fire, windstorm, flood or other severe damage by the elements of a pre-existing structure or facility previously occupied by the applicant on the premises for which the permit is sought;
2. There exists adequate and safe vehicular ingress and egress when combined with the other uses of the property, as required by VMC 20.985 Vision Clearance;
3. There exists adequate parking for the temporary use as required by VMC 20.945.070 Off-Street Parking;
4. The use will pose no hazard to pedestrians in the area of the use;

5. The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will affect adjoining use, as governed by VMC 20.935 Off-Site Impacts;
6. The use can be adequately served by sewer or septic system and water, if applicable; and
7. The length of time that the temporary building will be used is the maximum needed to address the hardship but no longer than one year. With the exception that a temporary use approval may be renewed once by the Planning Official for a period not to exceed one year as per VMC 20.885.030(D) - Renewal of approval.

C. *Temporary sales office or model home.* The planning official may approve, approve with conditions or deny the use of any real property within the city as a temporary sales office, offices for the purpose of facilitating the sale of real property, or model home in any subdivision or planned development within this city, but for no other purpose provided that the applicant demonstrates compliance with the following criteria:

1. Temporary sales office.

- a. The temporary sales office shall be located within the boundaries of the subdivision or planned development in which the real property is to be sold; and
- b. The property to be used for a temporary sales office shall not be permanently improved for that purpose.

2. Model house.

- a. The model house shall be located within the boundaries of the subdivision or planned development where the real property to be sold is situated;
- b. The property to be used for a model house shall be a permanently-designed dwelling structure; and
- c. Applicant must sign a Memorandum Of Understanding to be prepared by the applicant and approved by the planning official stating the model home will have approved access and can be adequately served by public water and sewer on the parent parcel. Only one model home per parent parcel is allowed.

D. *Temporary building in a commercial or industrial zone.* The planning official may approve, approve with conditions or deny a temporary trailer or prefabricated building for use on any real commercial or industrial property within the city as a temporary commercial or industrial office or space associated with the primary use on the property, but for no other purpose, providing that the applicant demonstrates compliance with the following criteria:

1. The temporary structure shall be located within the boundaries of the parcel of land on which it is located;
2. The property to be used for a temporary structure shall already be developed;
3. There exists adequate and safe ingress and egress when combined with the other uses of the property; as required by VMC 20.985 Vision Clearance;
4. There exists adequate parking for the customers or users of the temporary use as required by VMC 20.945 Off-Street Parking;
5. The use will pose no hazard to pedestrians in the area of the use;
6. The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will affect the adjoining uses as governed by Chapter 20.935 VMC, Off-Site Impacts;
7. The use can adequately be served by sewer or septic system and water, if applicable; and
8. The length of time that the temporary building will be used is the maximum needed to address the hardship but no longer than one year. With the exception that a temporary use approval may be renewed once by the Planning Official for a period not to exceed one year as per VMC 20.885.030(D) - Renewal of approval.

LL.VMC 20.890.020, which was adopted by Ordinance M-3643, and last amended by Ordinance M-3959, is amended as follows:

20.890.020 Applicability.

A. *Exemptions.* The requirements of this ordinance shall apply to all new wireless communications facilities and the expansion and/or alteration of any existing facilities within the City of Vancouver, subject to the following exemptions:

1. Satellite earth stations using antennae not more than 2 meters in diameter in commercial and industrial districts and direct-to-home satellite services using any size antenna in any district.
2. Send-and-receive citizen band radio antennae operated by federally licensed amateur (ham) radio operators.

3. Industrial, scientific and medical equipment as regulated by the FCC in 47 CFR Part 18.

4. Military and government radar antennae and associated communication towers used for navigational purposes as regulated by the FCC by 47 CFR Parts 97 and 95 respectively:

a. Military and federal, state and local government communications facilities used for emergency preparedness and public safety purposes; and

b. Normal, routine and emergency maintenance and repair of existing wireless communications facilities which do not increase the size, footprint or bulk of such facilities and which otherwise comply with City, state and federal law and regulations.

B. *Process Type*. All permitted attached antennae and collocations require a Type I Building Permit. All other permitted uses shall require a Type II permit. Any wireless communications facilities not otherwise permitted or prohibited shall require a conditional use permit.

C. *General development standards*. Those wireless communication facilities which require a conditional use permit to be located in the applicable zoning district are subject to the general development standards of Section 20.890.040 VMC; the specific approval criteria of Section 20.890.080 VMC; and the general conditional use approval criteria contained in VMC 20.245 governing conditional uses. (M-3415, Repealed and Replaced, 12/21/1998)

D. *BPA Transmission Lines*. BPA transmission towers and municipal water towers shall be considered wireless support structures for the purposes of collocations.

MM. VMC 20.890.040, which was adopted by Ordinance M-3643, is amended as follows:

20.890.040 General Development Standards.

Development standards. The following minimum development standards shall apply to all wireless communications facilities in addition to any development standards that apply in the underlying zoning district in which a wireless communication facility is located and/or additional requirements in any conditions of approval attached to a conditional use approval. In the event of a conflict between the standards of this section and other applicable development standards of this title, the more stringent standards shall govern.

A. *Anti-climbing devices*. All wireless communications support structures and required fencing shall be equipped with appropriate anti-climbing devices.

B. *Attachment to trees prohibited.* It is prohibited to attach any wireless communications facility or portion thereof to any tree.

C. *Signs.* All wireless communications support structures shall be identified with a non-illuminated sign not exceeding four square feet. The sign shall list the wireless service provider's name and emergency telephone number and shall be posted in a place visible to the general public.

D. *Historical registry/district.* Wireless communications facilities locating on any site or existing building that is on a historic register or in a historic district shall be subject to the applicable design standards prescribed by the local, state or federal agency with jurisdiction over such register or district.

E. *Lighting.* Wireless communications facilities shall not be illuminated except where required by the FAA, or the Washington Department of Transportation, Aeronautics Division.

F. *Painting.* Wireless communications facilities shall be painted or finished in a manner that blends with the dominant background, except where otherwise required by the FAA or Washington Department of Transportation, Aviation Division. The applicant and the operator of the facility shall have a continuing duty to maintain such paint or finish.

G. *Setbacks.* The following setback standards shall apply to wireless communications facilities:

1. Accessory equipment structures and wireless communications support structures which are attached to existing buildings or other permanent structures shall comply with the setback requirements for the underlying district.
2. Free-standing wireless communications support structures located in any district shall be set back from any property line of an abutting residential use or district by a distance equal to the height of the wireless communications support structure, or the setback of the underlying district, whichever is greater.
3. Setbacks for free-standing wireless communications support structures shall be measured from the ground-level base of the structure.
4. The setback in any district may be reduced by means of a Type I review if the applicant can demonstrate that:
 - a. Reduction in the setback increases the screening opportunities between the facility and abutting residential and other uses, for example, by placement behind tall trees, in tree groves, behind buildings or near other tall elements; and
 - b. The reduction in setback allowed is the minimum required to achieve increased visual screening of the facility from abutting residential uses.

H. *Landscaping standards.* Wireless communications facilities in residential and commercial districts shall be subject to the following landscaping and screening standards:

1. The perimeter of the wireless communication support structure and any guy wires and anchors shall be enclosed by a fence or wall per requirements contained in Chapter 20.925 VMC, Landscaping.
2. Within the required setback, the applicant shall provide landscaping to include: at least one row of evergreen shrubs spaced not more than 5' apart and capable of growing to form a continuous hedge at least 5' high within 5 years of planting, and evergreen trees or shrubs, spaced not more than 15' apart or less than 4' high when planted.
3. Landscape materials shall be selected and sited to produce a hardy and drought-resistant landscape area and approved by the planning official or his designate.
4. Maintenance of the landscaped area shall be the responsibility of the applicant and/or operator of the facility. Required landscaping must be maintained in a healthy condition. Trees and shrubs that die must be replaced with healthy materials of the same or similar species and same size to the extent practicable.
5. Temporary irrigation shall be provided to help ensure survival during the critical establishment period.
6. The planning official or his designate may allow the use of landscaping and screening other than that described in subsections a and b above if the applicant shows the proposed landscaping and screening will achieve at least the same degree of screening provided pursuant to those subsections when viewed from off-site public areas and residences.

I. *Height standards.* The following standards shall apply to wireless communications facilities:

1. The height of a wireless communications facility shall include the support structure and any attached antennae proposed at the time of application.
2. The maximum height of wireless communications support structures and their antennae shall meet the maximum height standards of the underlying zone, except that all new support structures or attached antennae that exceed 100' in overall height in any zoning district shall require a Type III conditional use permit.
 - a. A lightning rod, not to exceed 10' in height, or FAA-required lighting shall not be included within the height limitations;
 - b. Antennae or equipment shelters that are mounted on existing buildings or structures, or other wireless communications support structure or collocated facilities, in residential, commercial and industrial districts are exempt from the

height restrictions of the underlying zone, but shall be no more than 15' taller than the existing building or structure on which the antennae is mounted.

3. The height limitation exemptions contained in VMC 20.910 Exceptions and Interpretations shall not apply to wireless communications support structures and antennae.

J. *Parking*. Each site for a wireless communications support structure shall designate one adjacent parking space. An existing parking space on a parent site may be utilized to meet this standard.

K. *Dispersal*. (Reserved)

L. *Access*. Whenever possible, vehicular access to the facility shall be incorporated into the existing driveway of a site.

M. *Insurance*. Liability insurance in an amount not less than \$1,000,000 shall be maintained by the owner and operator of the facility until such facility is dismantled and removed from the parent site. Failure to maintain insurance coverage shall constitute a violation of this ordinance and grounds for revocation of a permit.

N. *Performance bond*. The applicant or facility operator of the facility shall obtain and keep in force throughout the time the facility is located on the site a performance bond payable to the city in the amount of not less than \$1,000 or such other greater amount as found by the planning official or his designate to be, to cover the estimated reasonable costs of removal of such facility by the city if required pursuant to VMC 20.890.110; these include direct and administrative costs associated with demolition, dismantling, removal and disposal of the facility by the city or its contractor. The bond shall be reviewed by the planning official or his designate every five years to ensure that it is sufficient to cover the costs of removal. Additionally, the applicant or facility operator shall post a separate bond for a two-year period following issuance of approval for the facility, in the amount of not less than \$1,000 or such greater amount as found by the planning official or his or her designate to be sufficient to cover the cost of maintaining landscaping and/or screening of the facility.

O. *Building and utility permits*. The applicant for a permit pursuant to this ordinance shall submit an application, plans, specifications and all other materials to obtain a building permit and any applicable utility permits. Such permits may be applied for either concurrently or after approval of other permits required by this ordinance. Submittal requirements for attached antennae and collocations are M., Liability Insurance, N. Performance Bond and a lease agreement.

P. *Screening*. For new support structures and accessory equipment to be located in any district other than industrial districts, visual impacts must be mitigated to the greatest extent practicable by using stealth design, camouflage or screening, including but not limited to: fencing, landscaping, strategic placement adjacent to existing buildings or existing vegetation, placement of accessory equipment structures underground, and/or incorporation of wireless

facilities into the architectural features of existing buildings or structures. Mitigation may also include design compatibility with key elements in the surrounding area, such as: use of brick or other material similar to that used in adjacent buildings or structures; visually blending of support structures with compatible architectural features such as flag poles, bell towers or cornices; or use of existing vegetation to camouflage support structures.

Q. *Replacement of existing structures.* A wireless communications support structure may be permitted by means of a Type I procedure as governed by Section 20.210.040 VMC, subject to the standards in the underlying zoning district, except where otherwise noted in the use provisions of this chapter, if it replaces an existing pole, light standard, telecommunications pole or other pole-like structure of the same or greater height, and is not more than twice the same circumference of the pole being replaced, and the antennae attached to such monopole otherwise meets the applicable standards of this section.

R. *Collocation evaluation study.* An applicant's collocation study shall consist of a report that includes the following:

1. Identification of other wireless communication sites within the search ring for the proposed wireless facility, based on the City's database or contact with other providers.
2. Certification from a qualified radio engineer indicating whether the necessary service is technically feasible if provided by collocation on the other provider's site.
3. A response from the owner/lessor of the site(s) identified by the other provider(s), who either agrees or disagrees to collocation on their property; and/or: lease agreement.
4. An evaluation of access and site area at the possible collocation site(s) identified.

S. *Aviation criteria.* Any proposed telecommunication device, structure or object shall be reviewed to ensure that it does not penetrate any of the airspace surfaces on or near a public or private airport; if such airspace is obstructed, the permit shall be denied. Special attention shall be given to the following:

1. *Approach surface.* Land lying beneath the approach surface which extends outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the runway end.
2. *Transitional surface.* The transitional surface begins at the runway end and on either side of the runway surface and slopes upward and outward at a 7:1 slope meeting the horizontal surface at 150' above the elevation of the airport.
3. *Horizontal Surface.* The horizontal surface begins by swinging arcs of 5,000 feet from the center end of the runway surface creating an elongated oval above the runway. The height of the horizontal surface is 150 feet above the elevation of the airport.

4. *Conical Surface.* The conical surface begins at the edge of the horizontal surface and extends upward and outward for a distance of 4,000 feet at a slope of 20:1 with an initial elevation of 150 feet above the airport elevation.

NN. VMC 20.895.020, which was adopted by Ordinance M-3643, is amended as follows:

20.895.020 Animal Kennels/Shelters.

A. *Defined.* The development standards in Subsection B and C below apply to any facility that falls within the use classification ~~category~~ for Animal Kennels/Shelters, pursuant to VMC 20.160.020(E)(3) as reviewed during site plan review, as governed by VMC 20.270.

B. *Site requirements.* Where allowed, kennels and shelters shall be located not less than 50' from any property line. Kennels providing adequate sound-proofing pursuant to the off-site noise provisions of Chapter 20.935 VMC may have said setback wholly or partially waived to no less than the extent of any main or accessory building setbacks as may also be applicable. Such facilities shall provide automobile and truck ingress and egress; and shall also provide parking and loading spaces so designed as to minimize traffic hazards and congestion. Applicants shall demonstrate compliance with all of the requirements of Chapter 20.935 VMC Off-site Impacts.

OO. VMC 20.895.030, which was adopted by Ordinance M-3643, is amended as follows:

20.895.030 Cemeteries.

A. *Defined.* The development standards in Subsection B and C below apply to any facility that falls within the use classification ~~category~~ for Cemeteries, pursuant to Section 20.160.020(E)(4) VMC as reviewed during site plan review, governed by Chapter 20.270 VMC.

B. *Access.* A cemetery or related facility shall have its principal access on City arterial or road with ingress and egress designed so as to minimize traffic congestion as determined by the City Engineer.

C. *Landscaping.* A cemetery shall establish and maintain a 15' landscape buffer along its entire perimeter except driveways, as governed by Chapter 20.925 VMC Landscaping.

PP. VMC 20.910.040, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4105, is amended as follows:

20.910.040 Yard Requirements.

A. *Projections into required yards.* Certain architectural features may project into required yards or courts as follows:

1. Cornices, canopies, eaves, belt courses, bay windows, sills or other similar architectural features, or fireplaces not including floor extensions may extend no more than 24 inches into any required yard area.
2. Fire escapes, open-uncovered porches, balconies, ~~landing places~~, or outside stairways may extend no more than 18 inches into any required side, side street, or rear yard setback, and no more than six feet into any required front yard setback. Open porches, decks or stoops not exceeding 18 inches in height may extend no closer than 18 inches to any lot line.

B. *Exceptions to front yard requirements.*

1. If there are legally established structures on both abutting lots with front yards less than the required depth for the district, the front yard for the lot need not exceed the average front yard of the abutting structures.
2. If there is a legally established structure on one abutting lot with a front yard less than the required depth for the district, the front yard need not exceed a depth of half-way between the depth of the front yard on the abutting lot and the required front yard depth.

C. *Flag lots.* The setbacks for flag lots may be reduced upon review and approval of the Planning Official, provided that no setback is less than five feet, and the dwelling is not less than 25 feet from any other dwelling.

D. *Exception for existing setbacks.* Additions to legally established building floor area may be continued along existing setback lines so long as a minimum setback of three feet is maintained. This provision does not allow additional building height.

QQ. VMC 20.945.070, adopted by Ordinance M-3643, and last amended by Ordinance M-4223, is amended as follows:

20.945.070 Minimum Off-Street Parking Requirements.

A. Parking requirements for unlisted uses.

1. The Planning Official may rule that a use not specifically listed in Table 20.945.070–2 below is a use similar to a listed use and that the same parking standards shall apply. If the applicant requests that the Planning Official’s decision be rendered in writing, it shall constitute an interpretation, as governed by Chapter 20.255 VMC; and
2. The Planning Official shall maintain a list of approved unlisted use parking requirements that have the same effect as an amendment to this chapter.

B. Choice of parking requirements. When a building or use is planned or constructed in such a manner that a choice of parking requirements could be made, the use which requires the greater number of parking spaces shall govern.

C. Measurements. The following measurements shall be used in calculating the total minimum number of vehicle parking spaces required in this chapter:

1. Fractions. Fractional space requirements of up to 0.5 shall be rounded down to the next whole number and 0.5 or greater rounded up to the next whole number.
2. Employees. Where employees are specified for the purpose of determining the minimum vehicle parking spaces required, the employees counted are those who work on the premises during the largest shift at the peak season.
3. Students. When students are specified for the purpose of determining the minimum vehicle parking spaces required, the students counted are those who are on the campus during the peak period of the day during a typical school term.
4. Space. Unless otherwise noted, where gross square feet (gsf) are specified, the area measured shall be gross floor area under the roof measured from the faces of the structure, excluding only space devoted to covered off-street parking or loading.

D. Exclusions to minimum vehicle parking requirements. The following shall not be counted towards the computation of the minimum parking spaces as required in Table 20.945.070-2 below:

1. On-street parking. Parking spaces in the public street or alley shall not be eligible as fulfilling any part of the parking requirement except as provided elsewhere in this title;

2. Fleet parking. Required vehicle parking spaces may not be used for storage of fleet vehicles, except when a use can show that employee and fleet parking spaces are used interchangeably, (e.g., the employee drives the fleet vehicle from home, or the spaces are used for fleet storage only at night and are available for employee use during the day). For the purposes of this title, space exclusively devoted to the storage of fleet vehicles will be considered as outdoor storage.

E. Reductions in minimum required vehicle parking.

1. The Planning Official may reduce the minimum off-street vehicle parking spaces required in Table 20.945.070-2 by up to 10% in new non-residential developments by means of a Type I procedure, when an applicant for a development permit can demonstrate in a parking study prepared by a traffic consultant or in parking data from comparable sites that:

- a. The requested reduction in parking will not have an adverse impact on uses in the immediate vicinity.
- b. Use of transit, demand management programs, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared with Institute of Transportation Engineers (ITE) vehicle trip generation rates and minimum city parking requirements.
- c. The city shall not be responsible for providing parking for a development should a reduction in required parking under this section result in a deficit in parking that is not desirable to the owner of the property or use.

2. The Planning Official may reduce the minimum off-street vehicle parking spaces required in Table 20.945.070–2 up to 20% if the required conditions detailed in Section 20.945.070(E)(1) and (2) are met. Reductions in parking minimums shall be cumulative and inclusive of reductions allowed under any provision of Vancouver Municipal Code Title 20.

- a. For every five bicycle parking spaces provided which meet bicycle parking design standards or for each bicycle locker (two-bicycle capacity), the minimum motor vehicle parking requirement may be reduced by one space up to 7 % of total required vehicle parking spaces. Mixed-use developments using this provision shall provide bicycle parking indoors.
- b. Sites where at least 20 parking spaces are required and where at least one street lot line abuts a designated arterial roadway, transit supportive plazas may be substituted for up to 5% of required vehicle parking.

1. The plaza must be adjacent to the arterial street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
2. The plaza must be at least 300 sq. ft. in area and be shaped so that a 10 foot by 10 foot square will fit entirely within the plaza.
3. The plaza must be open to the public, contain a bench or other sitting area, contain a shelter or other weather protection covering at least 20 sq. ft., and shall have at least 10% and no more than 25% landscaping.

c. **Building Orientation/Site Design Incentive.** Developments which incorporate all of the following building orientation/site design characteristics into the site plan shall be eligible for a 5% reduction in required on-site parking.

1. **Build to the Sidewalk.** Buildings located as close as possible to the public street and sidewalk, preferably at the minimum required setback. Primary entrance shall be oriented toward the street.
2. **Provide public spaces.** Commercial development should provide spaces for civic interaction. To make these more accessible and accommodating to the public, pedestrian plazas, street furniture and landscaped open spaces should be incorporated as site amenities.
3. **Build to the corner.** Buildings on corner lots should be located on the street corner with building frontage on both streets with primary entrances oriented toward the intersection. If no buildings are located at street corners, pedestrian plazas and amenities should provide a focus for the area. Intersection vision clearance standards shall apply.
4. **Pad Development.** Pad development should be located at the corners of a development or at the intersection created by the site driveway with the public street. The location and site design of pad development should integrate seamlessly with the on-site pedestrian circulation plan and all off-site pedestrian, bicycle and transit facilities.

3. A request to reduce the required minimum parking more than 20% is subject to a Type II Variance procedure.

F. *Parking in City Center (CX) Zone.* The following minimum requirements shall apply, in accordance with Section 20.630.050 (Parking Control), in all areas zoned City Center District (CX):

**Table 20.945.070–1
CX District Parking Space Requirements**

Land Use	Parking Requirements
Residential	1 space/dwelling unit
Transient lodging	1 space/living unit
Congregate care facilities	1 space/two (2) living units
All other uses	1 space/1,000 sq. ft. of floor area

G. *Parking in Transit Overlay District.* Developments located within the Transit Overlay District may be subject to special parking standards contained in VMC 20.550.

H. *Application of Parking Requirements.*

1. Notwithstanding any other requirement of this chapter, no parking shall be required for any commercial use located in an existing structure which abuts Main Street between Fifth Street and McLoughlin Boulevard, up to and including the first two floors above street level, and any basement levels. The requirements for uses in all floors of three stories or above shall be the same as that in all other areas in the City Center District (CX).
2. In addition, notwithstanding any other requirements of this chapter, requirements for off-street parking shall not apply within the Community Commercial District (CC) extending from McLoughlin Boulevard to Fourth Plain Boulevard in the event of a change in commercial occupancy of a building or of a remodeling of a commercial structure if the original floor area is not exceeded by 25%. This provision does not apply to conversion of residential occupancy to commercial occupancy. The requirements for off-street parking for the Community (CC) Commercial District within this area shall be based on the City Center (CX) District Parking Requirements of VMC Table 20.945.070-1 and shall only be for the total area of additions in excess of 25% of the floor area in existence on July 19, 2010.
3. Commercial uses in the CN, Neighborhood Commercial District may count available on-street parking spaces which are immediately adjacent to the development toward the minimum on-site parking requirement.
4. Parking stalls used for Electric Vehicle Basic Charging Stations and Rapid Charging Stations shall be counted toward the minimum number of required parking stalls in a development.

I. *Use of Public Parking.* The requirements for off-street parking can be satisfied by execution of a long-term lease for a segment of equivalent parking in an existing public or private parking facility. Lease fees in public facilities would be at market rates as established and adjusted by the Vancouver City Council after considering the advice of the Parking Advisory Committee. Continued leasing of such space shall be required, and failure to provide the required parking shall be cause for revocation of the occupancy permit for the structure involved.

J. *Specific requirements for minimum parking.* Parking shall be provided for uses as per Table 20.945.070-2 below.

Table 20.945.070-2. Minimum Off-Street Vehicle Parking Requirements

Use	Minimum
RESIDENTIAL	
Household Living	See Housing Types below
Group Living	1 space/7 residents served under age 12 1 space per resident served ages 12 - 17 1 space per resident served age 18 or older
Transitional Housing	1:3 beds
Home Occupation	None
HOUSING TYPES	
Single Dwelling, Attached	1.0/DU ¹
Single Dwelling, Detached	1.0/DU
Accessory Dwelling Units	1.0/DU <u>None</u>
Duplexes	1.0/DU
Multi-Dwelling Units	1.5/DU ⁴
Manufactured Home Subdivisions	1.0/DU
Manufactured Home Parks	1.0/DU
CIVIC (Institutional)	
Basic Utilities	None
Community Recreation	Per Approved Parking Study

Use	Minimum
Cultural Institutions	1:400 sq. ft.
Day Care	
- Child Care	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 children served
- Adult Day Care	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 clients served
- Dog Day Care	1.0/employee + 1.0/12 animals served
Emergency Services	1:300
Human Service Facilities	Refer to specific use type
Medical Centers	1.0/4 beds (hospital, residential care center); 1.0/2 beds for patients or residents (convalescent hospital, nursing home, congregate care facility)
Parks/Open Space	
- Neighborhood Parks	Parks Department to Determine
- Community Parks	
- Regional Parks	
- Trails	
Postal Service	1:300
Religious Institutions	1.0/6 seats or 12' of bench in main assembly area
Social/Fraternal Clubs	1/100
Transportation Facility	None
Schools	
- Preschool	2/ classroom
- Elementary and Middle	1 space/4 seats or 8 feet of bench length

Use	Minimum
	in auditorium or assembly room, whichever is greater
- High School	1 space/employee, plus 1 space/each 6 students, or 1 space/4seats or 8 feet of bench length in auditorium, whichever is greater.
- College* *Classrooms = 30 students. Lecture halls require additional parking of 12 spaces per 30 seats. Additional parking may be required as determined by Planning Official.	1 space/3 seats in classrooms
COMMERCIAL	
Commercial Lodging	1.0/lodging unit
Eating/Drinking Establishments	1/250
Entertainment-Oriented	
- Adult Entertainment	Refer to specific use, i.e., theater, book or video store
Indoor Entertainment	
- Movie / Live Performance Theaters	1.0/6 seats or 12' of bench
- Skating Rinks / Arcades	1.0/150
- Bowling Alleys	5 spaces per lane
- Shooting Ranges	1 space per lane
- Major Event Entertainment	1.0/6 seats or 12' bench
General Retail	
- Sales-Oriented	1/300
- Personal Services	1/400
- Repair-Oriented	1/400

Use	Minimum
- Bulk Sales	(a) Properties with less than 10,000 square feet of open sales or rental area shall provide 1 space for each one thousand square feet of gross floor area, plus one space for each 2,500 sq. ft of open sales or rental area. (b) Properties with 10,000 square feet or more of open sales or rental area shall provide 1 space for each 1,000 square feet of gross floor area, plus 4 spaces, plus one 1 space for each 10,000 square feet of open sales or rental area in excess of 10,000 sq. ft.
- Outdoor Sales	Same as Bulk Sales
Animal Kennel/shelters	1/600 plus 1 per employee
Motor Vehicle Related	
- Motor Vehicle Sales/Rental	(a) Properties with less than 10,000 square feet of open sales or rental area shall provide 1 space for each one thousand square feet of gross floor area, plus one space for each 2,500 sq. ft of open sales or rental area. (b) Properties with 10,000 square feet or more of open sales or rental area shall provide 1 space for each 1,000 square feet of gross floor area, plus 4 spaces, plus one 1 space for each 10,000 square feet of open sales or rental area in excess of 10,000 sq. ft.
- Motor Vehicle Servicing/Repair	1/500
- Vehicle Fuel Sales ³	No less than 2
- Elec. Vehicle Re-charging Station	None
Office	
- General	1/400
- Medical	1/200

Use	Minimum
- Extended	1/300
Non-Accessory Parking	NA
Self-Service Storage	Based on area of office
Marina	
INDUSTRIAL	
Industrial Services	1/600
Manufacturing and Production	1/800
Railroad Yards	None
Research and Development	1/600
Warehouse/Freight Movement	1/2000
Wholesale Sales	1/1250
Waste-Related	1 space per 200 sq ft. of office space, plus 1 space per employee
OTHER	
Agriculture/Horticulture	None
Airport/Airpark	None
Cemeteries	1.0/6 seats or 12' of bench in chapels
Detention Facilities	1.0/3 beds
Heliports	None
Mining	1 per employee maximum shift
Rail Lines/Utility Corridors	None
Temporary Uses	None
Wireless Communication Facilities	One

1 DU=Dwelling Unit

2 Does not include outpatient clinics or medical offices; see Medical/Dental Offices.

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3 Gasoline stations offering other retail goods for sale, in enclosed spaces accessible by the customer, shall also comply with the parking requirements for convenience stores. Gasoline stations providing vehicle repair or maintenance services shall also comply with the parking requirements for vehicle repair or service facilities.

4 Senior multi-family housing project shall provide on-site parking at a minimum rate of one space per dwelling unit.

Section 4. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are declared to be severable.

Section 5. Effective Date. This ordinance shall go into effect 30 days after adoption.

Section 6. Instruction to City Clerk. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

ORDINANCE - 138

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

ORDINANCE - 139

SUMMARY

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Chapter 5 and Appendix D, and Vancouver Municipal Code 20.160, 20.210, 20.220, 20.270, 20.285, 20.310, 20.320, 20.410, 20.420, 20.430, 20.440, 20.450, 20.690, 20.885, 20.890, 20.895, 20.910, 20.945; providing for severability; and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

DATE: October 17, 2018

TO: Mayor and City Council

FROM: Bryan Snodgrass, Principal Planner, Community and Economic Development Department

RE: November 5 work session review of proposed 2018 Comprehensive Plan and zoning code map and text amendments

CC: Eric Holmes, City Manager

2018 amendments to the Comprehensive Plan and zoning code are scheduled for Council worksession review on November 5, first reading on November 19, and a public hearing on December 3, 2018. The amendments were all unanimously recommended for approval by the Planning Commission at three public hearings in August and September with very limited public comment or testimony offered. City planning, transportation, parks and legal staff will attend the upcoming work shop and hearing. Staff contact is Bryan Snodgrass, bryan.snodgrass@cityofvancouver.us, (360) 487-7946. The amendments are:

Comprehensive Plan Map Amendments – Private Requests (2)

- Four Seasons Residential (Attachment A, page 4 of this report) – A proposed Plan and zone change from Commercial/CC and Commercial/MX to Urban High Density Residential/R-22 and Urban High Density Residential/R-18 on seven parcels encompassing approximately 11 acres immediately east and southeast of Four Seasons Commercial development at NE 28th Street and 112th Avenue. If approved the applicant envisions submitting for Planned Development and subdivision approval for 153 detached single family lots between 1500 and 2500 square feet in size. A Development Agreement (DA) is recommended to ensure future development complies with applicable city standards and addresses issues raised by the proposed small lot configuration. The DA does not require future development to conform to the applicant's conceptual site plan, as it has not been determined that the specific site plan is consistent with all applicable City standards. The Planning Commission recommended approval based on staff findings that the proposed map change with the DA is compatible with surrounding uses; appropriately capitalizes on adjacent commercial and public services; is consistent with applicable rezone criteria and applicable standards of the 112th Corridor Subarea Plan; and is likely to result in workforce housing at prices generally lower than those in the vicinity. Three persons testified at the September 25 Commission hearing with concerns that the southeastern portion of the proposed development not include a road connection to 112th Avenue as envisioned, and that pedestrian access be provided through the southeastern portion of the site to Angelo Drive. The Planning Commission recommended the DA include a requirement for a pedestrian connection allowing residents along 25th Street

east of the southeast portion of the site to access the cul-de-sac in the southern rezone site. See Attachment A of this report. Included are links to the Planning Commission [staff report](#) and [presentation](#), the applicant's [economic study](#), [additional applicant materials](#), and the [minutes](#) of the September 25 hearing.

- Delta Plaza (Attachment B, page 7) – Change Comprehensive Plan and zoning map designations from Light Industrial/IL to General Commercial/GC on 0.3 acres of vacant property east of the intersection of Grove St and Columbia House Blvd. This change was proposed in 2017 and recommended for approval by the Planning Commission, but withdrawn during Council review because applicant Delta Management had not completed acquisition of the property and finalization of a Boundary Line Adjustment (BLA) with adjacent property owner Clark Public Utilities. The BLA and sale have since been completed, and the proposal is back before Council. The 0.3 acre rezone site is surrounded to the north, south and west by an undeveloped five-acre property also owned by applicant that was similarly rezoned to IL in 2015. No comments or testimony was received on the current proposal in 2017 or 2018. Attached are links to the 2017 Planning Commission [staff report](#) and [presentation](#) (slides 5-8), and the [minutes](#) of the October 10, 2017 hearing.

Comprehensive Plan Map Amendments – City Sponsored Map Corrections (37)

- Thirty seven properties are proposed to change Comprehensive Plan and/or zone map designations to reflect their current use. (Attachment C, page 8). Thirty five park sites are proposed to change to recreational and open space designations, one public works site is proposed to change to a public facility designation, and one private homesite with split single and multi-family designations bisecting the property is proposed to change to only single family designations. No comments have been received or hearing testimony offered. Attached are links to the Commission [staff report](#) and [presentation](#) (slides 15-19), and [minutes](#) of the September 25 hearing.

Comprehensive Plan Text Amendments – City sponsored (2)

- Two related text changes are proposed to reflect current capital projects for purposes of allocating REET funds. (Attachment D, page 10). A table in Comprehensive Plan Chapter 5 (Public Facilities and Services) is proposed to be changed to add “community facilities and services” to a list of general government facilities, and a related text change is proposed in Appendix D to include reference to parks acquisitions and improvements, and remodeling of the Grand Blvd. building. See Attachment D. No comments or testimony has been received. Attached are links to the Commission [staff report](#) (see page 71) and [presentation](#) (slide 4) and the [minutes](#) of the September 11 hearing.

Zoning Code Text Amendments – City sponsored (20)

- Planning Commission Codes (Attachment E, page 11). Three related zoning text changes are proposed in sections of the code addressing Planning Commission roles responsibilities, and criteria for considering Comprehensive Plan and zoning map and text changes. VMC 20.220.010 (Review Bodies) is recommended to be changed to update language regarding

Commission membership and officers, and clarify that review authority for code changes is limited to Title 20. VMC 20.285 (Text and Map Amendments) is proposed to shift some stand-alone rezones from Hearings Examiner to Planning Commission review, clarify that Development Agreements are reviewed by the Commission only in conjunctions with other items under their review, clarify the process for outside party initiation of map and text changes, and generally consolidate, and eliminate superfluous provisions. These changes were recommended for approval by the Planning Commission at an August 28 public hearing. No comments or testimony was received. Attached are links to the original [staff report](#) and [presentation](#), and the [minutes](#) of the August 28 hearing.

- Fall 2018 Code Clean-up Items (Attachment F, page 24). Sixteen other changes are proposed across the zoning code, primarily overdue updates to the submittal requirements for applications for site plans, subdivisions, boundary line adjustments, temporary uses, and wireless communication facilities, because of new electronic submission procedures and other changes. Also included are code updates required as follow up to previously completed changes, and miscellaneous corrections.

These changes were reviewed at a September 11 Planning Commission public hearing, at which no testimony was offered. Three comments had been submitted in advance of the hearing, all with concerns about proposed subdivision review changes to expand requirements for surveyor prepared materials and advance the timing of submittal of as-built plan. See Attachment H on page 31. Staff modified the proposal before the hearing to require surveyor preparation of existing conditions plans only, and to make no changes regarding as-built plans submittals. See separate subdivisions attachment for specific code changes proposed. Here are links to the Commission [staff report](#) (see page 59 of that report) and [presentation](#) (slide 5-8) and the [minutes](#) of the hearing.

- Affordable Housing Projects in Commercial Zones (Attachment G, page 30). An amendment to VMC 20.440 to allow affordable housing projects in commercial zoning districts under certain circumstances was recommended for approval by the Commission on September 25, and was the discussed conceptually at the October 1 City Council worksession. No comments or testimony were received. The Planning Commission recommendation in support also included a recommendation to report back on impacts after three years. Attached are links to the original Planning Commission [staff report](#) and [presentation](#), and the [minutes](#) of the September 25 hearing.

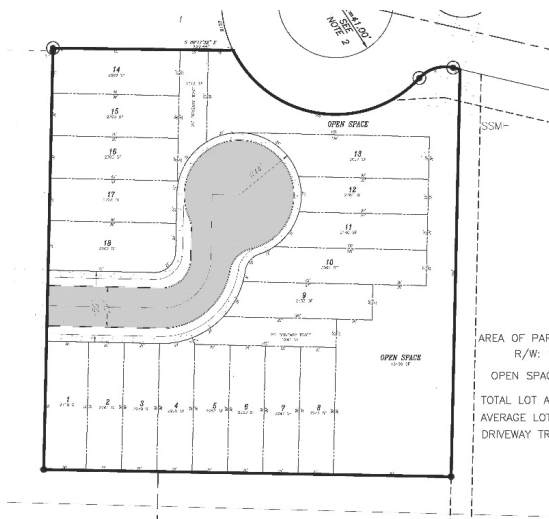
**ATTACHMENT A – FOUR SEASONS RESIDENTIAL PROPOSED MAP CHANGE
FROM COMMERCIAL/CC and COMMERCIAL/MX to URBAN HIGH DENSITY/R-22
and URBAN HIGH DENSITY /R-18**



Four Seasons Residential – Applicants Conceptual Future Site Plan form main area



Four Seasons Residential – Applicants Conceptual Future Site Plan form southeastern portion



Four Seasons Residential Development Agreement substantive provisions:

4. Conditions.

- 4.1 Future Development Review.** Future development shall conform to any requirements of the development review process, which shall include but not be limited to the following:
- a. A comprehensive parking study that examines public safety and mobility implications based on reasonable assumptions of residents or visitors use of garages, driveways, alleys or streets for parking. Based on the results of the parking study, the City may require the developer to provide additional parking spaces above current parking standards.
 - b. Compliance with applicable fire access requirements, including implications for any homes proposed for alley access only.
 - c. Compliance with transportation standards, including a traffic analysis demonstrating consistency with intersection performance and capacity standards, and revisions to the proposed street network if necessary to meet those standards.
 - d. Provisions to ensure home frontages are as envisioned in the applicant's concept plan and supporting materials submitted, particularly on 28th Street and the associated planter strip, plantings, and detached sidewalk.
 - e. Provisions to ensure compliance with applicable 112th Corridor Subarea Plan Design Guidelines, such as F.2 limitations on fence height to 36 inches as applied particularly to 28th Street, and internal pedestrian connections.
 - f. Options to facilitate variety and/or openings in any proposed extended and unbroken rows of housing, along 28th Street and within the development.
 - g. If multi-family densities are proposed to be achieved through single family structures, design provisions shall be incorporated to achieve subarea plan building design guidelines overall intent of reducing scale and adding visual interest, particularly on 28th Street. Homes in the development should be comparable in terms of articulation and design quality to Four Seasons North Illustrative Concept materials submitted on July 25, 2018.
 - h. Provisions to facilitate tree retention consistent with the 112th Corridor Subarea Plan.
 - i. A requirement to record against the properties covenants, conditions and restrictions that will impose a design review process to ensure all landscaping and building on the proposed development complies with design restrictions and maintenance requirements set forth in the final land use decision approving development of the subject property and that will require future property owners to maintain all private common open areas through a Homeowners Association.
 - j. A requirement to ensure pedestrian access is provided from NE 25th Avenue envisioned in the southeastern portion of the rezone site to the NE Angelo Drive roundabout.

ATTACHMENT B – Delta Plaza – Industrial/IL to Commercial /GC



Attachment C – Proposed Comprehensive Plan and Zoning Map Corrections

Park Sites					
Name	Serial #	Current Zoning	Current Comp. Plan	Proposed Zoning	Proposed Comp. Plan
Bagley	30790354, 30790355	R18	PF	P	OS
Behrens Woods	91800000, 91810000, 91820000	Park	UL	P	OS
Brickyard	135000	R18	UH	P	OS
Burnt Bridge Creek Greenway	29374030, 100444000, 100448000, 151582000	R9	UL	GW	OS
Burnt Bridge Creek Greenway	29467000, 29467000	GW	P/OS/IND	GW	OS
Burnt Bridge Creek Greenway	37919100	R6	UL	GW	OS
Burnt Bridge Creek Greenway	163214000	GW/R9	P/OS/UL	GW	OS
Burnt Bridge Creek Greenway	986034260	GW/R18	P/OS/UH	GW	OS
Burton Ridge	163472000	Park	UL	NA	OS
Burton Ridge North	108491648, 108491650, 108491652, 108491654	R9	UL	P	OS
Diamond	163963054, 163963056	R9	UL	P	OS
East Biddle Lake	122591000	R4	UL	NA	OS
East Image	164126000	R9	UL	P	OS
Ellsworth Springs	112862000	R-22	UH	P	OS
Endeavor	162659021	Park	UH	P	OS
Firstenburg Rec. Center	165180000	IL	IND	P	OS
Fisher Basin	177463000, 177487000	Park	UL	P	OS
Fisher's Creek	126838000	Park	UL	P	OS
General Anderson	37912533	R6	P/OS	P	OS
George & Hazel Stein	111011444, 165498000	R6	UL	P	OS
Gretchen Fraser	114790000	CC	UH	P	OS
Hanna Acres	177227190, 177227192	Park	UL	P	OS
Henry J Biddle Nature Preserve	112539062, 112539064, 112539066, 112539068, 112539070, 112539072, 112539074, 112539076, 112539078, 112539080, 112539082, 167414004	R4	UL	NA	OS
Kelley Meadows	105240000, 105522616	R9	UL	P	OS
Kevanna	159749002	R6	UL	P	OS
Lauren	163724000	Park	UL	P	OS
Marine	37910176	WX	COM	P	OS
Marine	37917211	Park/IL	PF/P/OS/IND	P/IL	OS/PF
Marine	502388000, 502389000	IH	IND	P	OS
Marine	503080000	IL	POS/IND	P	OS
Marine	503091000	NA/IL	P/OS/IND	P	OS
Marine	503110000	WX	COM	P	OS
Mims Marsh	122571000	R4	UL	NA	OS
North Image	109590000	R9	UL	P	OS
North Image	109720000	Park	UL	P	OS

Park Sites (Cont.)					
Orchards West	159568000	Park/R22	P/OS/UH	P	OS
Peter S Ogden	109785000	R6	PF	P	OS
Sam Brown	37912622	R6	UL	P	OS
Sam Brown	37912623	R6	UL	P	OS
Summers Walk	177017000	Park	UL	P	OS
The Downs	108805000, 108806000	R30	UH	P	OS
Tranquility	165408000, 165490000	Park	UL	NA	OS
Vancouver Lake Lowlands	147354000, 152595000	IL	IND	NA	OS
Vancouver Waterfront	986038098, 986038099	CX	COM	P	OS
Village Woods	126790000	R9	UL	NA	OS
Wildwood	114783534	R9	UL	P	OS
Public Facilities Site					
4205 E 5 th Street	37910108, 37910106	P/OS	IL	PF	IL
Private Homesite					
2409 Carlson Road	30239041	UL/UH	R-9/R-18	UL	R-9

Attachment D – Proposed Comprehensive Plan Text Changes

1) Amend Chapter 5 and Appendix D of Comprehensive Plan to reflect current capital projects for purposes of allocation of REET funds:

Table 5-1, (page 5-4 of Plan), last row :

General government	•City of Vancouver (Administrative Offices, Support Facilities; <u>community service facilities</u>) •Clark County (unincorporated urban area, urban correctional facilities, law enforcement and emergency response support services)*
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2) Amend Appendix D of Plan:

Real Estate Excise Tax (REET). State statute authorizes the City to impose two taxes of ¼% each on the sale of real estate within the city limits. The proceeds of the tax must be used for capital purposes as allowed by State law and as directed by the City Council. The City has implemented both taxes. The proceeds from one ¼% REET are dedicated to the City's pavement management program in Transportation. Proceeds from the other ¼ % REET from 2005 through 2009 were split between parks and recreation and transportation. A total of 70% of the proceeds was dedicated to parks and recreation, largely funding the debt service for bonds issues to remodel Marshall and build Firstenburg Community Centers and the remaining 30% was dedicated to funding neighborhood traffic safety projects. Beginning in 2009 this funding source continues to fund debt service on the two recreation community centers, but the remaining balance has been or will be allocated between funding the debt service on the Waterfront Access Project (20%), reduced in scope neighborhood traffic safety program, (6% of revenue) and, if any funds remain, parks capital programs, including parks acquisition and improvement of existing parks, and remodeling of the 2018 Grand Blvd. building.

Attachment E – Proposed Zoning Code Text Changes related to Planning Commission responsibilities and review criteria

Table 20.210.020-1 Summary of Development Applications by Type of Decision-making procedure

Type	Development Application	Cross Reference	Review Body
IV	Annexations	20.230	Planning Commission City Council
	Development Agreements	20.250	Planning Commission, <u>if Agreement is part of proposal before the Commission</u> City Council
	Habitats of Local Importance	20.740	Planning Commission City Council
	Interpretations Codification	20.255	Planning Commission City Council
	Planned Developments, 25 acres or less	20.260	Planning Commission, <u>except Hearing Examiner for Planned Developments 25 acres or smaller in size</u> City Council
	Planned Developments, 25 acres or less	20.260	Hearings Examiner City Council
	<u>Master Plans</u>	<u>20.268,</u> <u>20.430,</u> <u>20.680,</u> <u>20.690</u>	Planning Commission review of master plans related to Mixed Use, Waterfront Mixed Use, Riverview Gateway, and Section 30 development; Hearings Examiner review of Public Facility master plans City Council
	Comprehensive Plan or zoning Text/Map Amendment – Legislative	20.285	Planning Commission, <u>except review of VMC 20.180, Fees</u> City Council
	Comprehensive Plan or zoning Map Amendments, greater than 25 acres in size	20.285	Planning Commission, <u>except Hearings Examiner review in cases of stand-alone zone changes from one single or multi-family residential designation to the next most or least dense that also involve a concurrent subdivision proposal.</u> City Council
	Zoning Map Amendments 25 acres or less	20.285	Hearings Examiner City Council

VMC 20.220.010 Review Bodies

C. Authority and responsibilities.

1. The Planning Commission shall have such powers and perform such duties as are prescribed by Chapter 35.63 RCW, other applicable state law, and the city code. The Planning Commission shall review and make recommendations to City Council on planned developments greater than 25 acres in size, amendments to the comprehensive land use plan, amendments to the zoning map of 25 acres or greater in size, and implementing standards and regulations that are generally legislative in nature.

2. The Planning Commission is specifically responsible for the following:

a. Formal review of actions listed under Chapters 20.210 and 20.285 VMC, and review of SEPA appeals filed pursuant to such actions.

- b. Informal or advisory review of studies, analysis or reports related to land use matters as directed by City Council.
- c. Other duties related to land use matters as directed by City Council, provided they are not inconsistent with state law.

VMC 20.285 Text and Map Amendments

Section 20.285.010 Purpose.

~~The purpose of This Chapter is to set forth the~~ provides standards and processes governing for the review of amendments to maps or text of the Comprehensive Plan and Title 20 Development Code text and maps. These will be referred to as "text and map amendments." ~~It is recognized that Such amendments may be periodically necessary from time to time to reflect changing community conditions and needs and desires or to address legal considerations, mistakes and/or to address changes in the law.~~ (M-3643, Added, 01/26/2004)

Comment: Changes for clarity, and specify that code changes focus on Title 20.

Section 20.285.020 Applicability.

A. Types of proposals. The following types of proposals are reviewed under this chapter:

1. ~~Map Amendments to the Comprehensive Plan or to VMC Title 20 zoning designations applying to one or more properties, comprehensive plan designations, including associated zoning map changes, if any.~~
2. ~~Development Agreements that are included with property specific Comprehensive Plan or zoning map changes being reviewed under this chapter.~~
3. ~~Text changes to the comprehensive plan or to VMC Title 20 zoning code, except fees under VMC 20.180, including the capital facilities plan and other elements adopted as part of the comprehensive plan.~~
2. ~~Amendments to zoning, land use or environmental standards:~~
 - a. ~~Area-wide residential zoning map changes which are consistent with the current comprehensive plan map designation but characterized by one of the following:~~
 1. ~~Are greater than 25 acres in size. For the purposes of determining acreage size under this section, adjacent proposals submitted by the same proponent within a one year period shall be considered to constitute a single project;~~
 2. ~~Involve a change in single family residential designations of at least two classification levels, such as from R-9 to R-4, and/or~~
 3. ~~Involve a designation change from R-4 to R-2, or vice versa.~~
 - b. ~~Text changes to zoning, land use or environmental regulations:~~
 3. ~~Review of appeals of the zoning administrator pursuant to VMC 20.210 and of appeals of stand alone administrative variance decisions pursuant to 20.210.~~
 4. ~~Review of planned development pursuant to VMC 20.260.~~
 5. ~~Development proposals reviewed pursuant to criteria of VMC 20.430, Waterfront Mixed Use (WX) or VMC 20.430.060, Mixed Use (MX). Appeal provisions shall be as specified by VMC 20.210.~~
 6. ~~Other development proposals which the City Manager or designee determines warrant consideration under this chapter by virtue of their size, complexity, or impact on area wide planning policies:~~ (M-3643, Added, 01/26/2004)

Comment: Listings of types of decisions to be reviewed by the Planning Commission under the standards of this chapter are now addressed in new section 040, and are slightly expanded to include almost all stand alone rezones in addition to Comprehensive Plan map changes, and Plan or zoning text changes. Listings of various other decisions reviewed by the Planning Commission under standards other than this chapter will be included in other chapters, to be included in the fall 2018 code clean-up, with some revisions. Commission review is intended to be clarified to cover the following:

- Continued PC review of Planned Developments, Mixed Use Master Plans, and Waterfront Mixed Use master plans over 25 acres. These have not occurred in practice.
- Continued PC review of master plans in the Riverview Gateway Master Plans and Section 30. The PC has reviewed a Riverview Gateway master plan.
- Continued allowance for PC review of any other proposal which the City Manager or designee determines, because of project size, complexity, or area wide impact. This has not occurred in practice.
- No PC review of vestigial code language referring to processes which no longer exist, haven't been used, or would trigger a text change in which case the PC would review them anyway. These are appeals of zoning administrator or administrative variances, assignments of locally important habitat, or review of minor adjustments and interpretations.

Section 20.285.030 Initiation.

- A. Proposals reviewed under this chapter may be initiated by property owners or their representatives, the City of Vancouver, or private citizens or groups as follows:
1. Map Changes. Property owners or any individual, group or organization may initiate Comprehensive Plan and associated zoning map designation changes applying to one or more properties, through submittal of an Annual Review application and associated fees specified in VMC 20.180. Stand-alone zoning changes not requiring a Comprehensive Plan change shall be subject to zone change application and associated fees per VMC 20.180.
 2. Text Changes. Property owners or any individual, group, or organization may initiate Comprehensive Plan or zoning code text changes through submittal of a text change application and associated fees per VMC 20.180.
 3. City Initiated Map or Text Changes. The City of Vancouver, on its own behalf or on behalf of an outside individual or group, may initiate Comprehensive Plan or zoning map and/or text changes. City initiation of outside requests for amendments, shall be at City discretion, and generally limited to proposals that are limited in scope and/or clearly warranted in terms of policy implications, and subject to the following:
 - a. Private parties shall submit a written summary of the amendment proposed to Community and Economic Development Department staff, an indication of why it is needed, and the potential land use impacts if approved. No application fees shall be assessed.
 - b. City staff shall maintain a docket listing of private party requests, and shall provide the listing not less than once per year to the Planning Commission, which shall determine which items shall be scheduled for public hearing review, deferred to future work programs, or discontinued. Requesting parties of discontinued proposals shall have the option of submitting formal applications under this chapter.

Section 20.285.040 Review Process

- A. Overall Timing. Except as noted herein, all Comprehensive Plan map or Comprehensive Plan text amendments will be reviewed concurrently and not more than once per calendar year. Site specific zoning map amendments applying to properties proposed for Comprehensive Plan map changes shall also be submitted at that time. All other zoning map or zoning text amendments may be reviewed independently and more frequently than once per year.
- B. Pre-Application. Comprehensive Plan or zoning map amendments proposed by private parties shall require a pre-application conference. The conference shall be scheduled upon receipt of a complete Map Amendment

Pre-application Form. Based on the information provided, the pre-application conference is intended to provide for a discussion of major issues and concerns and possible staff recommendation. Staff will provide a written summary within 14 days following the conference. Pre-application conferences are non-binding, and do not vest the development rights of the proposals involved. Pre-application conferences shall not be required for city initiated map amendments, or text amendments initiated by any party.

C. Review Body.

1. All proposed Comprehensive Plan or zoning map or text changes shall be initially reviewed by the Planning Commission unless noted herein.
2. Stand alone zoning map changes that propose to shift from one residential zoning designation to the next most or least intensive designation, and are accompanied by a proposed subdivision, shall be reviewed by the Hearings Examiner
3. Development Agreements accompanying a proposed zoning map change shall be reviewed by the body reviewing the map change.

D. Hearings Process. The Planning Commission at a duly advertised public hearing shall develop and forward a recommendation for approval, approval subject to modifications or conditions, or denial to the Vancouver City Council. The Vancouver City Council shall hold a duly advertised, open record public hearing to make final decisions on the Planning Commission recommendation.

E. Timing Exceptions. The following Comprehensive Plan changes may be reviewed more frequently than once per year.

1. The initial adoption of a subarea plan.
2. The adoption or amendment of a shoreline master program pursuant to RCW 90.58.
3. The adoption or amendment of the capital facilities or transportation element of the Comprehensive Plan is undertaken concurrently with a related budget action.
4. The adoption of Comprehensive Plan amendments necessary to enact a Planned Action under RCW 43.21C.031(2).
5. Comprehensive Plan amendments concurrent and related to an annexation.
6. Corrections of scrivener or mapping errors. Scrivener or mapping errors are defined as minor map or text errors in the comprehensive plan or development regulations which were clearly unintended and inconsistent with the record of their original adoption, as determined by the City. Correction of such errors shall be submitted by the City only, at no charge to parties demonstrating the error.
7. Emergency comprehensive plan amendments, defined as a change of community wide significance, and including but not limited to the following:
 - a. Action necessary to address threats to public health or safety.
 - b. Action necessary to ensure that the goals and policies of the comprehensive plan are not substantially obstructed.
 - c. Action necessary to respond to an order from the Growth Management Hearings Board or competent court of law.

F. Periodic comprehensive plan updates. At least once every eight years or as otherwise provided by state law, the City shall initiate a periodic review of the overall comprehensive plan and land use regulations. Within the calendar year of such review the City may alter the procedural requirements herein, although other approval criteria of this chapter shall still apply.

Section 20.285.030 Initiation of Amendments.

~~A. Unless otherwise provided for herein, proposed amendments may be initiated by any of the following:~~

- ~~1. Property owner(s) or their representatives;~~
- ~~2. Any citizen, agency, neighborhood association or other party; or~~
- ~~3. City staff, Planning Commission or council.~~

~~(M-3643, Added, 01/26/2004)~~

Section 20.285.040 Types of Amendments.

~~A. Legislative. For the purpose of this Chapter, the text and/or map amendment of the Comprehensive Plan is to be undertaken legislatively. These changes are processed collectively during the annual update of the Comprehensive Plan. A text and/or map amendment of this Title is legislative if it affects an entire class of properties or development projects, with some exceptions described in Section (C) below.~~

~~B. Quasi-judicial. For purposes of this Chapter, a quasi-judicial amendment of this Title is one that amends the zoning designation of a specific property owner or development of 25 or fewer acres or the approval of a Planned Unit Development. When such an amendment also requires a change of plan designation on the Comprehensive Plan, a concurrent request for a legislative map change is required and both amendments will be processed as a legislative amendment.~~

~~C.C. Exceptions. Amendments to the Zoning Map that would ordinarily be considered quasi-judicial actions will be processed as legislative actions in the following circumstances:~~

- ~~1. Are greater than 25 acres in size. For the purposes of determining acreage size under this section, adjacent proposals submitted by the same proponent within a one-year period shall be considered to constitute a single project; and/or~~
- ~~2. Involve a change in single-family residential designations of at least two classification levels, such as from R-9 to R-4 or from R-2 to R-6; and/or~~
- ~~3. Involve a designation change from R-4 to R-2, or vice versa.~~

~~(M-3643, Added, 01/26/2004)~~

Comment: Proposed new sections 030 and 040 consolidate various procedural standards contained in existing sections 030, 060, 070, 080, and 090 with the following changes:

- Planning Commission map change review responsibilities are expanded to include all stand-alone rezones regardless of size, except for shifts of one zoning designation to the next more or less intense category, such as R-4 to R-6. Changes from R-4 to R-9 that shift two categories would continue to be reviewed by the PC. Changes from R-9 to R-18 would by definition involve a Comprehensive Plan change, and thus continue to be reviewed by the Planning Commission.
- Development Agreements would be reviewed by the reviewing body for the map change, which is current practice but is not reflected in current code.
- Commission denials would no longer require an appeal to be heard by City Council.
- The list of Plan amendments allowed more frequently than once per year is expanded to reflect statutory changes. Annexation-related Plan changes no longer classified as an emergency, but still allowed to be processed outside the annual cycle.
- The timing of mandatory periodic updates to the full Comprehensive Plan is changed to every eight years, also to reflect statutory changes.

Section 20.285.050 Approval Process—General.

~~A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 20.285.070 VMC. The review authority shall be as follows:~~

- ~~1. The Planning Commission shall make a recommendation to the City Council on all applications —for comprehensive plan map and text amendments and those zone change applications for parcels greater than 25 acres which do not involve comprehensive plan map amendments.~~

- ~~2. The Planning Commission shall make a recommendation to the City Council on a zone change —application that also involves a concurrent application for a Comprehensive Plan Map amendment.~~
- ~~3. The Planning Commission shall make a recommendation to the City Council for changes in the —text of the Title 20 of the Vancouver Municipal Code, unless such change relates merely to development review fees.~~
- ~~B. Quasi-judicial amendments. Quasi-judicial zoning map amendments shall be undertaken by means of a Type IV procedure, Section 20.210.070 VMC, using standards of approval contained in Section 20.285.040 VMC below. The review authority shall be as follows:~~
 - ~~1. The Hearings Examiner shall make a recommendation to the City Council on zone change —applications for parcels 25 acres or less in size which do not involve comprehensive plan map —amendments.~~
 - ~~2. Exception from Consolidated Review. Applications reviewed under this chapter shall be considered —exempt from RCW 36.70B.120 requirements which mandate consolidation of all related project permits into a single application review if requested by the applicant. Projects involving a Comprehensive Plan amendment and associated change of zone shall not be processed under concurrent review under VMC 20.210.020D: (M-3922, Amended, 07/06/2009, Sec 13, ACM M-3701, Amended, 03/17/2008, should be 25 years, M-3701, Amended, 05/02/2005, Sec 9, M-3643, Added, 01/26/2004)~~

Comment: Subsection A of the above stricken section is moved to proposed new section 040. Stricken subsection B above is proposed to be eliminated as discussion of legislative and quasi-judicial does not add clarity to review process.

Section 20.285.050 Approval Criteria – Comprehensive Plan and Concurrent Zoning Map Amendments Section 20.285.060 Comprehensive Plan Map Amendments and Large Scale Rezones

- ~~A. Approval process for Comprehensive Plan map amendments and rezones of more than 25 acres~~
 - ~~1. Overall. All proposed map amendments to the comprehensive plan will be reviewed concurrently and not more than once per calendar year, except as noted herein. Zoning map amendment proposals which do not include corresponding comprehensive plan changes may be reviewed separately from one another, and at any time.~~
 - ~~2. Pre-application. All proposed map amendments shall require a pre-application conference. The conference shall be scheduled upon receipt of a complete Map Amendment Pre-application Form. Based on the information provided, the pre-application conference is intended to provide for a discussion of major issues and concerns and possible staff recommendation. Staff will provide a written summary within 14 days following the conference. Pre-application conferences are non-binding, and do not vest the development rights of the proposals involved.~~
 - ~~3. Application. A completed Map Amendment Application Form may be submitted at any time. Comprehensive plan amendments will be collected and reviewed concurrently with the next scheduled comprehensive plan review (VMC 20.285.120.C)~~
 - ~~4. Public Hearings before Planning Commission. All fully complete applications received in a timely manner shall be scheduled for review at a public hearing or hearings before the Planning Commission as scheduling allows. The Planning Commission shall issue a recommendation for approval, approval subject to recommended modifications or conditions of approval, continuance, or a decision for denial. Denials shall be considered final unless appealed.~~
 - ~~5. Public Hearings before City Council. An open record public hearing or hearings shall be scheduled before City Council to review Planning Commission approval recommendations, or denial decisions which have been appealed. At the hearings council shall issue a final decision for approval, approval with conditions, continuance, denial, or remand of the proposed amendment.~~

~~A. B. Overall Approval criteria for Comprehensive Plan map amendments and rezones of more than 25 acres. Proposed map amendments reviewed under this chapter shall be approved only if~~

demonstrated by the proponent to be in the public interest, as based on a review of all applicable principals from the following:

1. How the proposal is more consistent than the existing designation with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan ~~than the existing designation~~, and
2. How the proposal is more consistent than the existing designation with each of the following objectives as applicable: ~~than the existing designation. Consistency is not required where the objective is clearly not applicable to the type of proposal involved.~~
 - a. Encourage more intensive development to locate in major urban centers and corridors, particularly downtown Vancouver. Encourage development of distinct neighborhoods served by commercial nodes, and discourage urban sprawl and strip commercial development;
 - b. Provide development of uses which are functionally integrated with surrounding areas and neighborhoods in terms of local shopping, employment, recreational or other opportunities;
 - c. Provide development which is compatible and integrated with surrounding uses in terms of scale, orientation, pedestrian enhancements, and landscaping;
 - d. Conserve or enhance significant natural or historical features;
 - e. Provide adequate provision of transportation, water, sewer, and other public services;
 - f. Provide significant family wage employment opportunities and broadening of the Vancouver economy; and
 - g. Provide for the formation and enhancement of neighborhoods and communities.
 - h. Provide affordable or below market-rate housing opportunities
2. Scope of review. Review and evaluation of proposed comprehensive plan or zoning map changes shall consider both the likely and possible future use of the site and associated impacts.
3. Cumulative Impacts. The review of individual comprehensive plan map or policy amendments, other than exceptions noted in 20.285.040, shall also consider the cumulative transportation, land supply, and environmental impacts of other plan amendments proposed within the same annual cycle.
4. Required Findings. ~~No amendment to comprehensive plan or zoning maps shall be approved unless the required findings of VMC 20.285.085 have been addressed in the written staff report and the written decision of the review authority.~~
(M-3959, Amended, 07/19/2010, Sec 18-Effective 8/19/2010; M-3922, Amended, 07/06/2009, Sec 14; M-3730, Amended, 12/19/2005, Sec 5; M-3643, Added, 01/26/2004)

Comment: Procedural guidance in stricken subsection A of this section above is moved to new section 040. City Strategic Plan and affordable housing added to substantive guidance in section B. Required findings section proposed for elimination as final City Council decisions are usually contained in a record containing a staff report, ordinance, and hearings tape, not a final written report.

Section 20.285.060 Approval Criteria – Stand Alone Zoning Map Amendments

- A. Zoning Map amendments not involving associated Comprehensive Plan Map amendments shall demonstrate the following:
 1. How the proposal is more consistent with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan than the existing designation, and
 2. That a change in circumstances has occurred since the existing designation was established.

Section 20.285.080 Small Scale Rezones

- A. Approval process for rezones of 25 acres or less and Planned Unit Developments
~~All proposals for amendments to the zoning map for parcels of less than 25 acres in size and for approval of Planned Unit Developments shall be processed in accordance with the procedures set forth for a Type IV process in VMC 20.210. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.~~
- B. ~~Approval criteria for rezones of 25 acres or less and Planned Unit Developments~~

~~Zone change proposals submitted without an associated comprehensive plan change shall demonstrate consistency with the Comprehensive Plan and that a substantial change in circumstances has occurred since the original designation. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.~~

~~C. Required Findings for rezones of 25 Acres or less and Planned Unit Developments~~

~~No zone change shall be approved unless the required findings of VMC 20.285.085 have been addressed in the written staff report and the written decision of the review authority.~~

~~(M-3922, Amended, 07/06/2009, Sec 15; M-3730, Amended, 12/19/2005, Sec 6; M-3643, Added, 01/26/2004)~~

Comment: Approval process section of stricken section 080.A above is covered in new 040. No change to approval criteria for rezones in existing 080.B

Section 20.285.070 Approval Criteria – Comprehensive Plan or Zoning Code Text Amendments

- A. Text amendments to the Comprehensive Plan or Title 20 zoning standards shall demonstrate the following:
1. The proposal is consistent with applicable policies of the Vancouver Strategic Plan and Comprehensive Plan, and
 2. The proposal is necessary to further the public interest based on present needs and conditions.

Section 20.285.090 Zoning Code Text Amendments

~~A. Approval process for Zoning Code text amendments~~

~~1. Initiation. All proposed text amendments to the development or zoning regulations shall be developed, submitted and presented by the City staff, based on direction from the City Council, Planning Commission, or the City Manager or designee.~~

~~2. Private party requests. City staff shall submit proposals from private individuals or groups as follows:~~

~~a. Private parties shall submit a written summary of the amendment proposed to City staff, an indication of why it is needed, and the potential land use impacts if approved. No fees shall be assessed.~~

~~b. Staff shall maintain a docket listing of private party requests, and shall provide the listing not less than once per year to the Planning Commission, which shall determine which items shall be further reviewed by staff and submitted as a formal proposal, which shall be deferred to future work programs, and which shall not be considered. Decisions to defer or not consider private requests shall be considered final unless appealed as provided herein.~~

~~3. Process. Text amendments submitted by City staff, including those originated from outside party requests if applicable, shall be scheduled for Planning Commission and City Council, subject to procedural criteria of subsections of this chapter, except that staff initiated actions shall not be considered final without council consent. Hearing scheduling shall be determined by City staff based on work program constraints or direction from the City Manager, Planning Commission and/or council. Proposed text amendments to zoning or development regulation amendments which do not include corresponding comprehensive plan changes may be reviewed separately from one another, at any time.~~

~~B. Approval criteria for Zoning Code text amendments~~

~~Proposed zoning or development regulation text changes shall be considered based on the following:~~

- ~~1. The proposed change is consistent with the comprehensive plan, and~~
- ~~2. The proposed change is necessary to further the public interest based on present needs and conditions.~~

~~(M-3643, Added, 01/26/2004)~~

Comment: Approval process section of stricken section 090.A above is covered in new 040. No change to approval criteria for zoning text amendments in existing 090.B

Section 20.285.080 Notice Provisions.

- A. Notice indicating the time and place of public hearings for review of proposed amendments pursuant to this chapter shall be provided as follows:
 1. For all amendments subject to this chapter, published notice within a newspaper of record at least 10 calendar days prior to the hearing.
 2. For ~~quasi-judicial~~ site specific map amendments, the following additional notice shall be provided:
 - a. Written notice mailed at least 10 calendar days prior to the public hearing to property owners and residents located within 500 feet of subject properties, as determined by records of the county assessor.
 - b. If located within or adjacent to an officially recognized neighborhood, notice shall also be sent to the neighborhood association president or chair.
 - c. ~~For quasi-judicial map amendments~~ A sign or signs on or adjacent to the proposal site posted at the site at least 10 calendar days prior to the hearing.
 - d. Written or posted notice may be foregone at the Planning Official discretion for map amendments which are limited to minimal adjustment of Comprehensive Plan or zoning designation borders within a property, or other corrections which do not increase the potential of additional land use development impacting the surrounding area
 3. For text amendments, written notice mailed at least 10 calendar days to individuals, groups, or agencies which are deemed necessary and appropriate by the City or which have requested notice of the particular action.
 4. With the exception of newspaper publication, failure to provide notice to any person or group subject to this chapter shall not automatically invalidate the proceedings associated with the proposed action.

Comment: Quasi-judicial and legislative terms eliminated to avoid confusion. New language added to avoid requiring mailed notice to all properties within 500 feet of unimpactful map changes such as the 37 map corrections addressed in this staff report, which might have required mailing approximately 10,000 postcards.

Section 20.285.085 General Rezone Criteria and Required Findings for All Rezones.

- ~~A. The provisions of this chapter shall apply to all rezones, including those involving an amendment to the Comprehensive Plan, except correction of mapping errors. In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone best meets those provisions. In addition, the zone purpose, location criteria, and design statements, which describe the intended purpose and design of each designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended.~~
- ~~B. No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.~~
- ~~C. Compliance with the provisions of this chapter shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones.~~
- ~~D. The most appropriate zone designation shall be that for which the purpose, design statement, and location criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation. The following zoning principles shall be considered:~~
 - ~~1. The impact of more intensive zones on less intensive zones or industrial and commercial zones on other zones shall be minimized by the use of transitions, physical edges, or buffers, if possible. A gradual transition between zoning categories is preferred.~~
 - ~~2. Physical edges and buffers, such as natural features, major traffic arterials and railroad tracks, open spaces, and distinct change in street layout and block orientation may provide an effective separation or transition between different uses and intensities of development.~~
 - ~~3. Physical edges, buffers and platted lot lines shall be considered in establishing boundaries.~~
 - ~~4. Boundaries between commercial and residential areas shall generally be established so that~~

~~commercial uses face away from adjacent residential areas, unless physical edges or buffers (arterial streets, waterways, topographic breaks, mature natural or landscape buffers, etc) provide a more effective separation between uses.~~

~~5. Lower Density Residential areas may be rezoned to Higher Density zones only if the applicant demonstrates that the area no longer meets the location criteria for a Lower Density designation or the change is recommended as part of an adopted sub-area plan.~~

~~E. Impact Evaluation. The review of a proposed rezone shall consider both positive and negative factors when evaluating land use and environmental impacts, including impacts on public facility and service capacities, in the area of the proposed rezone.~~

~~F. The review of a proposed rezone shall include consideration of uses which can reasonably be anticipated based on the development potential of the requested zone, and the nature of the site and surrounding area.~~

~~G. Consideration of changed circumstances shall include elements or conditions embodied in the location criteria, and the purpose and design statements, for the relevant zone.~~

~~H. Overlay Districts. If the proposed rezone area is located within the boundaries of an overlay district or sub-area plan, the purpose and boundaries of the overlay district or subarea plan shall be considered.~~

~~I. An area designated and zoned Lower Density Residential that meets the location criteria of VMC 20.410.025 for such designation, may not be redesignated or rezoned to a Higher Density Residential designation unless the change is to implement an adopted sub-area plan.~~

~~(M-3730, Added, 12/19/2005, Sec 7)~~

Comment: This section recommended for elimination as it is unclear; contains review criteria more appropriate for site plans than rezone proposals such as buffers and direction of uses; references locational criteria for zoning district which reflect the ideal placement of those districts on a blank slate, not necessarily how those districts should or shouldn't be amended in developed actual setting; emphasizes physical separation of uses which may not always be realistic in an urban environment; and thwarts rezoning of lower density sites to higher densities by allowing that only where guided by a subarea plan. Removal of this section would not prevent the Commission or Council from basing recommendations or decisions on neighborhood compatibility concerns, as compatibility and neighborhood formation are explicit approval criteria under proposed section 040, and in Comprehensive Plan policies.

Section 20.285.090 Appeals of Final Decisions Appeal Provisions.

A. Final decisions of the City Council may be appealed to the Washington Growth Management Hearings Board or Superior Court where appropriate, in accordance with provisions and timelines set forth by state statute and regulations. Where state statute or regulations do not provide timelines, an appeal must be submitted within 30 calendar days of the final council decision. Aggrieved parties shall exhaust local administrative remedies prior to state or federal administrative or judicial review of the City Council decision.

Comment: Change of title to clarify

Section 20.285.100 Amendments within the Unincorporated Vancouver Urban Growth Area.

A. Comprehensive plan and regulation map or text amendments within the Vancouver Urban Growth Area outside of City limits are the jurisdictional responsibility of Clark County. The City shall review notice provided from Clark County on such amendments, and shall reciprocally provide notice to Clark County of proposed amendments within City limits.

B. The City shall not support amendments which raise inconsistencies with this chapter, capital facilities plans or adopted population projections.

Comment: No change

Section 20.285.110 Record of Amendments.

The Planning Official shall maintain a record of amendments to the text and map of this Title in a format convenient for the use of the public.

Comment: No change

Section 20.285.120 Exceptions:

~~A. The following map or text amendments to the comprehensive plan may be reviewed separately and outside the timelines and process of this chapter, but shall be subject to applicable approval criteria, and applicable notice provisions:~~

- ~~1. The initial adoption of a subarea plan.~~
- ~~2. The adoption or amendment of a shoreline master program pursuant to RCW 90.58.~~
- ~~3. The adoption or amendment of the capital facilities or transportation element of the comprehensive plan is undertaken concurrently with a related budget action.~~
- ~~4. Emergency comprehensive plan amendments, defined as a change of community-wide significance, and including but not limited to the following:~~
 - ~~a. Annexation.~~
 - ~~b. Action necessary to address threats to public health or safety.~~
 - ~~c. Action necessary to ensure that the goals and policies of the comprehensive plan are not substantially obstructed.~~
 - ~~d. Action necessary to respond to an order from the Growth Management Hearings Board or competent court of law.~~

~~5. Corrections of scrivener or mapping errors. Scrivener or mapping errors are defined as minor map or text errors in the comprehensive plan or development regulations which were clearly unintended and inconsistent with the record of their original adoption, as determined by the City. Correction of such errors shall be submitted by the City only, at no charge to parties demonstrating the error.~~

~~B. City staff initiated amendments. City staff initiated map or text amendments to the comprehensive plan or development regulations shall not require pre-application conference and submittal for formal application and associated fees, but shall be subject to applicable scheduling, notice, public hearing, and approval criteria requirements of this chapter.~~

~~C. Periodic comprehensive plan updates. No later than September 1, 2002, and at least once every five years thereafter, the City shall initiate a periodic review of the overall comprehensive plan and land use regulations. Within the calendar year of such review the City may alter the procedural requirements herein, although other approval criteria of this chapter shall still apply.~~

~~(M-3643, Added, 01/26/2004)~~

Comment: This section moved to new section 040

Comment: The below table summarizes changes to VMC 20.285 in full:

Issue	Proposed Changes to VMC 20.285, Text and Map Amendments
Type of proposals reviewed by Planning Commission (Existing and proposed subsection 020)	- Clarify code to fully reflect current practice. The PC reviews Comprehensive Plan and most stand-alone rezone map changes and any accompanying Development Agreements (DAs), and all Comprehensive Plan and Title 20 zoning code text changes, except fees. - Simplify and slightly expand PC review of stand-alone rezone map changes. Instead of current PC review of stand-alone rezones that meet any of three thresholds (over 25 acres; change from the least dense single family zone R-2 to R-4 or vice versa; change from any single family designation to another that is not the next least or most dense), change to PC review of all stand-alone rezones except those that involve a change from one single or multi-family residential designation to the next most or least dense, and also involve a concurrent subdivision proposal. - Clean up code so PC review responsibilities are addressed in appropriate sections. VMC 20.285 should address Comprehensive Plan and zone map and text changes, and associated DAs. VMC 20.210 and other sections will address PC review of other items. These will be determined separately as part of overall fall 2018 code changes, but are anticipated to continue PC review of Planned Unit Developments, mixed use master plans or waterfront mixed use master plans over 25 acres; and master plans within the Riverview Gateway or Section 30 subareas. PC review of various administrative appeal items which are stated in portions of current code but have not occurred in practice is anticipated to be eliminated.
Initiation of proposals (proposed subsection 030, consolidating various existing sections)	Very limited changes primarily for clarity and to reflect current practice. Map or text change proposals may be initiated by properties owners, other individual parties or groups, or city staff. Owners or outside parties may submit formal applications with accompanying fees, or request the City to serve as proponent. City sponsorship will be at City discretion and generally limited to proposals that are limited in scope and/or clearly warranted in terms of policy implications.
Process of review (proposed subsection 040, consolidating various sections of existing code)	- Very limited changes primarily for clarity and to reflect current practice. Per state law, Comprehensive Plan changes with limited exceptions are reviewed once per year, zoning changes at any time. Plan change timing exceptions are modified to fully reflect statute – new subarea plans, shoreline amendments, capital facilities or transportation element changes concurrent with related budget action, Plan changes related to a Planned Action ordinance or annexation, correction of scrivener errors or emergency amendments may be reviewed more frequently than once per year. - Commission denials are changed from a decision to a recommendation. They would no longer require appeal to be considered by City Council.

Approval criteria (proposed subsections 050, 060, and 070)	Limited changes to reflect current policy direction. Consistency with Comprehensive Plan policies remains the main criteria for reviewing proposed map or text changes. Consistency with the Strategic Plan and affordable housing goals added to short list of additional factors to consider. Current VMC 20.285.085, General Rezone Criteria and Required Findings for All Rezones, eliminated as it is redundant of various existing Comprehensive Plan goals; includes site specific considerations more appropriate for evaluating a proposed development than a map change; encourages separation of uses in a manner inconsistent with an urbanizing environment, and is generally unclear.
Other	No change to notification requirements of VMC 20.285.080 other than removal of hardcopy mail requirement for properties near unimpacful map changes that do not increase development opportunities. For all other rezones, newspaper publication, as well as site posting and hardcopy mail to properties within 500 feet of sites still required. Various electronic notice practices will continue, but are not recommended for codification.

Attachment F – Fall 2018 Code clean-up changes

Code Section	Proposed Amendment
1. VMC 20.160.020 classifications	Allow for skating rinks in IL as well as commercial zones, by removing skating rinks from indoor entertainment listings, allowing them to be considered community recreation. 20.160.020(C)(3(b). Indoor Entertainment. Commercial indoor facilities such as skating rinks, bowling alleys, arcades, trampoline or bounce house facilities, shooting ranges, movie, and live performance theaters.
2. VMC 20.210.080 Pre-application Conference submittal requirements	Simplify pre-application submittal requirements: <u>20.210.080 D. Application for a pre-application conference. Request for a pre-application conference shall be submitted to the planning official and shall contain the following information:</u> 1. <u>Completed application form prescribed by the planning official with applicable fees identified in VMC 20.180.</u> 2. <u>A site plan or proposed plat, as appropriate for the proposed land use, drawn to a minimum scale of one inch equals twenty feet. The development plan shall include sufficient information to allow city departments to make an adequate determination as to the potential impacts and development standards required for the proposal and respond accordingly.</u> 3. <u>Provide a written narrative and attach any exhibits that give a complete and accurate depiction of what the proposal involves, including any specific questions to be answered by the city. If the applicant proposes any specific conditions or mitigation measures, this should be included in the narrative.</u> D. To request a pre-application conference, an applicant shall submit the required fee, and 12 sets of the following information. The planning official may waive submittal requirements upon request if found to be inapplicable to the proposed development: 1. Completed and signed Pre-application Conference Request form provided by the planning official. 2. Folded and collated plans of the proposed development drawn to scale, no larger than 24" x 36" and clearly marked with the following: project name; vicinity map; scale; north arrow; date; applicant's name, phone and fax numbers; contact person's name; phone and fax numbers. 3. A GIS packet obtained from Clark County's Department of Assessment and GIS department for all properties covered by the application. 4. A narrative description of the following: a. Uses proposed for the site. b. Hours of operation. c. Estimated vehicular traffic to and from the site. 5. Preliminary architectural information. A brief narrative description of the following: a. Gross square footage of each structure and outdoor activity center proposed to be built or retained on site. b. Proposed and potential uses and occupancy group of each structure proposed to be built or retained on site. c. Number of floors, building height, and construction type of each structure and outdoor activity area proposed to be built on site. d. Conceptual plans showing at least the gross square footage of each structure proposed to be built or retained on site. e. Conceptual elevation drawing of each structure proposed to be built or retained on site. f. Show the dimensions and area of the project site. 6. Existing and Proposed on-site Structures and Improvements:

	a. Identify use(s) of all existing and proposed structures. b. Location, dimensions, and height of all existing and proposed buildings and structures. c. Location and dimensions of existing and proposed recreation areas and open space. d. Location of existing and proposed driveways, off-street parking and loading areas, bicycle parking, and pedestrian and bicycle pathways. e. Location, dimensions, and screening of proposed solid waste/recyclables storage areas. f. Existing or conceptual plan showing lighting and landscaping. Landscape plan should include location of driveways and buffering off-street parking and loading areas. g. Location and dimensions of existing and proposed streets, rights-of-way and public and private access easements on and adjoining the site. h. Location and dimensions of all existing and proposed above-ground and below ground utilities. 7. Preliminary engineering information. Provide a conceptual drawing or sketch showing the following: a. Approximate location of existing fire hydrants within a one-hundred foot (100') radius of the site. b. Preliminary assessment of low impact development implications and proposed method of providing storm-water drainage on the site as required in VMC 14.25. c. Strategy narrative for proposed erosion control measures as required in VMC 14.24. d. Proposed grading activity for the site, indicating areas of native soil preservation, compaction prevention, and proposed cuts and fills.
3. VMC 20.270.040 Site Plans	Update and streamline Site Plan submittal requirements to reflect electronic submissions: Section 20.270.040 Submission Requirements. Unless waived in writing and in advance by the Planning Official, an applicant shall submit all of the following items with an application for a Type I or Type II site plan review: A. <u>General.</u> 1. A completed application form provided by the Planning Official, and 10 copies of the information required. 2. Site Plan Review drawings shall be on sheets not larger than 24" x 36" unless approved otherwise by the Planning Official. Site plans drawings shall include the following: shall be drawn at a scale of 1" equals 60' or larger, e.g., 1" equals 30'. Building elevations and floor plans shall be drawn at a scale of 1/4" or 1/8" equals 1'. a. An existing conditions plan described in Subsection (B) below. b. A site plan described in Subsection (C) below. c. A preliminary stormwater and erosion control plan or plans described in Subsection (D) below. d. Architectural plans and elevations described in Subsection (E) below. e. A landscape plan described in Subsection (F) below. f. 8 1/2" x 11-inch reduced copies of all plans. 3. A site plan review application also shall include a n <u>A narrative describing the development including uses proposed for the site, hours of operation, hours and frequency of deliveries, and construction schedule.</u> 4. Payment of all applicable review fees. 5. Certified mailing list (not applicable for Type I applications). Current Clark County

	Assessor map(s) showing the property(ies) within a 500' radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500' radius. Such list shall be certified as accurate and complete by the Clark County Assessor, a title company. For non-owner occupied properties, provide mailing labels addressed to "occupant" as can be determined from available County Assessor records (two copies). H. Sign plan. Sign drawings are optional. If submitted, sign drawings shall be reviewed for compliance with Chapter 20.960 VMC Signs.
4. VMC 20.310.040 Boundary Line Adjustment Submittal Requirement	Update and streamline BLA submittal requirements to reflect electronic submissions: 20.310.040 Submittal Requirements Applicants shall submit the following documentation as part of a request for a Boundary Adjustment compliance check: <u>A. Completed application form including signatures of all property owners involved in boundary line adjustment.</u> <u>B. Site plan. One site plan drawn to scale on 8 1/2" x 11" paper, Survey. The proposed boundary line adjustment shall be prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 18.90 RCW), clearly showing the following:</u> 1. The dimensions of the existing property/properties involved 2. The location of any improvements (structures, septic system, etc.) 3. The location and dimension of any access or utility easements 4. The dimensions of the proposed new lot lines 5. North arrow 6. Zoning of each involved property <u>B. Quarter section map. One (1) copy of the quarter section map with the properties highlighted. (This can be obtained from the Clark County Assessor's Office.)</u> <u>C. Recorded deed. One (1) copy of all property owners' recorded deeds, verifying current ownership.</u> <u>D. Sales history. Complete sales history of all parcels since 1969. Sales history is comprised of copies of all deeds or real estate contracts showing previous owners or divisions for the properties involved. It is used to verify the legal creation of the parcel and is available from either a title company or the Clark County Assessor's Office. This is not required if the request involves lots within a subdivision which have not been altered or further divided.</u> <u>E. Letter of intent. Letter of intent explaining the purpose of the request. The letter should also include information that may be helpful in evaluating the request.</u> <u>F. Existing conditions or related development restrictions. Copies of existing conditions of approval, covenants, restrictions and/or easements</u> <u>G. Application fee. Application fee as contained in Chapter 20.180 VMC.</u> <u>H. Signatures of authorized parties. Signatures of all property owners authorizing the proposed adjustment of their property lines as certified by a Notary Public.</u>
5. VMC 20.320.Subdivision	Changes are listed in full in separate attachment, and are intended to update and streamline submittal requirements to reflect electronic submittals, remove and update items to meet RCW & WAC requirements, eliminating required Mayor/Council approval of subdivisions, and update language to reflect existing City development escrow policy.
6.VMC 20.420 Multi-family residential zones	Eliminate footnote 24 of the multi-family use table, which invokes VMC 20.840 child care requirements. The number 24 is not found in use table, and redundant of footnote 14 which already references 20.840 for child care centers: Table 20.430.030-1 24 Subject to the provisions of Chapter 20.840 VMC, Child Care Centers.

7. VMC 20.430 Commercial zones	A. Correct footnote citation errors, changing Motor Vehicle Sales/Rental in the CC District from "P²⁷" to "L²⁷" and Motor Vehicle Servicing/Repair in the CC District from "P²⁸" to "L²⁸" because the footnotes refer to additional conditions and therefore both uses are considered "Limited" instead of "Permitted." B. Correct for missing footnote 36 in the CX zone which currently allows dog day care on a limited basis in CX, but without the requirement applying to other zones that dog day care be subject to dog day care standards of VMC 20.850.
8. VMC 20.440 Industrial uses	A. Eliminate lengthy table of NAICS listings of industrial uses implies greater precision than is realistic given changing industrial uses: B. Eliminate reference to no longer applicable A Airport zone in list of industrial zoning districts C. Add missing footnote 6 for various general retail uses which are listed as limited in the OCI zone, but without the footnote 6 limitations which apply to these retail uses in the other industrial districts. The footnote limits retail uses to 20% of total building square footage of the development complex, and 40,000 sf. per building. D. Merge footnote 30 language on ECX (Section 30) district non-accessory parking into footnote 10, which addresses similar issues, and eliminate footnote 30: <i>10 In the OCI zone, non-accessory surface parking is conditionally permitted on brownfields where subsurface environmental constraints effectively preclude other uses, provided such development complies with applicable local, state and federal environmental standards. In the IL zone, non-accessory surface parking is permitted, and non-accessory structured parking is prohibited. In the ECX zone, non-accessory structural parking only shall be permitted.</i>
9. VMC 20.690 Section 30 Cross references to parking, and master planning requirement	Correct inaccurate cross references to parking, and add Director discretion regarding required master planning for all developments, where recently a formal exception process had to be used to avoid requiring a master plan for a small development at the edge of Section: 20.690.030. D. Master Planning Required. All development, including properties with an existing Development Agreement shall be subject to the master plan process contained in VMC 20.690.050, Master Planning. <i>Properties applying for an existing use expansion, 20.690.030E are exempt from the Master Plan Process. <u>The Planning official may at his or her discretion may exempt or limit master planning process requirements for individual development proposals whose development has no significant area wide infrastructure or land use implications.</u></i> 20.690.040.E. Parking spaces provided for individual uses shall be no less than 80% of the minimum required indicated in VMC Table 20.945.070-1-2, and no more than 115% to the amount provided in Table 20.945.070-1-2,. The planning official may approve parking beyond the maximum or a parking reduction from the required minimum based on a parking study that justifies the change. Structural parking is permitted subject to the design standards contained in VMC20.945.060. Structural parking shall count toward the minimum but not the maximum number of parking stalls. 20.690.070.D.10. Parking a. Parking spaces provided for individual uses shall be no less than 60% of the minimum required indicated in VMC Table 20.945.070-1-2, and no more than 115% to the amount provided in Table 20.945.070-1-2. The planning official may approve parking beyond the maximum or a parking reduction from the required minimum based on a parking study that justifies the need.
10. VMC	Update and correct Temporary Use approval criteria:

20.885.040.C.2.c Temporary Use	20.885.050.C.2.c (Model Homes) Applicant must sign a Memorandum Of Understanding to be prepared by the applicant and approved by the planning official stating the model home will have approved access and can be adequately served by public water and sewer on the parent parcel. Only one model home per parent parcel is allowed. 20.885.050.D.6 (Temporary uses in commercial or industrial zones) The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will effect<u>affect</u> the adjoining uses as governed by Chapter 20.935 VMC, Off-Site Impacts
11. VMC 20.890.070 Wireless Communication Facilities	Update and clarify required information for co- locating facilities: 20.890.020 Applicability B. <u>Process Type</u>. All permitted attached antennae and collocations require a Type I permit <u>Building Permit</u>. All other permitted uses shall require a Type II permit. Any wireless communications facilities not otherwise permitted or prohibited shall require a conditional use permit. Section 20.890.040 General Development Standards. O. <u>Building and utility permits</u>. The applicant for a permit pursuant to this ordinance shall submit an application, plans, specifications and all other materials to obtain a building permit and any applicable utility permits. Such permits may be applied for either concurrently or after approval of other permits required by this ordinance. <u>Submittal requirements for attached antennae and collocations are M., Liability Insurance, N. Performance Bond and a lease agreement.</u> R. <u>Co-location evaluation study</u>. An applicant's collocation study shall consist of a report that includes the following: 1. Identification of other wireless communication sites within the search ring for the proposed wireless facility, based on the City's database or contact with other providers. 2. Certification from a qualified radio engineer indicating whether the necessary service is technically feasible if provided by collocation on the other provider's site. 3. A response from the owner/lessor of the site(s) identified by the other provider(s), who either agrees or disagrees to collocation on their property; and/or: <u>lease agreement</u>.
12. VMC 20.895.020 and 030 Miscellaneous special use standards	Substitute inaccurate references of use "category" with use "classification" in animal kennels and cemeteries descriptions.
13. VMC 20.910.040 Exceptions and Interpretations - Yard Requirement	Clean up and clarify language to eliminate undefined landing places and add setback: Section 20.910.040 Yard Requirements. Projections into required yards. Certain architectural features may project into required yards or courts as follows: 1. Cornices, canopies, eaves, belt courses, bay windows, sills or other similar architectural features, or fireplaces not including floor extensions may extend no more than 24 inches into any required yard area. 2. Fire escapes, open-uncovered porches, balconies, landing places, or outside stairways may extend no more than 18 inches into any required side, side street, or rear yard <u>setback</u>, and no

	<i>more than six feet into any required front yard <u>setback</u>. Open porches, decks or stoops not exceeding 18 inches in height may extend no closer than 18 inches to any lot line.</i>
14. VMC Table 20.945.070-2	Eliminate reference in parking requirements table to ADU to reflect changes made to ADU standards in 2017 eliminating ADU parking requirements.
15. VMC table 20.410.030-1 Lower Density Residential Uses	Fix typo on footnote 19: <i>19 A “designated manufactured home” is exempt from the development standards of 20.410.050F VMC and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this Title if within (5) five <u>(5)</u> years of the date of the original placement.</i>
16. VMC Table 20.450.030-2, Open Space District allowed uses	Eliminate table listings prohibiting Light Industrial, General Industrial and Heavy Industrial in the Open Space districts, as these are general categories but are not defined as uses. Keep existing list of prohibited industrial uses (Industrial services, Manufacturing and production, Railroad yards, Research and development, Warehouse/Freight sales, Wholesale sales, Waste-related)

Full zoning code: <https://www.cityofvancouver.us/vmc?tid=334>

Attachment G – Code Change to allow affordable housing projects in Commercial zones under select circumstances

Table 20.430.030-1 Commercial and Mixed Use Districts Use Table

USE	CN	CC	CG	CX	WX	CPX1	MX2	RGX44
RESIDENTIAL								
Household Living	L4	L4	L4	L42	L5	P6	P6	P6
Group Living	P/C 7	P/C 7	P/C 7	P/C 7	P/ C7	P6	P6	P6
Transitional Housing	X	C9	L9	L9	C9	X	X	X
Home Occupation	L10	L10	L10	L10	L1 0	L10	L10	L10
<u>Affordable Housing Projects</u>	<u>X</u>	<u>P8</u>	<u>P8</u>	<u>P8</u>	<u>P8</u>	<u>P8</u>	<u>P8</u>	<u>P8</u>

~~8 The language for this footnote has been deleted. Eligible affordable housing projects must a) demonstrate eligibility for Washington State Housing Finance Commission Low Income Housing Tax Credits by providing at least 40% of units affordable to households at 60% of Area Median Income or otherwise as demonstrated eligible for credits; b) Include a guarantee that the threshold is maintained for at least 30 years unless specified longer by the Finance Commission; and c) Be located on properties whose borders are within 1000 feet of a bus rapid transit or other high capacity transit corridor.~~

Attachment H – Written Comments Received (all related to subdivision application changes)

Snodgrass, Bryan

From: Dorszynski, Weston
Sent: Monday, September 10, 2018 5:30 PM
To: Snodgrass, Bryan; Hildreth, Johnnie
Subject: COV requirements for a existing conditions survey

Bryan,

My underlying motivations here come from a surveyor's duty to "safeguard life, health and property and promote the welfare of the public" WAC 196-27A-020. So I am looking to set a standard of information they are providing to the city planners allowing them to make informed and accurate decisions regarding whether a project or plan is compatible with the existing conditions on the site as they decide to vest a project or not. Many project submittals are doing this already and this should not be a difficult standard to meet.

One exception I have with the County's Preliminary Survey provided example is the WAC that is cited by the surveyor in the narrative is WAC 332-130-090 which has to do with accuracy standards but not the complete and full information on the site.

WAC 332-130-050 Survey Map Requirements is the Section that contains the requirements I am particularly interested in being met.

Section WAC 332-130-050(1)(B) defines these areas.

- (f)(vi) Identify any ambiguities, hiatuses, and/or overlapping boundaries.
- (f)(vii) Give the location and identification of any visible physical appurtenances such as fences or structures which may indicate encroachment, lines of possession, or conflict of title.

I know many and even most of the existing condition surveys are currently performed by surveyors and there are some that are not performed by a licensed surveyor. Unfortunately we do receive an occasional Existing Conditions Map/Plan/Survey that does not show existing onsite fences, buildings, pedestrian trails, vehicle tracks, they only show the boundary and contours. An incomplete representation does not allow the planners to make accurate decisions.

Weston Dorszynski | City Surveyor



CITY OF VANCOUVER, WASHINGTON
Public Works | City Surveyor's Office
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CITY OF VANCOUVER
PLANNING COMMISSION

SEP 11 2018

RECEIVED FOR RECORD

Snodgrass, Bryan

From: Travis Johnson <travis@plsengineering.com>
Sent: Friday, September 07, 2018 6:07 PM
To: Snodgrass, Bryan
Subject: RE: Updates to Vancouver subdivision submittal standards
Attachments: 2581 Preliminary Boundary Survey.pdf

Hey Brian:

I appreciate the opportunity to provide constructive change with the final plat process. I did get a chance to speak with Johnnie about these changes because I wanted to have an understanding from staff of why these changes are needed. I think bullet point 2 & 5 below create a challenge for the applicant, consultants and staff and may not be necessary.

I understand the intent of having the surveyor stamp the preliminary plat and the existing conditions plan, but I don't think the ultimate outcome for this requirement will achieve what is intended. Most surveyors do not have a good understanding of the development and zoning code and only take the linework that the engineer/planner provides to prepare the final plat. What is important at the preliminary stage is acquiring a boundary of the property with all encroachments surveyed to determine if adverse possession will be an issue. Though this is a private matter, us consultants should be aware that if there is an adverse possession claim there needs to be enough area in the impacted lot to meet the underlying zoning requirements. This isn't a requirement in most agencies, but a good designer should be taking these issues into account early on in the design process. A copy of what Clark County requires is attached.

In regards to the 5th bullet point there are always timeline issues with as-builts and final plats and last minute comparisons. The plat should have all of the easements that are reflected on the construction plans and if there are changes in utility locations the easements are a minor change. Easements on the plat are important, but they are only a very small portion of information on the final plat. What's important is that the majority of the plat gets reviewed as this is a crucial time for the applicant as the interest payments are the highest. Implementing this would add approximately 2-months of additional review at the worst possible time for the applicant which would create tension between applicants, consultants and staff. It is crucial that we start the plat review after construction drawing approval.

I will look through the code this weekend and will provide comment if something stands out. Appreciate everything Bryan, and thanks for the opportunity to provide feedback!

Travis Johnson, P.E.

travis@plsengineering.com



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CITY OF VANCOUVER
PLANNING COMMISSION

SEP 11 2018

RECEIVED FOR RECORD

From: Snodgrass, Bryan <Bryan.Snodgrass@cityofvancouver.us>

Sent: Thursday, September 6, 2018 9:26 AM

To: Travis Johnson <travis@plsengineering.com>; 'John@aks-eng.com' <John@aks-eng.com>; 'kurt@olsonenr.com' <kurt@olsonenr.com>; 'Jaima.Johnson@fnf.com' <Jaima.Johnson@fnf.com>; 'SHunzeker@wfgtitle.com' <SHunzeker@wfgtitle.com>; 'carolina@clarkcountyttitle.com' <carolina@clarkcountyttitle.com>

From: John Meier [mailto:John@aks-eng.com]
Sent: Thursday, September 06, 2018 12:07 PM
To: Snodgrass, Bryan
Subject: RE: Updates to Vancouver subdivision submittal standards

Bryan,

Thanks for sending us this information. I do have some comments below and also regarding the e-plan process. I am not a huge fan of the e-plan process that the City of Vancouver implements. We are submitting e-plans in many jurisdictions in SW Washington and the Portland Metro area. The City's system is built upon the use of proprietary software that we all need to learn how to use, which is the biggest problem that I have with it. It makes it difficult for our staff to review and address comments as we now have to learn how to use the City's software and it just takes more time. My suggestion is to make the system more user friendly so that anyone on the outside does not have to learn to use the system. I believe it will save you a lot of staff time as well. I would be more than happy to discuss further.

A couple of the items below will add more cost to a given project and we are seeing costs escalate across the board for residential development. Less regulation would be better, which you are getting to with a couple of your items below.

Thanks!

John M. Meier, P.E.
Principal

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From: Snodgrass, Bryan <Bryan.Snodgrass@cityofvancouver.us>
Sent: Thursday, September 6, 2018 9:26 AM
To: 'travis@plsengineering.com' <travis@plsengineering.com>; John Meier <John@aks-eng.com>; 'kurt@olsonengr.com' <kurt@olsonengr.com>; 'Jaima.Johnson@fnf.com' <Jaima.Johnson@fnf.com>; 'SHunzeker@wfgtitle.com' <SHunzeker@wfgtitle.com>; 'carolina@clarkcountyttitle.com' <carolina@clarkcountyttitle.com>
Cc: Hildreth, Johnnie <Johnnie.Hildreth@cityofvancouver.us>
Subject: Updates to Vancouver subdivision submittal standards

EXTERNAL EMAIL: This email originated from outside of AKS Engineering & Forestry. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings

As professionals involved with the subdivision submittal and approval process, we wanted to individually let you know of proposed changes to the City subdivision review standards, attached. The changes are primarily intended to reflect Vancouver's new electronic submittal process, with updates also in the following areas:

- Make City code consistent with state law and no longer require mayor/council final approvals **Good.**
- Require licensed surveyor preparation of existing condition plans and preliminary plats **I would agree with existing conditions, but not preliminary plats. I would suggest requiring a record of survey be recorded or provide a preliminary record of survey, which is what the County went to. I fail to see the gain by having a surveyor prepare a preliminary plat.**
- Simplify plat alterations and update codes to meet RCW standards **good**
- Update escrow standards consistent with Vancouver's Development Escrow Policy that has been in place since May 2017 **We haven't had issues with subdivisions, but the City's site plan requirements are broken with regards to bonding/escrow of improvements.**
- Require as-built approval prior to final plat submittal, consistent with requirements of Clark County and other local jurisdictions **The County does allow us to submit final plats before as-builts are approved, but the plat cannot record prior to as-built approval. This will delay plats longer than necessary and is a horrible idea. I suggest allowing final plat review but maybe not recording until as-builts are approved. This is a big impact if as-builts have to be approved prior to final plat review.**

We believe the changes will have very limited impacts, but feel free to advise staff or the City Planning Commission if you believe otherwise. The Planning Commission is holding a public hearing on these and other zoning code updates on Tuesday, September 11, at 7:30, and City Council will review Planning Commission recommendations and make final decisions at a public hearing of its own December 3.

For questions about the Planning Commission review process or to submit a comment, contact Bryan Snodgrass at 360 487-7946, bryan.snodgrass@cityofvancouver.us

For technical questions about the subdivision submittal changes, contact Johnnie Hildreth at 360 487-7824, Johnnie.Hildreth@cityofvancouver.us

Thank you

Chapter 20.320

SUBDIVISIONS

Sections:

20.320.010	Purpose.
20.320.015	Applicability.
20.320.020	Approval Process.
20.320.030	Preliminary Plat Application Requirements.
20.320.040	Preliminary Plat Approval Criteria.
20.320.050	Final Plat Application.
20.320.060	Final Plat Approval.
20.320.070	Technical Standards.
20.320.080	Other Provisions.
20.320.090	Remedies and Penalties.

Section 20.320.010 Purpose.

Purpose. The purpose of this Chapter is to implement the policies of the various applicable state statutes including, but not limited to, Chapter 58.17 RCW, Findings; Chapters 35.63 and 65.08 RCW, and the City of Vancouver Comprehensive Plan. The regulations contained herein are intended to:

- A. Promote the effective utilization of land and infrastructure;
- B. Make adequate provision for the housing, commercial and industrial needs of the City, the county and the region;
- C. Prescribe procedures for the subdivision of land in accordance with officially adopted plans, policies and standards, including the provisions of the Development Code (Title 20 VMC); and
- D. Provide for the efficient processing of subdivision applications without undue delay.
(M-3643, Added, 01/26/2004)

Section 20.320.015 Applicability.

All divisions of land except those listed in Subsection (D) below, shall be subject to the requirements of this Section.

- A. Short subdivisions. A short subdivision is a land partition containing nine (9) or fewer lots.
- B. Subdivisions. A subdivision is a land partition containing ten (10) or more lots.
- C. Infill Subdivisions and Short Subdivisions, pursuant to additional requirements of Section 20.920 VMC.
- D. Exemptions. The provisions of this Chapter shall not apply to the following:
 - 1. Cemeteries and burial plots while used for that purpose.

2. Divisions of land into lots or tracts, each of which is 1/64 of a section of land or larger, or 10 acres or larger, if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this item which borders on a street or road, excluding limited-access streets or roads, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street, and the side lot lines of the lot running perpendicular to such centerline.

3. Divisions and/or acquisitions of land pursuant to condemnation or threat of condemnation by a government agency public purposes.

4. Divisions of land made by testamentary provisions, or the laws of descent.

5. Divisions of land made by subjecting a portion of a parcel or tract of land to Chapter 64.34 RCW (Condominiums) if the Planning Official has approved a binding site plan in accordance with Chapter 20.330 VMC.

6. Divisions of land into lots or tracts classified for industrial or commercial use, when the Planning Official has approved a binding site plan for use of the land in accordance with Chapter 20.330 VMC.

7. A division made for the purpose of adjusting boundary lines which does not create any additional lots, tracts, parcels, sites or divisions, nor any lots, tracts, parcels, sites or divisions which contain insufficient area and/or dimensions to meet the minimum requirements for width, depth and/or area for a lot.

8. Divisions created by a court order that result in lots that conform to the requirements of this Title. (M-3643, Added, 01/26/2004)

Section 20.320.020 Approval Process.

A. Decision-making process

1. Short subdivisions. The Planning Official shall approve, approve with conditions or deny an application for a short subdivision preliminary plat by means of a Type II procedure, pursuant to 20.285.050 VMC, using approval criteria contained in Section 20.320.040 VMC, and additional requirements of 20.920 VMC if a qualifying infill development, and 20.927 VMC if a qualifying narrow lot development.

2. Subdivisions. The Hearings Examiner shall approve, approve with conditions or deny an application for a subdivision preliminary plat by means of a Type III procedure, pursuant to 20.210.060 VMC, using approval criteria contained in Section 20.320.040 VMC, and additional requirements of 20.920 VMC if a qualifying infill development or 20.927 if a narrow lot development.

B. Term of preliminary plat approval. Approval of a preliminary short subdivision or subdivision shall be valid for a period of seven years, except as provided by RCW 58.17.140(3)b, subject to verification of utility availability, during which time an application for final plat meeting all the requirements of this Chapter and all conditions of preliminary plat approval shall be made; provided, that extensions of preliminary short subdivision or subdivision plat approval may be granted in accordance with the procedures and criteria set forth in Section (D) below.

C. Phasing. The developer may develop the short subdivision or subdivision in phases. Any phasing proposal shall be submitted with application materials for the preliminary plat and approved by the Review Authority, except that the Planning Official may approve a phasing plan for an approved short subdivision or subdivision by means of a Type I procedure, governed by 20.210.040 VMC Type I Applications upon finding that:

1. The phasing plan includes all land identified within the legal notice of the approval hearing;
2. The sequence of phased development is identified by map;
3. Each phase shall constitute an independent project meeting all of the requirements for density, open space, public and private infrastructure, landscaping, pedestrian and vehicle circulation etc.; and
4. The Director of Public Works and Transportation Manager have approved the necessary documents to determine that all streets, sanitary and storm sewers, water and other public improvements, including but not limited to drainage improvements, and erosion control measures are assured.

D. Extensions. Extension requests shall be reviewed in accordance with the following criteria:

1. An initial one-year extension request, which has been filed at least 30 days prior to the expiration of the seven-year period, shall be reviewed by the Planning Official by means of a Type I procedure, as governed by Section 20.210.040 VMC, upon showing that the applicant has attempted in good faith to meet the conditions for the final plat within the seven-year period.

2. Two additional two-year extension requests may be granted by the Planning Official by means of a Type II procedure, as governed by Section 20.210.050 VMC, providing the applicant demonstrates compliance with all of the following criteria:

a. The applicant has pursued compliance with all conditions of preliminary plat approval and submitting the final plat in good faith; and

b. There have been no changes to the Comprehensive Plan, zoning ordinance, development standards or other applicable codes that are inconsistent with the approved preliminary plat.

3. Short subdivisions or subdivisions that have been approved for phased development pursuant to Subsection (C) above may receive subsequent two-year extensions in accordance with the criteria of Subsection (D)(2) above so long as at least one phase received final plat approval and was properly recorded within four years prior to each such subsequent extension request.

E. Transportation concurrency. The approval of extensions notwithstanding, the applicant shall comply with the provisions of Chapter 11.95 ~~70~~ VMC, Transportation Concurrency.

F. Land transfer agreements. Agreements to transfer land prior to final plat are authorized, provided, that the performance of an offer or agreement to sell, lease or otherwise transfer a lot, tract or parcel of land following preliminary plat or short plat approval is expressly conditioned on the recording of the final plat or short plat containing the lot, tract or parcel and shall comply with the requirements of 58.17.205 RCW. (M-4034, Amended, 12/03/2012, Sec 8-Effective 01/03/2013; M-3959, Amended, 07/19/2010, Sec 22-Effective 8/19/2010; M-3643, Added, 01/26/2004)

Section 20.320.030 Preliminary Plat Application Requirements.

A. Application/fees. ~~Completed application form as prescribed by the Planning Official with applicable fee per VMC 20.180. The applicant shall provide one original and eight copies of the application for a completed application form provided by the planning official, and copies of the information required. A preliminary plat of a short subdivision or subdivision consisting of the following information:~~

- ~~1. Subdivision or short subdivision name that must be other than the name of an existing subdivision, addition or plat recorded in Clark County Washington;~~
- ~~2. Name, mailing address, and telephone number of the owner and/or developer;~~
- ~~3. Name, mailing address, telephone number, and signature of person preparing the application~~
- ~~4. Date;~~
- ~~5. Location, including 1/4 of 1/4 section, section, township, range and, as applicable, donation land claim and/or subdivision;~~
- ~~6. Total parcel area in acres and square feet;~~
- ~~7. Comprehensive Plan and zoning designations;~~
- ~~8. Existing and proposed land uses;~~
- ~~9. Number and size of residential, commercial and industrial lots;~~
- ~~10. Names of all utility purveyors;~~
- ~~11. Signatures of all property owners; and~~
- ~~12. Fee, as governed by Chapter 20.180 VMC.~~

B. Submittal Requirements. ~~Preliminary plat information.~~ ~~The applicant shall provide one original and eight copies of the following information. Drawings shall be on sheets not larger than 24" X 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Plans for the preliminary plat will not be accepted if they are not collated and folded. Applications for preliminary short subdivisions or subdivisions shall be on a scale legible for digital reproduction and shall include the following:~~

1. Existing conditions plan. ~~The preliminary plat application shall include the following information: on one or more to-scale drawings: The existing conditions plan, shall include pertinent survey data compiled as a result of a survey made by or under the supervision of a licensed land surveyor in the state of Washington and shall include the following information:~~

- ~~a. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations within a 500' radius of the site;~~
- ~~b. The site size, dimensions and orientation relative to true north;~~
- ~~c. Remaining easements~~

d. The location, name and dimensions of public and private streets adjoining the site, identifying whether the streets are public or private;

e. Location, dimension, and purpose of existing easements;

f. The location of existing structures and other improvements on the site, including buildings, driveways, parking, loading, pedestrian and bicycle paths, passive or active recreational facilities or open space and utilities;

g. Elevation of the site at 2' contour intervals for grades 0% to 10% and at 5' contour intervals for grades more than 10%;

h. The location of natural conditions such as:

1. Waterbodies, the 100-year floodplain, aquatic habitats, natural drainage courses, wetlands, springs, seeps, closed depression areas, groundwater elevations, aquifers, and wellhead protection areas;

2. Geological hazard areas such as slopes in excess of 15%, unstable or weak soils, soils with high erosion potential, rock outcroppings, and areas of healthy native soils and hydraulic conductivity;

3. Existing vegetation including stands of trees and individual trees ~~with a caliper greater than 6"~~, additional information necessary to comply with VMC 20.770 Tree, Vegetation, and Soil Conservation, and areas of wildlife habitat. (PMC to check with Charles)

2. Preliminary plat. The proposed preliminary plat shall include the following: ~~The proposed preliminary plat shall include the following information presented on one or more drawings. Plans shall be on sheets not larger than 24" x 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Other scales may be used with the approval of the Planning Official. Plans for the preliminary plat will not be accepted if they are not collated and folded.~~

a. The proposed site and its dimensions and area.

b. Proposed lots, tracts and easements, including dimensions, individual lot areas and total acreage.

c. Abutting properties or, if abutting properties extend more than 100' from the site, the portion of abutting properties within 100' of the site, and the approximate location of structures and uses on abutting property or portion of the abutting property.

d. The location and dimensions of development, including but not limited to the following:

1. Streets and other rights-of-way and public or private access easements on and adjoining the site;

2. Vehicle, and bicycle parking and pedestrian bicycle and vehicular circulation areas;

3. Loading and service areas;

4. Active or passive recreational or open space features;

5. All utilities;

6. Existing structures to be retained on the site and their distance from proposed property lines;

7. Proposed structures on the site, including signs and fences, and their distance from property lines if known at time of land division;

8. The location and type of proposed outdoor lighting and existing lighting to be retained if known at time of land division.; and

9. Boundary delineation of any wetlands including required buffers and shoreline setback lines if applicable

3. Narrative. ~~A Preliminary plat application~~ The narrative shall include the following:

a. A comprehensive narrative addressing how the development complies with preliminary plat approval criteria 20.320.040 and the technical standards in Section 20.320.0870 VMC; other applicable standards of this Title and the policies of the Comprehensive Plan outlined by staff as being applicable to the proposed development

b. Description of the uses proposed for the site;

c. Phasing plan, if applicable;

~~d. Construction schedule;~~

~~e. d.~~ Any variances requested pursuant to the regulations in Chapter 20.290 VMC;

~~f. e.~~ Existing covenants or restrictions and easements, if applicable; and

~~g. f.~~ History of any previous subdivisions and short subdivisions of the property.

4. Supplementary information. ~~One original and eight copies, collated and folded, of t~~ The following supplemental information shall also be submitted unless otherwise indicated in parentheses:

a. Environmental checklist that complies with Chapter 20.790 VMC, SEPA Regulations (if applicable,

b. Legal description;

~~e. Reproducible copies of all plans identified in 8 1/2 x 11" or 11" x 17" format;~~

~~d. Assessor's map(s) showing all properties within 1,000' of the plat boundary;~~

~~e. Results of any completed percolation tests, if applicable (four copies);~~

~~f. 1 copy of the proposed plat map, reduced to fit on either 8 1/2" X 11" or 11" X 17" paper;~~

~~g. c.~~ Geotechnical/soils survey (~~four copies~~), if applicable;

~~h. d.~~ Tree, vegetation, and soil plan that complies with the requirements of Chapter 20.770

VMC, Tree, Vegetation, and Soil Conservation;

~~i. e.~~ Preliminary grading, erosion prevention and stormwater plans

1. Grading Plan indicating areas of soil protection and compaction prevention.
2. Erosion Prevention measures as required in VMC 14.24, and
3. Stormwater Site Plan as required in VMC 14.25,

~~j. f.~~ Archaeological Pre-Determination Report, if applicable, that complies with the requirements of Chapter 20.710 VMC, Archaeological Resource Protection (~~four copies~~);

~~k. g.~~ Sales history. A deed history of all applicable properties dating back to 1969 or to the date when a legal lot determination was made (~~one copy~~);

~~l. h.~~ Clark County Public Health Department Development Review Evaluation Form or copy of application to the Clark County Public Health Department (~~four copies~~);

~~m.~~ ~~Pre-application conference notes; and~~

~~n. i.~~ Certified mailing list. Current Clark County Assessor map(s) showing the property(ies) within a 500' radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500' radius. Such list shall be certified as accurate and complete by the Clark County Assessor, ~~a title company~~. For non-owner occupied properties, provide mailing labels addressed to "occupant" as can be determined from available County Assessor records (two copies).

~~o. j.~~ ~~Request for Certificate of Concurrence or Certificate of Concurrence Survey and applicable traffic studies.~~ Traffic Study or Trip Generation and Distribution Report in compliance with Title 11.

(M-4179, Amended, 10/17/2016, Sec 72-Effective 12/31/2016; M-3643, Added, 01/26/2004)

Section 20.320.040 Preliminary Plat Approval Criteria.

Approval criteria. To grant approval of a preliminary short subdivision or subdivision, the applicant must demonstrate compliance with all of the following criteria:

A. Public facilities provision. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the City's current ordinances, standards and plans;

B. Proposed improvements. Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the City's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable;

C. Open space and dedications. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations;

D. Physical characteristics. The design of the proposed short subdivision or subdivision site has taken into consideration the physical features of the site, including but not limited, to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;

E. Re-platting of existing subdivisions. When re-platting an existing subdivision, the short subdivision or subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval;

F. Compliance with all requirements of this title. The proposed short subdivision or subdivision complies with all applicable requirements of this title unless modified through the approval; and

G. Compliance with State requirements. That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.

H. Narrow Lot Additional Criteria. Land divisions which contain one or more residential lots having a width of less than 40 feet shall meet additional criteria of VMC 20.927.030 A, B and C.

(M-4147, Amended, 12/07/2015, Sec 4-Effective 1/7/2016; M-3778, Amended, 12/04/2006, Sec 3; M-3643, Added, 01/26/2004)

Section 20.320.050 Final Plat Application.

A. ~~Final plat application. Applications for final plat approval of a short subdivision or subdivision shall be filed with the Planning Official. Note that Tier I and Tier II and Tier I, II and III submittal requirements may be filed concurrently.~~ Final plat application and fees. A complete application, including all supplemental documentation and correct number of copies, shall be filed with the Planning Official along with all associated fees per VMC 20.180.

B. ~~Fees, materials and reproduction. The applicant shall submit the requisite fee, a completed application form and five collated and folded paper copies of the information required below. Plans for final plat will not be accepted if they are not collated and folded. Include one reduced 8 1/2" x 11" copy of all plans.~~ Proposed final plat. The proposed final plat shall be prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 18.90 RCW) as it now exists or hereafter amended. The plat shall consist of one or more pages of a size acceptable to the recording authority, and drawn to a minimum scale of one inch equals fifty feet. The drawing shall contain the following:

1. Date, north arrow and scale;
2. Name of subdivision and applicable project numbers;
3. Letter height must not be less than .08";
4. Heavy dashed line around the exterior boundary;
5. All section, township, municipal and county lines lying within or adjacent to the subdivision;
6. Legend;
7. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries, and all permanent monuments with linear dimension, including dimensions to every curb screw;

8. The boundary of the subdivision with complete bearings and linear distances;
9. The length and bearings of all straight lines and the radii, arcs and semi-tangents of all curves;
10. The length of all lot lines, together with bearings and other data necessary for the location of any lot line in the field;
11. Identification of areas to be dedicated or reserved clearly indicated with location, size and purpose. These may include rights-of-way width, public easements, private easements, specific utility easement and type, open space tracts, wetland, etc.;
12. Numbers assigned to all lots, indication of the acreage and/or square footage of each lot, and letters assigned to all blocks within the subdivision;
13. Certification on the face of the plat by a registered land surveyor:

I, _____, registered as a land surveyor by the state of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by or under my supervision, during the period of _____ through _____; that the distances, courses and angles are shown thereon correctly, and that monuments other than those monuments approved for setting at a later date have been set and lot corners staked on the ground as depicted on the plat.

14. Signature blocks for the following:
 - a. Director of Public Works;
 - b. Director of Community and Economic Development;
 - c. Clark County Public Health signature or a letter from Public Health is provided confirming completion of the Public Health's Development Review Process;
 - d. County assessor;
 - e. Auditor's certification;
 - f. Surveyor's certification, with license number, signature, date and seal.

C. Additional final plat application requirements:

1. Final Performance and Maintenance Bond (if applicable);
2. Legal description of boundary which has been certified by the land surveyor with seal and signature as being an accurate description of the lands actually surveyed;
3. Mathematical closures;
4. Certification of platting from a title company;
5. Dedication of Plat. A plat certificate shall be provided, including dedications, if any (RCW 58.17.165). The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, or modification showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing;

6. Treasurer's certificate;
7. Conditions, covenants and restrictions, notes, and/or binding agreements as required by this code, SEPA, conditions of preliminary plat approval or other law, including but not limited to the following:
 - a. Private road maintenance agreement (if applicable);
 - b. Recorded conservation covenant (if applicable);
8. Final tree and landscaping plan, including street trees;
9. Other supporting documents required pursuant to the preliminary plat decision;
10. Mylar Submittal. Upon compliance of the final plat and the construction plans with all preliminary plat conditions and with all applicable adopted statutes and local ordinances, the Planning Official shall request submittal of the final plat Mylar(s) for signature.

~~C. Tier I minimum submittal requirements for final plat subdivision. An application form shall be provided by the Planning Official, and shall contain the following Tier I submittal requirements:~~

- ~~1. Mathematical lot closure calculations for each lot prepared by a surveyor licensed in the State of Washington~~
- ~~2. Boundary survey prepared by a surveyor licensed in the State of Washington which shows dimensions, orientation of all boundary lines and indicating all property corners;~~
- ~~3. Incorporation of all plat notes from decision;~~
- ~~4. Drafting and indexing requirements:~~
 - ~~a. 21" x 30" sheet;~~
 - ~~b. North arrow indicated;~~
 - ~~c. Scale noted and shown graphically;~~
 - ~~d. Letter height must not be less than .08";~~
 - ~~e. Heavy dashed line around the exterior boundary;~~
 - ~~f. Legend;~~
 - ~~g. Approved Street names;~~
 - ~~h. Lot, block, street right of way, street dedication and centerline dimensions.~~
- ~~5. Title block on right or lower edge. The Title block shall appear on all sheets with the name of the business/owner with the firm and/or surveyor and telephone number. Include sheet designation for multiple sheets.~~

a. ~~Name, mailing address, and telephone number of owner and/or developer, and surveyor of the plat;~~

b. ~~Date;~~

c. ~~Acreage;~~

d. ~~Number of lots; and~~

e. ~~Zoning designation.~~

6. ~~Indexing information. Location, including ¼ of 1/4 section, section, township, range, and as applicable, donation land claim and/or subdivision.~~

7. ~~Signature blocks.~~

a. ~~Director of Public Works.~~

b. ~~Director of Community Development.~~

c. ~~Mayor, for subdivisions only.~~

d. ~~Clark County Public Health Department signature shall be required unless a letter from the Public Health Department is provided confirming completion of the Health Department's Development Review Process.~~

e. ~~County Assessor.~~

f. ~~Surveyor's certificate with license number, signature, date and seal.~~

g. ~~County Auditor.~~

8. ~~Special requirements~~

a. ~~Identification of areas to be dedicated or reserved (rights of way, open space tracts, wetlands, etc);~~

b. ~~Special setbacks;~~

c. ~~Private easements and streets;~~

d. ~~Utility easements;~~

e. ~~Any conditions that need to be recorded with the plat denoted on the face of the plat, as indicated in the Planning Official's or Hearing Examiner's Final Order and Decision;~~

f. ~~Public and private stormwater management facilities;~~

g. ~~Identification of responsible party for maintenance of stormwater facilities;~~

- ~~h. Access restrictions;~~
- ~~i. Corner lot driveway locations;~~
- ~~j. Parking restrictions.~~

~~9. Survey information~~

- ~~a. Monument setting;~~
- ~~b. Site dimensions; and~~
- ~~c. General information including property corners, lot areas, dimensions and bearings of all property lines and areas of right of way dedication.~~

~~D. Tier II minimum submittal requirements for final subdivision/short subdivision plat.~~

- ~~1. Paper copies of approved engineering plans (full size and 8 1/2" x 11");~~
- ~~2. Final performance and maintenance bonds:~~
 - ~~d. Stormwater facilities, if applicable;~~
 - ~~e. Street(s), if applicable;~~
 - ~~f. Wetland, if applicable; and~~
 - ~~g. Trees, if applicable.~~
- ~~3. Four copies of approved street lighting plan (full size and 8 1/2" x 11");~~
- ~~4. Street signing and striping plan;~~
- ~~5. Final tree and landscaping plan, including street trees, if applicable;~~

~~E. Tier III submittal requirements for final subdivision/short subdivision plat~~

- ~~1. Two sets of final mylars for signatures;~~
- ~~2. Three paper copies of approved as built plans (full size and 8 1/2" x 11" PMTs);~~
- ~~3. Plat certificate, including dedications;~~
- ~~4. Certificate of Title;~~
- ~~5. Covenants, conditions and restrictions (CC and R's), if applicable;~~
- ~~6. Treasurer's Certificate;~~
- ~~7. Recording fee established by the County Auditor's office and made payable to the Clark County~~

~~F. Legal description. The legal description of the boundary which has been certified by the land surveyor shall be provided, with seal and signature as being an accurate description of the lands actually surveyed.~~

(M-4179, Amended, 10/17/2016, Sec 73-Effective 12/31/2016; M-3959, Amended, 07/19/2010, Sec 23-Effective 8/19/2010; M-3922, Amended, 07/06/2009, Sec 18; M-3643, Added, 01/26/2004)

Section 20.320.060 Final Plat Approval.

A. Final plat procedure.

1. An applicant requesting final approval of a plat shall submit to the Planning Official copies of the materials specified in VMC 20.320.050.
2. The Planning Official shall coordinate the final plat review among the appropriate city and/or county departments.
3. Upon consideration of the approval criteria below, the Planning Official shall forward the final plat to the Public Works Director and Community and Economic Development Director for signature.
 - a. The plat is in proper form for recording as established by the submittal requirements;
 - b. The final plat map and mathematical closures are in compliance with the survey standards set forth in RCW 58.17;
 - c. All required improvements have been completed or security acceptable to the City in lieu of completion guaranteeing that all required improvements will be completed;
 - d. The final plat is in conformance with conditions of preliminary plat approval;
 - e. The final plat complies with the requirement of this chapter and all applicable, adopted states and local ordinances.
4. The final plat shall be recorded with the Clark County auditor. It shall be the responsibility of the applicant to record the plat with the county auditor.
5. Upon recording of the final plat with the Clark County auditor, the applicant shall submit two full-size copies of the actual recorded Mylar to the Planning Official.

~~Three copies of the proposed final plat map with mathematical closures calculations shall be submitted to the Planning Official. The Planning Official shall forward a copy of the final plat and the mathematical closures to the Director of Public Works or assigned designee within five working days of receipt. A second copy of the plat and closure calculations shall be forward to the Clark County Surveyor for review and comment. The third copy shall be kept on file in Community and Economic Development.~~

~~1. The Director of Public Works or assigned designees shall review final plats for conformance with conditions of preliminary plat approval and the mathematical closures for compliance with the survey standards set forth in Section 20.320.080(D) VMC and return his written approval or comments for correction to the Planning Official within 10 working days. The Clark County Surveyor shall return his written approval or comments for corrections to the Planning Official within 10 working days.~~

~~2. After compliance with the procedures of Subsections (A) and (A)(1) above, the final plat application and final plat map shall be submitted to the Planning Official as set out in Section 20.320.050 VMC.~~

~~3. Public improvement plans for the design of required street, utility and other public improvements shall be submitted to the Director of Public Works or assigned designee, who shall review them for compliance with conditions of preliminary plat approval and other standards as of the date of preliminary plat approval. Approval shall be indicated by the signature of the Director of Public Works or assigned designee appearing on the public improvement plans. The Director of Public Works shall indicate on the plan that the design is approved for construction, or within 20 working days return the plan to the applicant with modifications, if necessary.~~

~~4. Upon finding that the final plat and the public improvement plans comply with all preliminary plat conditions and all applicable statutes and local ordinances, the Planning Official shall sign the final plat. In the case of subdivisions only the final plat and accompanying recommendation shall then be forwarded to the Mayor for his signature on behalf of the City Council as provided by 58.17.140 RCW within five working days.~~

~~5. Upon approval of the final plat by the City Council and after all other statutory requirements have been met, the applicant shall record the plat with the County Auditor. The applicant shall provide the Planning Official with one mylar original and two paper copies of the recorded final plat.~~

6. Construction prior to final plat approval In lieu of the completion and acceptance of any required public or private improvements prior to approval of a final plat, the Director of Public Works may accept an escrow or other form of security acceptable to the City, in an amount and with conditions satisfactory to him. The security to the City shall be sufficient to ensure that the actual construction and installation of such improvements occur within a period specified in the agreement by the Director of Public Works and/or Transportation Division Manager; and completion of the improvements in accordance with the agreement shall be enforced by the Director of Public Works and/or Transportation Division Manager by appropriate legal and equitable remedies.

7. Construction of streets and utilities shall not start prior to the approval of the civil engineering construction plans by the Director of Public Works. However, rough grading operations may proceed before the plans are approved by the Director of Public Works under the following conditions:

- a. The grading plan and erosion control plans, are submitted along with an application for the grading permit; including applicable fees;
- b. The grading plan is in conformance with the approved preliminary plat;
- c. The grading plan will not be in conflict with the street profiles and drainage structure plans;
- d. A hold harmless agreement signed by the applicant in the case of mandated change to the engineering plans associated with the plat; and

e. These plans receive approval from the Department of Public Works and/or Transportation Division.

(M-3643, Added, 01/26/2004)

Section 20.320.070 Technical Standards.

A. Subdivision Layout and Required Improvements

1. Principles of acceptability. The short subdivision or subdivision shall conform to the Comprehensive

Plan. The short subdivision or subdivision shall conform to the requirements of the state law and to the standards established by this Title.

a. Street improvement standards. All proposed streets and street improvements shall comply with the provisions of Title 11 and approved transportation standards details on file with the Public Works Department.

b. Blocks. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography.

c. Blocks shall not exceed 1,300' in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical conditions justify variation. The recommended minimum distance between intersections of arterial streets is 1,800'. Minimum length of a block shall not be less than 180'.

d. Easements

1. Utility lines. Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider.

2. Watercourses. If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a stormwater easement for the width of the watercourse plus 15' on each side of the watercourse. Streets or parkways parallel to a major watercourse may be required.

3. Pedestrian/bicycle ways in and through residential subdivisions. In blocks over 800' in length, a pedestrian/bicycle way with a minimum width of 16' shall be required through the middle of the block when required by the Transportation Manager for public convenience and safety; 12' of the 16' corridor shall be paved in a durable material. If unusual conditions require blocks longer than 1,200' in length, two pedestrian/bicycle ways shall be required. When required by the Transportation Manager for public convenience and safety, pedestrian ways shall be required to connect cul-de-sacs or to pass through unusually shaped lots.

e. Flag lots. Flag lots may be permitted, provided that the minimum width of the flag stem be 15' for a single lot and 20' for a shared flag access, and it is in compliance with fire access standards contained in VMC 16.04.150. No more than four lots may be accessed from a single flag stem. A private maintenance agreement shall be recorded for driveways which serve more than one lot.

f. Lot side lines. Side lines, as far as practical, shall run at right angles to the street on which the lot faces.

g. Lot frontage. With the exception of flag lots, all lots shall abut on a public or private street with a minimum frontage of not less than 20'.

~~h. Lot depth and setbacks. Lots fronting or accessing on primary or secondary arterials shall be avoided when possible. If lots front on arterials, the lots shall have an average minimum depth of 100'.~~

h. i. Parks and playgrounds. The Review Authority shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.

~~i.-j.~~ Narrow Lot Land Divisions. Land divisions which contain one or more residential lots having a width or less than 40 feet shall meet the development standards of VMC 20.927.040.

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~~k.-2k.~~ Existing trees. All subdivision developments shall comply with the tree and vegetation management provisions contained in Chapter 20.770 VMC, Tree Conservation Tree, vegetation & soil conservation.

2. Procedure for installation. In addition to other requirements, improvements installed by the developer of the short subdivision or subdivision, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Title and improvement standards, specifications, inspections and procedures as set forth by the city and administered by the Department of Public Works and Community and Economic Development Department, and shall be installed in accordance with the following procedures:

a. Public work shall not commence until civil engineering plans, prepared in accordance with the requirements of the city, have been approved by the city: all required permits have been obtained and a pre-construction conference has been conducted. Public work shall not be commenced until the city has been notified in advance.

b. If work has been discontinued for any reason, it shall not be resumed until the city has been notified.

c. Public improvements shall be constructed under the inspection and to the satisfaction of the Director of Public Works or their designee. The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

d. All underground utilities, sanitary sewers and storm drains installed in the streets by the developer of the short subdivision or subdivision shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length precluding the necessity for disturbing the street improvements when surface connections are made.

e. A plan showing all improvements "as built" shall be filed with the Development Review Services upon the completion of the improvements.

f. Public improvements required. Improvements to be installed at the expense of the owner of the short subdivision or subdivision are as follows:

1. All full-width streets, sidewalks, curbs and gutters, including alleys, within or adjacent to the subdivision or short subdivision; streets adjacent but only partially within the short subdivision or subdivision; and the extension of short subdivision or subdivision streets to the intercepting paving line of existing streets with which short subdivision or subdivision streets intersect shall be graded for the full right-of-way width and improved to the city's improvement standards and specifications.

2. Half-width roads. In situations where the property being developed does not permit full-width public streets, half roads having a minimum right-of-way or easement and roadway improvement width of 1/2 of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the street on such adjoining property; provided, that public street half-width shall be a minimum of 20' wide. Public half-width streets serving six or more parcels shall be required to dedicate additional right-of-way as necessary to provide for a minimum of 1' of right-of-way beyond the edge of the sidewalk. Further, additional right-of-way or easement may be required between the edge of the roadway and the property line for construction

clearance, slopes or other features. Half-width public streets shall serve a maximum of 200 ADT. If the number of trips generated is greater than 200 ADT, the street shall be widened to full-width standards. Parking shall be prohibited along any half-width street and necessary signs and pavement markings shall be the responsibility of the developer.

3. Bench marks. When required, Elevation bench marks shall be established within the subdivision with elevations to U.S. Geological Survey datum.

4. Surface drainage systems shall be provided within the subdivision or short subdivision. The design of the drainage system within the short subdivision or subdivision shall be in accordance with the standards set forth by VMC 14.25, as administered by the Department of Public Works.

5. Erosion control and stormwater quality. Facilities shall be provided within the short subdivision or subdivision to enhance stormwater runoff and protect existing and future drainage facilities. The design of the erosion control and stormwater quality system shall be in accordance with the standards set forth by the city, pursuant to VMC 14.24 and 14.25, as administered by the Department of Public Works.

6. Sanitary sewers. Sanitary sewers shall be installed to serve the short subdivision or subdivision and to connect the short subdivision or subdivision to existing mains. In the event that it is impractical to connect the short subdivision or subdivision to the city trunk sewer system, the Review Authority may authorize the use of septic tanks if the lot area is adequate, taking into consideration the physical characteristics of the area determined by the County Health Department.

7. Water system. Water lines with valves and fire hydrants serving the short subdivision or subdivision and connecting the subdivision or short subdivision to the city mains shall be installed according to specifications of the city, pursuant to Title 14 VMC, Water and Sewer Facilities, as administered by the Department of Public Works.

8. Sidewalks. Sidewalks shall be installed along both sides of each street within and/or adjacent to the short subdivision or subdivision, unless exempted by approval of a Roadway Modification, by the Review Authority and along pedestrian ways of the short subdivision or subdivision. Sidewalks shall be installed according to the specifications of the city, pursuant to Title 11 VMC, Streets and Sidewalks, as administered by the Department of Public Works.

9. Street trees. Street trees shall be planted along both sides of each street within the short subdivision or subdivision and along any portion of the short subdivision or subdivision that fronts upon an existing street. Street trees shall be planted 30' on-center and be of a species approved by the city Planning Official.

10. Other. When special conditions are encountered in the plans for improvements such as fill section requiring the placement of guardrails, ditches requiring drainage appurtenances, or other protection against erosion such as slopes requiring use of sod and/or seeding, such improvements shall be considered as an integral part of the improvement construction. Such special improvements shall be approved by the Director of Public Works or Transportation Manager prior to commencement of construction.

g. Conditions of agreements

1. Short Subdivisions or Subdivisions. Before the ~~City Council~~ Public Works and Community and Economic Development Directors approval is certified on the plat of a subdivision, the developer shall either install required improvements and repair any damage to the existing streets or other facilities

damaged due to the development of a the subdivision, or at the city's discretion execute and file with the City Clerk an agreement between herself/himself and the city specifying a period not to exceed two years in which the required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the subdivider.

~~2—Short subdivisions. Before the Planning Official's approval is certified on the plat of a short subdivision, the developer shall either install the required improvements and repair any damage to the existing streets or other facilities damaged due to the development of a the short subdivision, or at the city's discretion execute and file with the City Clerk an agreement between himself and the city specifying a period not to exceed two years in which required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the developer of the short subdivision.~~

3. 2. Escrow or other form of security acceptable to the city required – Public Improvements. The city may accept from the developer of any short subdivision or subdivision, in lieu of completion and acceptance of certain approved required public improvements prior to approval of a final plat, an escrow agreement or other form of security acceptable to the city which secures and provides for the actual construction and installation of the improvements of the conditions of plat approval and subject to the following:

a. The use of escrow in lieu of construction completion shall be limited to work items representing end-of-project issues that are generally outside the control of the developer. Examples may include; top layer of pavement, landscaping or sidewalk construction in unfavorable weather seasons; delayed delivery of long-lead-time items like street lighting or traffic signal equipment. The use of escrow shall not be approved for underground utility installation.

~~a. Use of escrow or other form of security acceptable to the city in lieu of completion and acceptance of such required private improvements shall include:~~

~~1. Approved public transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;~~

~~2. Approved water system improvements;~~

~~3. Approved sanitary sewer improvements;~~

~~4. Approved public stormwater collection and management facilities; and~~

~~5. Approved landscaping and street trees, including installation and maintenance costs.~~

b. The developer shall submit a written request and the appropriate forms to the Development Review Services, and the Director of Public Works, or designee, for review, which shall include the following information:

1. A scheduled unit cost breakdown for project work to be completed presented as Exhibit "A", an agreement will not be accepted without an approved unit cost breakdown for the project.

2. ~~The executed~~ A draft of the escrow agreement in a form approved by the city.

3. Any other documents deemed necessary by the city.

4. Applicable processing fee.

c. Upon approval of an escrow or other form of security acceptable to the city, recording of the final plat is allowed, provided all other conditions to be met prior to final plat approval have been satisfied.

~~5.4.~~ Escrow or other form of security acceptable to the city required – Private Improvements. The city may accept from the developer of any subdivision or short subdivision, in lieu of completion and acceptance of certain approved required private improvements prior to approval of a final plat, an escrow agreement or other form of security, acceptable to the city, which secures and provides for the actual construction and installation of the private improvements or the performance of the conditions of agreement for plat and subject to the following:

a. Use of escrow or other form of security acceptable to the city in lieu of completion and acceptance of such required private improvements shall be limited to:

1. Approved private transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;

2. Approved private stormwater collection and management facilities;

3. Approved landscaping and trees to meet minimum on-site tree density, including installation and maintenance costs.

b. The developer shall submit a written request along with the appropriate forms to the Planning Official for review.

c. Each escrow or other form of security acceptable to the city request shall include the following:

1. A scheduled cost breakdown for project work to be completed presented as Exhibit “A”, an escrow agreement shall not be accepted without an approved unit cost breakdown for the remaining improvements.

2. A draft escrow agreement in a form provided by the city.

3. An irrevocable license signed by the owner of subject property to run with the property which provides the city with the right to allow the employees, agents, or contractors of the city to go on access the subject property for the purpose of inspecting and, if necessary, doing completing the work or making the improvements covered by the escrow or other form of security acceptable to the city.

4. Any other documents deemed necessary by the city.

5. Applicable processing fee.

d. Upon approval of an escrow or other form of security acceptable by to the city, recording of the final plat is allowed, provided all other conditions required to be met prior to the final plat approval have been satisfied.

~~5.4.~~ Amount of escrow or other form of security acceptable to the city. Such assurance of full and faithful

performance shall be for a sum approved by the Planning Official as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

~~6.~~ 5. Failure to carry out agreement. In the event the developer of the short subdivision or subdivision fails to carry out provisions of the agreement and the city has un-reimbursed costs or expenses resulting from such failure, the escrow or other form of security acceptable to the city shall be forfeited and the money shall be paid to the city to defray its costs. If the amount of the escrow or other form of security acceptable to the city exceeds the cost and expense incurred by the city, the city shall release the remainder and if the amount of the escrow or other form of security acceptable to the city is less than the cost and expense incurred by the city, the subdivider shall be liable to the city for the difference.

~~7.~~ 6. Guarantee of workmanship and materials. It shall be required that a 110% maintenance bond or bonds be posted to guarantee all workmanship and material for a period of one year from the date of the acceptance of the improvements by the city. This is provided that in the judgment of the Director of Public Works any defects are not the result of public abuse, misuse or acts of God. City inspection does not give relief from the one-year guarantee on workmanship.

~~8.~~ 7. Release of escrow or security. Upon completion of required improvements, the subdivider shall request in writing that the Planning Official or Director of Public Works release all or a portion of the funds held in escrow. Such improvements shall be inspected and accepted as complete by the city prior to the release of any such escrow funds, or portion thereof.

B. Public improvements plan. Where public improvements are required, plans for such improvements shall be submitted to the Director of Public Works. Public improvements shall be designed by or under the direct supervision of a licensed professional civil engineer as required by statute, pursuant to 18.08, 18.43, and 18.96 RCW, and shall meet, as a minimum, the requirements of Section 20.320.080(A) VMC. The engineer shall certify the plans by seal and signature. Such certification shall contain the following: (1) subdivision name; (2) name, mailing address, and telephone number of engineer preparing the plan; and (3) date, including month and year. All public improvement plans shall be submitted for review and approval by the Director of Public Works.

C. Monument-setting. All monuments set in subdivisions shall be at least ½" X 24" steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

1. Centerline monument-setting After paving, except as provided in, Subsection (4) below, monuments shall be driven flush with the finished road surface at the following intersections:

- a. Street centerline intersections;
- b. Points of intersection of curves if placement falls within the paved area or otherwise, at the beginnings and endings of curves;
- c. Intersections of the plat boundaries and street centerlines.

2. Property line monument-setting. All front corners, rear corners, and beginnings and endings of s curves shall be set with monuments, except as provided in Subsection (4) below. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property-line monuments may be provided by brass screws or concrete nails with the surveyor's license number at the intersections of curb lines and the projections of side property lines. If curb monuments are used, it shall be noted on the plat, and also that

such is monuments are good for projection of line only and not for distance.

3. Post-monument-setting. All monuments for the exterior boundaries of the short subdivision or subdivision shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final short subdivision or subdivision construction inspection by the Director of Public Works, and if the developer guarantees such interior monument-setting.

a. The developer shall sign the following certification, the existence of which shall be noted on the plat, if post-monument-setting of the interior monuments is chosen:

DEVELOPER'S CERTIFICATION FOR POSTMONUMENTATION

I, certify that the post-monument-setting of the interior monuments of this plat shall be accomplished within ninety (90) days of final acceptance of subdivision construction by the Director of Public Works for the City of Vancouver, Clark County and State of Washington.
(Signature)”

b. The land surveyor who performs any post-monument-setting shall certify that the interior monuments have been set in compliance with the final plat, and shall record the following certification with the County Auditor:

“I, certify that I have set the interior monuments for (name of subdivision) a subdivision plat recorded in Book (____), page (____), Records of Clark County, and that said monuments are set in compliance with said final plat.

Dated this (____) day of (____), 20 ____.

(License number, seal, and signature of surveyor).

c. If the surveyor cannot certify that the monuments are in compliance with the final plat, the discrepancy shall be resolved by filing an amended final plat in accordance with the provisions of Section 20.320.030(D)(1) VMC.

4. Post-monument-setting bonds. In lieu of setting interior monuments prior to final plat recording as provided in Section 20.320.080 (C)(2) VMC, the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to him/her, or other secure method as the Director of Public Works may require, providing for and securing to the city the actual setting of the interior monuments as provided in Section 20.320.080 (C)(2) VMC and to be enforced by the Director of Public Works by appropriate legal and equitable remedies.

D. Survey standards. All surveys shall comply with standards set forth by state statutes, drafting standards of this Title, and WAC 332-130, except that linear closures after azimuth adjustment shall be at least a ratio of 1:10,000 for WAC 332-130-090. Where conflicts are identified, the most restrictive standard shall prevail.

1. Elevations of vertical information. Where required, any elevations or vertical information shall have an accuracy of third-order specifications as published by the U.S. Department of Commerce in a bulletin entitled “Classification, Standards of Accuracy, and General Specifications of Geodetic Control Surveys,” and bench marks with the datum used shall be shown on the plat.

E. Drafting standards

1. Preferred scale proportions. The preferred scale proportions for preliminary and final plat are ratios as follows:

a. 1:600 or 1"=50'

b. 1:1,200 or 1" = 100' and 1:2,400; or 1" = 200'; but in no case shall the proportion exceed 1:2,400.

2. Final plat drawing requirements. The final plat shall be drawn with ink upon three-mil mylar film, or equivalent; sheet size as required by recording agency ~~said sheets to be 30" X 21"~~, with a 1" border on each side.

3. Lettering. Lettering shall be at least 0.08" high, and the perimeter of the final plat shall be depicted with heavier lines (dashed) than the remaining portion of the plat.

4. Location. All data necessary for the location in the field of all points within the plat shall be shown. Straight lines shall be designated with bearing and distance; curves shall be designated by arc length, central angle and radius. All dimensions shall be in feet or meters, and decimals thereof to the nearest 1/100 of a foot, or 5/1,000 of a meter; except that angles shall be in degrees to the nearest second. (M-4179, Amended, 10/17/2016, Sec 74-Effective 12/31/2016; M-4034, Amended, 12/03/2012, Sec 9--Effective 01/03/2013; M-3847, Amended, 11/19/2007, Sec 5; M-3778, Amended, 12/04/2006, Sec 4; M-3701, Amended, 05/02/2005, Sec 11; M-3643, Added, 01/26/2004)

Section 20.320.080 Other Provisions.

A. Variances. One or more variances may be requested relating to any of the design or development standards contained within Section 20.320.070 VMC except those for which variances are expressly prohibited, as listed in Chapter 20.290.010 VMC. These shall be requested concurrently subject to the procedural requirements and approval criteria contained in Chapter 20.290.040 VMC. No variances to procedural regulations are permitted.

B. Proximity to agricultural and mineral activities

1. All plats or development approvals under this Title issued for residential development activities within 1/4 mile of lands zoned agricultural or from existing agricultural or mineral resource operations shall be accompanied by a notice provided by the Planning Official. Said notice shall include the following disclosure:

a. The subject property is within 1/4 mile of designated agricultural land or mineral resource land as applicable, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery, including aircraft, during any hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.

b. In the case of subdivision plats, short subdivision plats or recorded binding site plans, such notice shall also be recorded separately with the Clark County Auditor.

2. All plats or development approvals under this Title issued for residential development activities shall provide a barrier such as fencing or vegetation between the immediately-adjacent residential lots and

agricultural and mineral resource activities. A natural buffer, such as a wetland, swale or berm, may substitute for the barrier upon approval of the Planning Official. Lots with street frontage are not required to provide a barrier between residential uses and an adjacent agricultural or mineral resource activity across the street.

C. Subdivisions of commercially and industrially zoned properties

1.1. Preliminary plats for commercial and industrial properties shall comply with all of the requirements of Section 20.320.030 VMC and 20.320.040 VMC.

2.2. Final plats for commercial and industrial properties shall comply with all of the requirements of Section 20.320.060 VMC except that the final plat shall be in substantial compliance with the preliminary plat if lot sizes are within the range of lots sizes proposed for the preliminary plat, if lot sizes were shown on the preliminary plat.

~~D. Revisions of recorded plats. The subdivider shall file the final short plat or plat and attached documents for record with the Clark County Auditor. Any alteration or modification of a short subdivision or subdivision plat shall be undertaken pursuant to all applicable development standards including regulations established in 58.17.215-220 RCW by a Type II or Type III process, respectively.~~

1. Any alteration or modification of a short subdivision or subdivision plat shall be undertaken pursuant to all applicable development standards including regulations established in RCW 58.17 by a Type II or Type III process, respectively. If approved, the subdivider shall obtain approval of a final plat application as required by this Chapter.
2. Dedicated easements - (Alternative Process):
To extinguish or alter a dedicated easement, an alternative process to the above may be used if such process was established on the recorded plat or other document creating the dedicated easement as authorized under RCW 64.04.175.

(M-3701, Amended, 05/02/2005, Sec 12; M-3643, Added, 01/26/2004)

Section 20.320.090 Remedies and Penalties.

A. Remedies and penalties

1. Rescinding of sale and recovery of costs. Any purchaser or transferee of property divided in violation of this Chapter may rescind the sale or transfer and recover costs of investigation, suit and reasonable attorney's fee occasioned thereby, or otherwise recover any damage resulting thereby from the person or agent who illegally subdivided or short subdivided the land.

2. Injunctive

a. Whenever any parcel of land is divided into two or more divisions, lots, tracts or parcels of land, and any person, firm or corporation or any agent of any of them sells or transfers any such division, lot, tract or parcel without either having a final plat or short plat filed and recorded as required in this Chapter, the City Attorney shall commence an action to restrain and enjoin further divisions or sales, or transfers, and compel compliance with all provisions of this Chapter. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

b. In the enforcement of this Chapter, the City Attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this Chapter from any person engaging in or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to, the approval of

the Superior Court of Clark County. The violation of such assurance shall constitute prima facie proof of violation of this Title.

3. Penalty for violation. No land comprising any part of a proposed subdivision or short subdivision to be established henceforth in the City shall be sold or leased until such subdivision or short subdivision has been approved as provided by this Chapter, and a plat or short plat, as appropriate, has been filed and recorded. In addition, any person, being the owner or agent of the owner of such land, or who acts in any capacity in effectuating a sale or lease, who sells or leases any division, lot, tract or portion thereof shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not to exceed \$5001,000. Each sale or lease shall constitute a separate and distinct offense for each separate land division, lot, tract or portion of said land.

(M-3643, Added, 01/26/2004)



Staff Report 176A-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/3/2018

SUBJECT Repeal and Replacement of VMC 20.870 Human Services Facilities Siting Ordinance

Key Points

- The current Human Services Facilities Siting Ordinance applies more restrictive zoning and dispersal standards to human service uses based on clients' inability to pay for such services themselves;
- The proposed ordinance would repeal and replace this ordinance with one that treats such services the same as other similar uses;
- The proposed ordinance would insulate VMC Title 20 from legal challenge;
- The proposed ordinance would make it easier for service providers to locate their facility within city limits as most such services would be allowed outright in most commercial and some industrial districts without any dispersal requirement or special performance standards

Strategic Plan Alignment

Goal 3, Objective 3.2: Improve services available to underserved or vulnerable residents.

Present Situation

In 1991 following an extensive public process to address a perceived over-concentration and corresponding negative effects of homeless shelters, soup kitchens and related services in the downtown, and upon recommendations from a task force commissioned by the City Council, the City adopted a set of zoning laws that resulted in the mandatory dispersal of and operational requirements for new Human Service Facilities - uses that serve the poor such as shelters, food pantries, day centers, group meal service, counseling, etc. The siting restrictions of VMC 20.870 "Human Services Facilities Siting" make it more difficult for service providers to find a suitable location for their use, and require compliance with certain operational standards.

At a May 2, 2016 Council workshop, the City Attorney's Office raised concerns with the Human Services Facilities (HSF) Siting Ordinance in regard to applicable laws that prohibit discrimination

against people based on their familial status or disabilities, including Title VIII of the Civil Rights Act, the Fair Housing Act, and a ruling from the 9th Circuit federal Court of Appeals. The attorney's analysis noted that the conclusions of the task force and subsequently-adopted ordinance had been based at least in part on stereotypes of clientele who utilize such services, as opposed to data which showed a close correlation to perceived impacts.

At the same workshop, City Council directed staff to bring forward an ordinance that would repeal and replace the Human Services Facilities (HSF) Ordinance in order to insulate VMC Title 20 from possible legal challenge. Additionally, City Council directed staff that, to the extent possible, such replacement language should address neighborhood concerns with respect to any identified adverse effects from the siting of such uses, and that new regulations should further seek to minimize unintended impacts on existing businesses.

For the past two-plus years, city staff have worked with service providers and neighborhood and business stakeholders to understand concerns and draft ordinance language, and have discussed options with city leaders at six Planning Commission workshops and a public hearing, and five City Council workshops. On September 25, 2018 the Planning Commission held a public hearing and recommended the City Council approve an ordinance to repeal and replace VMC 20.870. On November 19, 2018, City Council considered the Planning Commission's recommended draft ordinance (referred to as Option A) and a slightly less-restrictive version of the draft ordinance (referred to as Option B) and, following public testimony, directed staff to schedule Option B as the preferred version for consideration at a public hearing.

The proposed ordinance would (a) repeal the current Human Services Facilities Siting Ordinance, VMC 20.870, in its entirety, (b) eliminate the minimum spacing requirement between such uses, (c) integrate all human service uses into the most similar use classification, so that wherever the most similar use is permitted, the human service use would also be permitted, and (d) eliminate all special performance standards that currently apply to the operation of all human service facility uses. Lastly, in order to address a concern raised by both Planning Commission and City Council regarding a large application fee for a conditional use permit that service providers would need to pay, the proposed ordinance includes a reduced conditional use permit application fee for shelters, group meal service, and community centers (reduced from \$7,450 to \$1,328).

Advantage(s)

1. The proposed ordinance would insulate VMC Title 20 from legal challenge;
2. The proposed ordinance would make it easier for human service uses to locate where they can best serve clients within the City of Vancouver;
3. Most human service uses would be allowed outright in most commercial and some industrial zoning districts without any arbitrary dispersal requirement;
4. Homeless shelters, day centers, and group meal service would continue to be prohibited in single family residential zoning districts.

Disadvantage(s)

The proposed ordinance would provide fewer opportunities for public input in the siting of new human service facilities; however, because there are almost no differences in operating characteristics between most human services and their similar use classification, such uses would not be treated differently under the zoning ordinance.

Budget Impact

The reduced fee for shelters, group meal service uses and community centers is not expected to have a significant budget impact, considering the low number of such uses that would be anticipated.

Prior Council Review

- *Council Workshop May 2, 2016*
- *Council Workshop November 27, 2017*
- *Council Workshop March 5, 2018*
- *Council Workshop May 7, 2018*
- *Council Workshop October 8, 2018*
- *First reading of ordinance November 19, 2018*

Action Requested

On Monday, December 3, 2018, subject to second reading and public hearing, approve ordinance, which repeals and replaces VMC 20.870 entitled "Human Services Facilities Siting."

Chad Eiken, Community & Economic Development Director, 487-7882

ATTACHMENTS:

- ▢ Draft HSF Ord Option B
- ▢ SEPA Determination of Non-Significance
- ▢ SEPA Checklist, dated 8/28/18
- ▢ HSF Ordinance Fact Sheet
- ▢ Approved PC Hearing Minutes
- ▢ Public Comments

11/19/18

12/03/18

ORDINANCE NO. M-_____

AN ORDINANCE of the City of Vancouver, Washington, regarding the siting of Human Service Facilities; Repealing VMC 20.870 “Human Service Facilities”; Amending VMC 20.160.020 “Listing of Use Classifications”, VMC 20.180.060 “Planning Fees”, VMC 20.210.020 “Types of Development Applications”, VMC 20.410.030 “Uses” of Lower Density Residential Districts, VMC 20.420.030 “Uses” of Higher Density Residential Districts, VMC 20.430.030 “Uses” of Commercial and Mixed Use Districts, VMC 20.440.030 “Uses” of Industrial Districts, VMC 20.450.030 “Uses” of Open Space Districts, VMC 20.945.070 “Minimum Off-Street Parking Requirements”; providing for severability; and providing for an effective date.

WHEREAS, the Vancouver City Attorney’s Office advised that VMC 20.870 relating to the siting of Human Service Facilities is susceptible to legal challenge in light of applicable laws governing the housing of unrelated individuals and the financially disadvantaged; and

WHEREAS, the Vancouver City Council is committed to striving to improve services available to underserved or vulnerable residents; and

WHEREAS, the Vancouver City Council directed staff to bring forward an ordinance that would repeal the Human Service Facilities (HSF) Ordinance while addressing, to the extent

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practicable, neighborhood concerns regarding safety and livability arising out of the HSF Ordinance repeal; and

WHEREAS, the environmental impacts of the nonproject proposed code text amendments have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determination of Nonsignificance being issued on August 30, 2018; and

WHEREAS, the Planning Commission held six (6) duly advertised worksessions and a duly advertised Public Hearing on September 25, 2018, to consider the above referenced Vancouver Municipal Code amendments and did take public testimony; and did close public testimony on September 25, 2018, and voted to recommend adoption of an ordinance that would serve to insulate the City from legal risk and mitigate the secondary impacts of repeal to surrounding businesses and residents; and

WHEREAS, after taking testimony and reviewing the Planning Commission record and the Planning Commission recommendation, the City Council adopts this Ordinance as set forth below so as to Repeal of VMC 20.870 relating to Human Service Facilities; and Amendment of VMC 20.160.020 "Listing of Use Classifications", VMC 20.180.060 "Planning Fees", VMC 20.210.020 "Types of Development Applications", VMC 20.410.030 "Uses" of Lower Density Residential Districts, VMC 20.420.030 "Uses" of Higher Density Residential Districts, VMC 20.430.030 "Uses" of Commercial and Mixed Use Districts, VMC 20.440.030 "Uses" of Industrial Districts, VMC 20.450.030 "Uses" of Open Space Districts, VMC 20.945.070 "Minimum Off-Street Parking Requirements".

ORDINANCE - 2

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The City Council declares that the purpose of this Ordinance is to repeal VMC 20.870 and amend Title 20 VMC in order to remove legislative restrictions placed upon the siting of Human Service Facilities so as to decrease the barriers placed on the creation of new social service providers and ensure compliance with applicable laws including, without limitation, Title VIII of the Civil Rights Act, the Fair Housing Act.

Section 2. Findings.

A. The City's Human Service Facilities Ordinance, Title 20.870 VMC, was enacted with the input of an Ad Hoc Committee known as the "Social Services Siting Task Force" composed of representatives from the social services, Vancouver neighborhoods, and city and county governments.

B. The problem that the Human Services Facilities Ordinance was intended to address was described as a truly bleak situation of urban decay related to homelessness and poverty in downtown Vancouver and its adjacent residential neighborhoods in 1991. This situation was blamed at least in part on an "over-concentration" of social services agencies in downtown Vancouver. (Final Report of the Social Services Siting Task Force, pp.4-7 (July 15, 1991.))

C. Best available legal authority provided to guide the Social Services Siting Task Force in 1991 supported the enactment of the Human Services Ordinance; however, this legal

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authority was later clarified through subsequent legal decisions. The City Attorney's Office conducted a review of the HSF Ordinance following the issuance of these later decisions and found the Human Service Facilities Ordinance to be increasingly susceptible to legal challenge.

D. Testimony presented by Vancouver Police Command Staff during duly advertised worksessions held by the City Planning Commission in 2018 reported no statistically significant difference between the number of police calls for service generated to Human Service Facilities as compared to police calls generated by citizens at similar "for profit" businesses. As a result, as of 2018, there is no evidence before this Council that criminal activity surrounding Human Service Facilities are higher to any significant degree than the criminal activity surrounding their "for profit" counterparts.

E. Conversely the testimony and evidence presented to the Planning Commmission and City Council suggests that repeal of the Human Service Facilities Ordinance will increase the opportunities for social service providers to exercise business discretion in locating services where they are most useful and financially sustainable.

Section 3. Section 20.160.020 of the Vancouver Municipal Code entitled "Listing of Use Classifications" as last amended by Ordinance M-4187 on 12/5/2016 is hereby amended to read as follows:

Section 20.160.020 Listing of Use Classifications.

A. Residential use types

1. Household Living. Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping, and hygiene. Tenancy is longer than 30 calendar days. Household structures include single-family detached and attached dwellings; duplexes; multi-family dwellings; and modular and manufactured housing units. Most types of senior housing, (e.g., congregate care or assisted living) are considered to be household living if residents live in self-contained units, even if there are also shared facilities within the building. The maximum number of people who may reside in any given dwelling unit shall be determined by the City Adopted Building Code.

2. Group Living. Living facilities for groups of ~~unrelated~~ individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents. Larger group living facilities may also be characterized by shared facilities for eating, hygiene and/or recreation. Examples include nursing/convalescent homes, residential care homes or centers; single-room occupancy (SROs) facilities; sororities/fraternities and convents/monasteries. Tenancy is typically 30 days or more. Excludes detention and post-detention facilities (see 20.160.020(E)(5) VMC, Detention Facilities).

~~3. Transitional Housing. Public or non-profit living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment of residents where tenancy is typically less than 30 days. Examples include: homeless shelters and drug/alcohol treatment facilities. Can include associated soup kitchens or other on-site food preparation and service. These uses are~~

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~~subject to the standards and review criteria of VMC 20.870, Human Service Facilities. Excludes private, for profit short term housing (see 20.160.020(C)(1) VMC, Commercial Lodging); and detention and post-detention facilities (see 20.160.020(E)(5) VMC, Detention Facilities).~~

43. Home Occupation. Commercial, office or other economic activity wholly contained within the residence or accessory building within which it is located, and is clearly subordinate to the primary residential use.

54. Medical Center Residential. Extended stay facilities and medical center uses that typically occur in a residential setting, if approved through a Public Facilities Master Plan pursuant to VMC 20.268. Examples include extended stay housing for employees and patient families and midwifery practices that occur in a single-family residential scaled structure. Maximum occupancy and other parameters may be determined through the master plan review process.

B. Civic use types

1. Basic Utilities. Unstaffed community infrastructure, including but not limited to water tanks, sewer pump stations, telephone exchanges, and electric power substations. Excludes facilities that include offices, service centers and/or material storage (See 20.160.020(C)(6) VMC, Office, and 20.160.020 (D)(1) VMC, Industrial Services).

2. Colleges. Institutions of higher education. Accessory uses may include classrooms, laboratories, theaters, auditoriums, libraries, dormitories, eating facilities, bookstores, other small-scale retail, general offices, and parking. Excludes private, profit-making trade, and vocational schools (see 20.160.020(C)(4)(b) VMC, Personal Services). Such a facility that has

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regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

3. Community Centers. Public, private, and non-profit social, resource and multi-purpose facilities that are open to the public for free or fee (including membership fees). Examples include: community centers; senior centers; homeless day centers. Accessory uses may include offices, food preparation and service, child care, laundry facilities, showers, health assessments, classrooms and related activities.

~~34.~~ Community Recreation. Public, private, and non-profit recreational, social, and multi-purpose facilities that are open to the public for free or fee (including membership fees). Examples include: ~~community centers; senior centers;~~ health/fitness clubs; indoor or outdoor tennis/racquetball and soccer clubs and other sports fields; indoor/outdoor swimming pools; boat launches; golf courses, and shooting ranges. Accessory uses may include clubhouses, pro shops, offices, locker rooms, restaurants/delis/concession stands, child care facilities, rest rooms, maintenance facilities, and parking. Excludes such facilities when col-located in a public park (see 20.160.020(B)(9) VMC, Parks/Open Space); and certain types of indoor recreational facilities (see 20.160.020(C)(3)(b) VMC, Indoor Entertainment.)

~~45.~~ Cultural Institutions. Public or non-profit cultural facilities including libraries, museums, historic sites, and galleries.

~~56.~~ Day Care

a. Child Care. As defined by the Revised Code of Washington (RCW) State Statute:
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1. Family Child Day Care Home. A facility where a person regularly providing care during part of the twenty-four-hour day to twelve or fewer children in the family abode of the person or persons under whose direct care the children are placed.

2. Child Care Center. A person or agency that provides care for thirteen or more children during part of the twenty-four hour day.

b. Adult Day Care. Provision of daytime services, including respite, recreational, social and therapeutic activities, to disabled and/or elderly adults in a group setting. Categories include:

1. Residential Adult Day Care. Provision of adult day care services for six or fewer handicapped and/or elderly adults, with or without compensation, in the home of the provider.

2. Institutional Adult Day Care. Provision of adult day care services for seven or more handicapped and/or elderly adults either in a residential or institutional, e.g., nursing home, setting.

~~67.~~ Emergency Services. Public safety facilities including police and fire stations, and emergency communications, but not including ambulance services.

~~7. Human Service Facilities. Any office, store, assembly place or facility, the general purpose of which is to provide human need services directly and at no or reduced cost to individuals who do not have the means, ability or opportunity to obtain such services themselves. Offices or clinics where medical, dental, psychological or other such essential human services are provided shall~~

~~not be considered human service facilities unless low or no cost services are provided to more than 50% of patients or clients. Human Service Facilities that provide on-site food, shelter and/or sleeping accommodations or beds are contained in 20.160.020(A)(3) VMC Transitional Housing.~~

8. Medical Centers. Facilities providing inpatient, outpatient, emergency, and related ancillary services to the sick and infirm, including drug and alcohol treatment. Usually developed in campus setting. Accessory uses may include diagnostic and treatment facilities; laboratories; surgical suites; kitchen/food service facilities; laundry; housekeeping and maintenance facilities; administrative offices; and parking. Medical centers may also include free-standing offices for hospital-based and/or private-practice physicians and other allied health care professionals; these medical office buildings are regulated as offices. (see 20.160.020(C)(6)(b) VMC) Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

9. Parks/Open Space. Lands that are maintained in a natural state and/or developed that are designed for public active and passive recreation. Examples include parks, public squares, recreational trails and nature preserves. Does not include areas in active cultivation (see 20.160.020(E)(1), Agriculture/Horticulture); or cemeteries (20.160.020(E)(2) VMC, Cemeteries).

a. Neighborhood parks. Small parks usually no greater than five acres designed to serve the immediate neighborhood. Access is on foot or bicycle with little or no on-site parking provided. Accessory uses may include low-impact outdoor playing/practice fields (without

associated parking), playgrounds, sports courts, picnic areas, educational/interpretive facilities, walking/jogging paths, rest rooms, and seating areas. May coll-locate with schools.

b. Community parks. Larger parks typically 15 acres or larger designed to serve a larger geographic area than a neighborhood park. Access is on foot and by bicycle, transit, and vehicle. May contain one or more Community Recreation uses as defined in 20.160.020(B)(3) VMC. Other accessory uses may include walking/jogging trails; picnic shelters; outdoor performance facilities; off-leash dog, bicycle, and skateboard parks; sports courts, community gardens; bicycle, pedestrian, and transit amenities; educational/interpretive facilities; viewpoints; concessions; rest rooms; caretaker and maintenance facilities; and parking. May coll-locate with schools.

c. Regional parks. Any park greater than 100 acres designed to serve regional needs. Accessory uses include any of the facilities found in neighborhood and community parks.

d. Trails. Publicly accessible walking, jogging or bike trails that extend beyond the boundaries of a single subdivision or development project. Accessory uses may include signage/maps; interpretive centers; viewpoints; and trailhead facility, restrooms, and parking. Does not include trails or portions of trails created as part of Neighborhood, Community and Regional Parks.

10. Postal Service. Refers to postal services and processing as traditionally operated by the U.S. Postal Service. Such facilities include customer sales, mail sorting, and fleet truck storage.

Excludes profit-making parcel post or mail services (see 20.160.020(C)(4)(b) VMC, General Retail, Personal Services).

11. Religious Institutions. Permanent places of religious worship that may include related accessory uses that are clearly incidental and secondary to religious worship, congregation, and teaching such as administrative offices; child care centers/pre-schools; classrooms for religious instruction; auditoriums; social halls; rectories; and gymnasiums, playgrounds and other recreational facilities. May include on-site functions related to ministry to the poor such as emergency overnight shelter, food service, group meals and food and clothing pantries.

12. Schools. Public and private pre-school, kindergarten, elementary, middle, and high schools. Accessory uses include administrative offices; classrooms and laboratories; kitchen/cafeterias; auditoriums; gymnasium, swimming pools; playing fields and related indoor and outdoor physical education facilities; and storage and maintenance facilities. The programs and activities of other public and non-profit organizations including those associated with adult education, after-school care, recreation and social services may co-locate in a school facility. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

13. Social/Fraternal and Clubs/Lodges. Non-profit organizations with social, philanthropic and/or recreational functions and activities.

14. Transportation Facilities. Bus, trolley, street car; light and heavy rail transit stops and stations; water taxi and ferry stations; and accessory bicycle parking. Excludes airports (see

20.160.020(E)(2) VMC, Airports/Airparks); public streets and sidewalks; and heavy and light rail maintenance/switching yards (see 20.160.020(D)(3) VMC, Railroad Yards); and heliports (see 20.160.020(E)(7) VMC, Heliports). Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

15. Park & Ride Facilities. Park & Ride facilities means parking facilities that serve motorists transferring to or from urban public transportation vehicles or private car-pool vehicles.

C. Commercial use types

1. Commercial and Transient Lodging. Residential facilities such as hotels, motels, rooming houses, ~~and~~ bed-and-breakfast establishments, and homeless shelters where tenancy is typically less than one month. May include accessory meeting, convention facilities, and ~~restaurants/bars~~ food preparation and service.

2. Eating and Drinking Establishments. Establishments that sell prepared food and beverages for consumption on site or take-away including restaurants, delicatessens, bars, taverns, brew pubs, ~~and~~ espresso bars, and group meal service.

3. Entertainment-Oriented

a. Adult Entertainment. Facilities including adult motion picture theaters; adult video/book stores; and topless, bottomless, and nude dance halls which include materials and activities

characterized or distinguished by an emphasis on matters depicting specified sexual activities or anatomical areas.

b. Indoor Entertainment. Commercial indoor facilities such as skating rinks, bowling alleys, arcades, trampoline or bounce house facilities, shooting ranges, movie, and live performance theaters.

c. Major Event Entertainment. Facilities such as auditoriums, stadiums, arenas, amphitheaters, convention centers, and race tracks which provide athletic, cultural or entertainment events and exhibits for large groups generally exceeding 1,000 spectators.

4. General Retail

a. Sales-Oriented. Establishments which provide consumer-oriented sales, leasing and rental of consumer, home and business goods including art; art supplies; bicycles; clothing; dry goods; electronic equipment; fabric; gifts; groceries; hardware; household products; jewelry; pets and pet products; pharmaceuticals; plant; printed materials; stationery; ~~and~~ videos; and clothing and food pantries. Excludes large-scale consumer products (see 20.160.020(C)(4)(d) VMC, Bulk Sales); and those sold primarily outdoors (see 20.160.020(C)(4)(e) VMC, Outdoor Sales).

b. Personal Services. Establishments which provide consumer services such as banks and credit unions; barber and beauty shops; automated teller machines (ATMs) and related automated vending facilities; pet grooming; laundromats and dry cleaners; copy centers;

photographic studios; specialized instructional schools; trade/vocational schools; massage therapy; acupuncture; and mortuaries.

c. Repair-Oriented. Establishments which engage in the repair of consumer and business goods including television and radios; bicycles; clocks; jewelry; guns; small appliances and office equipment; tailors and seamstresses; shoe repair; locksmiths; and upholsterers.

d. Bulk Sales. Establishments which engage in the sales, leasing and rental of bulky items requiring extensive interior space for display including furniture, large appliances, and home improvement sales.

e. Outdoor Sales. Establishments that engage in sales requiring outdoor display and/or storage including lumberyards and nurseries.

5. Motor Vehicle Related

a. Motor Vehicle Sales/Rental. Includes car, light and heavy truck, mobile home, boat and recreational vehicle sales, rental and service.

b. Motor Vehicle Servicing/Repair. Free-standing vehicle servicing and repair establishments including quick and general vehicle service, car washes and body shops not an accessory to new vehicle sales.

c. Vehicle Fuel Sales. Establishments engaging in the sale of gasoline, diesel fuel, and oil products for cars, trucks, recreational vehicles, and boats.

d. Electric Vehicle (EV) Basic Charging Station. A slow to medium level charging station for electric vehicles that is typically accessory to another use, such as single family residences, apartments, and businesses. Level 1 (120 volt AC) is considered slow charging. Level 2 (208 or 240 volt AC) is considered medium charging.

e. Electric Vehicle (EV) Rapid Charging Station. An industrial grade electrical outlet that allows for faster charging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. Such stations are also known as Level 3 facilities and are considered fast or rapid charging (480-volt AC), and are generally available to the public.

f. Electric Vehicle (EV) Battery Exchange Station. A facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully-charged battery. Such exchange stations may use a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.27 RCW.

6. Office

a. General Office. Government, business and professional offices that operate during typical weekday hours. Examples include local, regional, state, and federal offices and agencies; veterinary clinics; medical and dental laboratories; blood collection centers; offices for attorneys, architects, accountants, engineers, stockbrokers, real estate agents, mortgage bankers, insurance brokers, and other consultants; headquarters offices; sales offices; radio, and

television studios. Also includes painting, landscaping, building and janitorial contractors where the indoor storage of materials and equipment are incidental to the office use. If this storage exceeds 50% of occupied space, such uses are classified as Industrial Services [see 20.160.020(D)(1) VMC]. Offices that are part of and are located within a firm in another use category are considered accessory to the firm's primary activity. Also excludes medical office and related facilities [see 20.160.020(C)(6)(b) VMC].

b. Medical Office. Offices for physicians, dentists, chiropractors, and allied health care professionals; free-standing outpatient health care facilities; urgency clinics; naturopathic, and homeopathic facilities; and home health organizations that provide on-site services to patients and that generally operate during typical peak weekday hours.

c. Extended Office. Offices that operate during non-traditional hours including evenings, nights, and weekends. Examples include taxis and other vehicles for hire, funeral homes and accessory crematoria, telemarketing/service centers and internet communication centers. Accessory uses may include fleet vehicle parking, communication switching and other equipment and limited storage of goods.

7. Non-Accessory Parking. Any private or public vehicle and bicycle parking, either paid or free, which is not accessory to a primary use. Includes public and private parking structures and lots; and free-standing fleet vehicle parking lots.

8. Self-Service Storage. Commercial operations that provide rental of storage space to the public. The storage areas are designed to allow private access by the tenant for storing or

removing personal property. These facilities do not include moving and storage companies where there is no individual storage or where employees are primary movers of the goods to be stored [see 20.160.020(D)(5) VMC, Warehouse/Freight Movement].

9. Marina. A facility that provides secure moorings for recreational or commercial boats.

10. Artisan and Specialty Goods Production. Small scale businesses that manufacture artisan goods or specialty foods. Small manufacturing production aims at direct sales rather than the wholesale market. This small-scale manufacturing use is intended to be allowed where compatible with the commercial and residential fabric of the City Center. An allowance for public viewing or customer service space is required with artisan and specialty goods production. This use category includes the following uses: Sugar and confectionary, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, micro distilleries, and wineries. Refer to Commercial Use Table 20.430.1 and Special Limitations 20.430.050.

D. Industrial use types

1. Industrial Services. Includes the repair and servicing of industrial and business machinery, equipment and/or products. Examples include welding shops; machine shops; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire recapping and retreading; truck stops; building, heating, plumbing or electrical contractors; exterminators; janitorial and building maintenance contractors where the indoor storage of

materials is more than incidental to the office use [see 20.160.020(C)(6)(a) VMC]; fuel oil distributions; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.

2. Manufacturing and Production. Includes production, processing, assembling, packaging or treatment of semi-finished or finished products from raw materials or previously prepared materials or components. Manufacturing production is intended for the wholesale market rather than for direct sales. For specific list of activities in this category, see NAICS assignment adopted by reference to this title, Table 20.440-2 and/or Commercial Use Table 20.430-1.

3. Railroad Yards. A terminus of several light or heavy railroad lines where the loading, unloading, transshipment, switching, maintenance, and storage of rail cars is undertaken.

4. Research and Development. Facility featuring a mix of uses including office, research laboratories, and prototype manufacturing. If the use contains no on-site manufacturing component, then it is considered General Office (see 20.160.020(C)(6)(a) VMC).

5. Warehouse/Freight Movement. Uses involved in the storage and movement of large quantities of materials or products indoors and/or outdoors; associated with significant truck and/or rail traffic. Examples include free-standing warehouses associated with retail furniture or appliance outlets; household moving and general freight storage; food banks; cold storage plants/frozen food lockers; weapon and ammunition storage; major wholesale distribution centers; truck, marine and air freight terminals and dispatch centers; bus barns; grain terminals; and stockpiling of sand, gravel, bark dust or other aggregate and landscaping materials.

6. Waste-Related. Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material. Examples include: recycling/garbage transfer stations; landfills; composting, energy recovery and sewage treatment plants; and hazardous waste handling and transfer facilities that do not treat or dispose of hazardous waste, as that term is defined in the Code of Federal Regulations, Title 40, Part 261. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act. Hazardous waste or disposal facilities are not included in this classification and are therefore not permitted in the City of Vancouver.

7. Wholesale Sales. Involves sales, leasing or rental of equipment or products primarily intended for industrial, institutional or commercial businesses. Businesses may or may not be open to the general public, but sales to the general public are limited. Examples include the sale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, and building hardware.

8. Major Utility Facilities. Those facilities which have a substantial public impact, including but not limited to: sewage treatment plants and lagoons; electric generation facilities including biomass and coal energy generating facilities; and essential public facilities as defined in Chapter 20.855 VMC, Essential Public Facilities.

E. Other use types

1. Agriculture/Horticulture. Open areas devoted to the raising of fruits, vegetable, nuts, nursery stock and/or flowers, including community gardens; may include on-site sales of products grown on the site. Excludes nurseries (see 20.160.020(C)(4)(e) VMC, Outdoor Sales).
2. Airports/Airparks. Includes aircraft runways, landing strips and uses supporting airport operations such as control towers, hangars, and fuel storage facilities. Also includes uses incidental to airports such as aerial mapping; air cargo warehousing and distribution, airport pilot training schools; aircraft sales and repair; aviation clubs and museums; and public transportation transfer areas. Such a facility that has “regional” or “state-wide” significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.
3. Animal Kennel/Shelters. Animal kennel and shelter facilities for the overnight boarding of dogs, cats and other domestic pets. Excludes dog day care (see 20.160.020(E)(6) VMC, Dog Day Care); and veterinary clinics (see 20.160.020(C)(6)(a) VMC, General Offices).
4. Cemeteries. Facilities for storing human remains. Accessory uses may include chapels, mortuaries, crematoria, mausoleums, administrative offices, maintenance facilities, and parking.
5. Detention and Post-Detention Facilities. Uses which have the characteristics of Group Living but are devoted to the housing, training and supervision of those under judicial detention. Examples include prisons; jails; probation centers; juvenile detention homes; and related post-incarceration and half-way houses. Such a facility that has regional or state-wide significance is classified as an Essential Public Facility by the provisions of the Growth Management Act.

6. Dog Day Care. Dog Day Care shall mean any premises containing four or more dogs, which are five months or older, where these domestic animals are dropped off and picked up daily for temporary care on site and where they may be groomed, trained, exercised, and socialized, but are not kept or boarded overnight, bred, sold or let for hire. Excludes Animal Kennel/Shelters (See 20.160(E)(3) VMC, Animal Kennel/Shelters).

7. Heliports. Public or private facilities designed for the landing, departure, storage, and fueling of helicopters.

8. Mining. Uses that mine or extract mineral or aggregate resources from the ground for off-site use. Accessory uses may include storage, rock crushing, sorting, and transfer facilities.

9. Rail Lines/Utility Corridors. The regional corridors in public or private ownership dedicated for use by rail lines; above-grade or underground power or communication lines; water, sewer and storm sewer lines or similar services.

10. Temporary Uses.

11. Wireless Communication Facilities. Includes publicly- and privately-owned towers and related transmitting equipment for television; FM/AM radio; cellular and two-way radio and microwave transmission; and related ancillary equipment buildings. Does not include radio/television transmission facilities that are part of the public safety network (see 20.160.020(B)(6) VMC, Emergency Services). Does not include amateur (ham) radio antennas or towers.

Section 4. Section 20.180.060 of the Vancouver Municipal Code entitled “Planning Fees” as last amended by Ordinance M-4205 on 7/17/2017 and ACM CPI Increase on 12/20/2017 is hereby amended to read as follows:

Section 20.180.060 Planning Fees

Required planning fees. Fees for planning related applications, permits, and services are set forth in Table 20.180.060.

Section	Activity	2018
1.	Address Changes	\$440.00
2.	Airport height combining district	\$626.00
3.	Appeals (to Hearing Examiner, Planning Commission, or City Council)	
A.	Filed by a recognized city neighborhood association	\$133.00
B.	Involving an individual single-family or duplex lot	\$617.00
C.	All other (see SEPA fees for SEPA procedural appeal fee)	\$1,763.00
4.	Archaeological Review	
A.	Pre-Determinations	
1.	Base Fee	\$573.00
2.	Plus fee per acre for each acre more than 5	\$97.00
B.	Surveys and other special studies	Cost Recovery ²
5.	Binding site plan	
A.	Conceptual – Requiring subsequent site plan review	
1.	Same as comparable short subdivision or subdivision	See short subdivision or subdivision
B.	Detailed – Not requiring subsequent site plan review	
1.	Same as comparable short subdivision or subdivision	See short subdivision or subdivision

2.	Plus one half (1/2) comparable site plan review	See site plan review
6.	Boundary Line Adjustments	
	Base fee	\$926.00
	Plus fee per lot for each additional lot more than two	\$300.00
7.	Comprehensive Plan Amendments (includes rezone in conjunction with plan amendment)	\$12,164.00
8.	Conditional Use Permit	
A.	Initial (<u>Community Centers, Group Meal Service, Shelters</u>)	<u>\$1,322.00</u>
B.	<u>Initial (All Others)</u>	\$7,450.00
C.	Major Modification, Type III	\$1,322.00
<u>D.</u>	Minor Modification, Type I	\$300.00
9.	Continuance of Public Hearing	
A.	Initiated by applicant after public notice is mailed	\$1,763.00
B.	Resulting from inadequate information provided by the applicant. Does not apply in cases where new information is presented at the hearing by staff or other parties.	\$1,763.00
C.	Hearing Examiner Reconsideration Request	\$1,763.00
10.	Covenant Release - Full and Partial	\$7,845.00
11.	Critical Areas Permit	
A.	Single-family and duplex lots (Fee per Applicable Critical Area)	
1.	Fish and Wildlife Habitat Areas	\$1,322.00
2.	Frequently Flooded Areas	\$265.00
3.	Geologic Hazard Areas	\$265.00
4.	Wetland Areas	\$1,322.00
B.	All Others (Fee per Applicable Critical Area)	
1.	Fish and Wildlife Habitat Areas	\$2,646.00

2.	Frequently Flooded Areas	\$608.00
3.	Geologic Hazard Areas	\$608.00
4.	Wetland Areas	\$2,646.00
C.	Minor Exception Request	
1.	Single-family and duplex lots	\$608.00
2.	All others	\$635.00
D.	Reasonable Use Request	
1.	Single-family and duplex lots	\$3,880.00
2.	All others	\$7,715.00
E.	Digitizing Critical Areas Geographic Information	Cost Recovery ²
12.	Design Review (Downtown)	
A.	Minor exterior reviews only	\$529.00
B.	All others, including new buildings	\$1,763.00
13.	Development Agreement	
A.	Initial	\$3,695.00
B.	Modification	\$1,679.00
C.	Extension	\$504.00
14.	Extension of Preliminary Approval	\$617.00
15.	Grading and Erosion Control Permit (includes plan check and inspection)	
A.	50 cubic yards or less and less than 1 foot in depth	No Fee
B.	51 to 100 c.y. or greater than 1 foot in depth	\$115.00
C.	101 to 500 c.y.	
1.	Base fee	\$231.00
2.	Plus fee per 100 c.y. (or fraction thereof) above 500 c.y. (Note: Maximum total grading and erosion control fee shall be \$275.00, \$303.00)	\$15.00
D.	Fees resulting from work in progress without a permit	2 x regular fee

16.	Home Occupation	
A.	General	\$176.00
B.	Penalty - When application is received after code enforcement action has been initiated.	2 x regular fee
17.	Human Service Facility Siting Request	\$617.00
18.	Impact Fee Deferral for Single-Family Housing - Administrative fee per lot	\$553.00
19.	Joint use parking agreement	\$990.00
20.	Land Use Permit (Single family and duplex residential; sheds; decks; driveways, etc.)	\$45.00
21.	Lot Determination	
A.	Base fee (1-2 lots)	\$1,931.00
B.	Plus per lot fee over 2	\$617.00
22.	Master Plan²	
A.	Conceptual (requiring subsequent site plan review)	\$6,853.00
B.	Detailed (not requiring subsequent site plan review)	\$6,853.00 plus ½ applicable site plan review fee
C.	Hybrid (conceptual approval for overall site, plus partial detailed approval)	\$6,853.00 plus ½ applicable site plan review fee for area for which detailed approval is sought
23.	Planned Development	
A.	Residential	
1.	Base fee	\$2,143.00
2.	Plus fee per unit	\$97.00
3.	Minimum: \$3,065.00; maximum: \$13,857 Subdivision fee reduced by ½ when filed simultaneously.	

B.	Non-Residential	
1.	Base fee	\$2,116.00
2.	Plus fee per sq. ft. – ground floor	\$0.54
3.	Plus fee per sq. ft. – upper floors	\$0.24
4.	Minimum: \$3,148.00; maximum: \$20,714.00	
C.	Mixed	
1.	Base fee	\$2,116.00
2.	Plus fee per sq. ft. – ground floor	\$0.54
3.	Plus fee per sq. ft. – upper floors	\$0.24
4.	Minimum: \$3,148.00; maximum: \$20,859.00 No rezone fee. Subdivision reduced by ½ when filed simultaneously.	
24.	Planning Official Review	
A.	Temporary Use	
1.	Seasonal or special event	\$86.00
2.	Temporary sales office, model home, or unforeseen emergency	\$259.00
3.	Temporary Use in a Commercial or Industrial District	\$1,216.00
B.	Similar Use Determination or Other	\$1,216.00
25.	Plat Alteration	\$5,694.00
26.	Post-Decision Reviews	
A.	Post-decision review – Type I	\$300.00
B.	Post-decision review – Type II	\$845.00
C.	Post-decision review – Type III	\$1,322.00
27.	Pre-Application Conference Process	
A.	Pre-application conference request - Single-family and duplex lots	\$265.00
B.	Pre-application conference request - all others	\$881.00
C.	Pre-application waiver request	\$133.00

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28.	Zoning Verification Letter (authorizes replacement of destroyed structure)	\$202.00
29.	Reporting (misc. application and permit information)	Cost Recovery ²
30.	SEPA Checklist (Environmental Review)	
A.	Grading Permit	
1.	Single-family and duplex lots	\$117.00
2.	All other	
	a. Base fee	\$864.00
	b. Plus fee per acre of land disturbed by the project	\$15.00
B.	Subdivision or Planned Development	
	a. Base fee	\$706.00
	b. Plus fee per acre of land disturbed by the project	\$9.00
C.	Site Plan Review – Residential	
	a. Base fee per unit up to 5 units	\$176.00
	b. Plus fee per unit more than 5	\$17.00
D.	Non-Projects (including rezone and annual review applications)	\$1,939.00
E.	All other reviews	
	a. Base fee	\$1,410.00
	b. Plus fee per acre of land disturbed by the project	\$46.00
F.	SEPA Procedural Appeal (See "Appeals - All others" for substantive SEPA appeal fee)	\$114.00
G.	Environmental Impact Statement (EIS) Review	Cost Recovery ²
31.	Shoreline Permits	
A.	Shoreline Substantial Development Permit	\$6,170.00
B.	Shoreline Conditional Use Permit	\$6,788.00
C.	Shoreline Variance Request	\$6,788.00
32.	Short Subdivisions	

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A.	Preliminary (9 lots or fewer) Plats	\$5,994.00
B.	Final Plat Check	\$2,036.00
33.	Signs - all except sandwich board signs	\$300.00
34.	Site Plan Review (Type I)	
A.	Residential	\$259.00
B.	Non Residential	\$1,216.00
C.	Qualifying Planned Action	Same as Type II Site Plan Review Fees
35.	Site Plan Review (Type II) – Residential	
A.	Base fee	\$1,525.00
B.	Plus fee per unit	\$105.00
C.	Maximum fee:	\$21,493.00
36.	Site Plan Review (Type II) - Non Residential	
A.	General Case	
1.	Base fee	\$4,142.00
2.	Plus fee per sq. ft. – ground floor	\$0.16
3.	Plus fee per sq. ft. – upper floors	\$0.08
B.	Commercial pad within a previously approved site plan that was not originally reviewed for the proposed specific use or structure	\$2,829.00
C.	Land-extensive uses such as a golf course	\$3,410.00
D.	Unoccupied commercial and utility structures	\$1,570.00
37.	Special Valuation – Historic Preservation	\$447.00
38.	Subdivisions – Preliminary	
A.	2-9 Lots (not qualifying as a short subdivision)	\$6,338.00
B.	10-22 Lots	\$9,165.00
C.	23+ Lots	
1.	Base fee (for first 23 lots)	\$9,165.00
2.	Plus fee per lot (each lot more than 23)	\$230.00

D.	In conjunction with a planned development	½ regular fee
39.	Subdivisions – Final Plat Check	\$4,616.00
40.	Tenant improvement (if exempt from site plan review)	\$86.00
41.	Tree plan review	
A.	Levels 1, 2, 4, 5	\$291.00
B.	Levels 3, 6, 7	\$97.00
42.	Variance (full fee for 1 st variance; 1/2 cost for 2nd; \$0 for 3rd or more)	
A.	Type I	
1.	Single-family and duplex lots	\$608.00
2.	All other	\$635.00
B.	Type II	
1.	Single-family and duplex lots	\$1,914.00
2.	All other	\$4,614.00
43.	Zoning Certificates	\$661.00
44.	Zoning Map or Text Change (not involving comprehensive plan amendment)	\$7,947.00

¹Fees effective on 1/1/2018 shall be further adjusted as provided for under 20.180.050

²Cost Recovery: Applicants or persons requesting reports will be required to sign an agreement that they will pay the actual cost of the work being performed. Actual costs will be calculated based on the salary and benefits of the employees performing work plus overhead at a rate of 30%.

³Projects with approved master plans, which include preliminary stormwater and transportation plans, shall be entitled to a 30% reduction in the fee for stormwater and transportation plan review.

Section 5. Section 20.210.020 of the Vancouver Municipal Code entitled “Types of Development Applications” as last amended by Ordinance M-4179 is hereby amended to read as follows:

Section 20.210.020 Types of Development Applications.

A. General. All development applications shall be decided by using one of the following procedure types. The procedure type assigned to each action governs the decision-making procedure for that application, except to the extent otherwise required by applicable state or federal law.

B. Types defined. There are four types of decision-making procedures, as follows:

1. Type I procedure. Type I procedures apply to ministerial permits. Type I applications are decided by the planning official without public notice prior to the decision and without a public hearing. If any party with standing appeals a planning official's Type I decision, the appeal of such decision will be heard by the Hearings Examiner, with further appeal to the Superior Court pursuant to applicable law.

2. Type II procedure. Type II procedures apply to quasi-judicial permits and actions that contain some discretionary criteria. Type II applications are decided by the planning official with public notice and an opportunity for comment. If any party with standing appeals a planning official's Type II decision, the appeal of such decision will be heard by the Hearings Examiner, with further appeal to the Superior Court pursuant to Section 20.210.130 VMC.

3. Type III procedure. Type III procedures apply to quasi-judicial permits and actions that predominantly contain discretionary approval criteria. Type III applications are decided by the Hearings Examiner or Planning Commission, depending on the permit. If any party with standing appeals a Hearings Examiner's or Planning Commission's Type III decision, the appeal of such decision will be heard by City Council pursuant to Section 20.210.130 VMC, with further appeal to

Superior Court.

4. Type IV procedure. Type IV procedures apply to legislative matters, planned unit developments, and rezones. Legislative matters involve the creation, revision or large-scale implementation of public policy. Type IV applications are considered initially by the Planning Commission or Hearings Examiner with final decisions made by the City Council, automatically or on appeal.

C. Summary of permits by type of decision-making procedure. Table 20.210.020 – 1 VMC summarizes the various development applications by the type of decision-making procedure.

Table 20.210.020 – 1

Summary of Development Applications By Type of Decision-Making Procedure

Type	Development Application	Cross Reference	Review Body
I	Accessory Dwelling Units	20.810	Planning Official
	Boundary Adjustments	20.310	Planning Official
	Conditional Use – Minor Modification	20.245	Planning Official
	Critical Areas Permit (Type I)	20.740.040 B	Planning Official
	Design Review (without Site Plan Review)	20.255	Planning Official
	Historic Property Certificate of Appropriateness/Administrative Review	17.39.080	Planning Official
	Interpretations – Quasi-Judicial	20.255	Planning Official
	Parking/Loading – Reduction of Minimum Ratios, Joint Parking	20.945	Planning Official
	Planned Developments – 1 Year Extension	20.260	Planning Official
	Site Plan Review – Minor Projects Below Type II Site Plan Review Thresholds	20.270	Planning Official
	Site Plan Review – Extension/Phasing	20.270	Planning Official
	Shoreline Permit Exemption	20.760	Planning Official
	Subdivision/Short Subdivision – Phasing, 1st Extension	20.320	Planning Official
	Temporary Use	20.885	Planning Official
	Tree Plan/Removal – without Site Plan Review	20.770	Planning Official

	Type I Variance	20.290	Planning Official
II	Adult Entertainment Uses	20.820	Planning Official
	Critical Areas Permit (Type II)	20.740	Planning Official
	Critical Areas Permit - Minor Exception	20.740.040	Planning Official
	Human Services Facilities — Collocation	20.870	Planning Official
	Planned Developments – Detailed Plan, 2-Year Extension	20.260	Planning Official
	Public Facility Master Plans – Concept Plan Subsequent Phases & Extensions	20.268	Planning Official
	Shoreline Substantial Development Permit	20.760	Planning Official
	Short Subdivision – Preliminary Plat	20.320	Planning Official
	Site Plan Review	20.270	Planning Official
	Subdivision – 2nd Extension	20.320	Planning Official
	Type II Variance	20.290	Planning Official
III	Conditional Uses – Initial, Major Modifications	20.245	Hearings Examiner
	Critical Areas Permit-Reasonable Use Exception	20.740.080	Hearings Examiner
	Historic District Nomination	17.39.070	Clark County Historic Preservation Commission
	Historic District or Property Designation Removal	17.39.070	Clark County Historic Preservation Commission
	Historic Register Nomination	17.39.070	Clark County Historic Preservation Commission
	Historic Property Certificate of Appropriateness Public Review	17.39.070	Clark County Historic Preservation Commission
	Human Service Facilities — Initial, Spacing Modification	20.870	Hearings Examiner
	Public Facility Master Plans - Initial Approval	20.268	Hearings Examiner
	Shoreline Conditional Use Permit (recommendation to State Department of Ecology)	20.760	Hearings Examiner
	Shoreline Substantial Development Permit	20.760	Hearings Examiner
	Shoreline Variance (recommendation to State Department of Ecology)	20.760	Hearings Examiner
	Subdivisions – Preliminary Plat	20.320	Hearings Examiner
IV	Annexations	20.230	Planning Commission City Council
	Development Agreements	20.250	Planning Commission

			City Council
	Habitats of Local Importance	20.740	Planning Commission City Council
	Interpretations – Codification	20.255	Planning Commission City Council
	Planned Developments, greater than 25 acres in size	20.260	Planning Commission City Council
	Planned Developments, 25 acres or less	20.260	Hearings Examiner City Council
	Text/Map Amendment – Legislative	20.285	Planning Commission City Council
	Zoning Map Amendments, greater than 25 acres in size	20.285	Planning Commission City Council
	Zoning Map Amendments, 25 acres or less	20.285	Hearings Examiner City Council

D. Concurrent review. When the city must approve more than one application for a given development, all applications required for the development pursuant to this chapter may be submitted for review at one time. When more than one application is submitted for a given development, and those applications are subject to different types of procedure, then all of the applications are subject to the highest type of procedure that applies to any of the applications; provided, however that each development application shall only be subject to the relevant criteria applicable to that particular development application. For example, a development proposal that includes a Type II application and a Type III application shall be wholly subject to the procedures applicable to a Type III application, but the Type II portion of the development proposal shall be decided according to the relevant approval criteria applicable to the Type II application.

E. Assignment of procedure type. Applications shall be processed according to the assigned review type in the above table. If the Vancouver Municipal Code does not expressly provide for review using one of the four types of decision-making procedures, and another specific procedure is

not required by law, the planning official shall classify the application in question as one of the four types of decision-making procedure using the following criteria:

1. The act of classifying an application shall be a Type I decision;
2. Questions about what procedure is appropriate shall be resolved in favor of the decision-making procedure providing the greatest opportunity for public notice; and
3. The planning official shall classify the application by determining whether the application is similar in nature and degree to another type of application that has been classified by type as listed in Table 20.210–1 VMC and under the same approval criteria applicable to the type of application most similar in nature and degree to the application.

F. Comprehensive Plan Amendments. New development applications or pre-applications which are inconsistent with the Comprehensive Plan shall not be accepted by the City, until the Planning Commission recommends approval of a Comprehensive Plan amendment or in the event that Planning Commission recommends denial, until the effective date of final action by the City Council approving the Comprehensive Plan amendment on appeal.

Section 6. Vancouver Municipal Code Section 20.410.030 entitled “Uses” as last amended by Ordinance M- 4187 is hereby amended as follows:

Section 20.410.030 Uses

A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of

this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. Use table. A list of permitted, limited, conditional, and prohibited uses in Low-Density Residential Districts is presented in Table 20.410.030-1.

TABLE 20.410.030-1 LOWER-DENSITY RESIDENTIAL DISTRICTS USE TABLE				
USE	R-2	R-4	R-6	R-9
RESIDENTIAL				
Household Living	P ¹	P ¹	P ¹	P ¹
Group Living	P/X ¹	P/X ¹	P/X ¹	P/X ¹
Transitional Housing	X	X	X	X
Home Occupation	L ²	L ²	L ²	L ²
Medical Center Residential	L ²³	L ²³	L ²³	L ²³
HOUSING TYPES				
Single Dwelling, Attached	L ¹⁸	L ¹⁸	L ¹⁸	L ¹⁸
Single Dwelling, Detached	P	P	P	P
Accessory Dwelling Units	L ⁴	L ⁴	L ⁴	L ⁴
Duplexes	L ²¹	L ²¹	L ²¹	L ²¹
Multi-Dwelling Units	X	X	X	X
Existing Manufactured Home Developments	L ⁵	L ⁵	L ⁵	L ⁵
Designated Manufactured Homes	L/X ¹⁹	L/X ¹⁹	L/X ¹⁹	L/X ¹⁹
New Manufactured Homes	L ²⁰	L ²⁰	L ²⁰	L ²⁰

CIVIC (Institutional)				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
<u>Community Centers</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Community Recreation	C ⁶	C ⁶	C ⁶	C ⁶
Cultural Institutions	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷
Day Care				
- Family Day Care	P ⁸	P ⁸	P ⁸	P ⁸
- Child Care Center	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
- Adult Day Care	L/C/X ⁹	L/C/X ⁹	L/C/X ⁹	L/C/X ⁹
Emergency Services (except ambulance services)	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Ambulance Services	X	X	X	X
Human Service Facilities	X	X	X	X
Medical Centers	X	X	X	X
Parks/Open Space				
- Neighborhood Parks	P	P	P	P
- Community Parks	L ¹⁰ /C	L ¹⁰ /C	L ¹⁰ /C	L ¹⁰ /C
- Regional Parks	C	C	C	C
- Trails	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰
Postal Service	C	C	C	C
Religious Institutions	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Schools	L/C ¹¹	L/C ¹¹	L/C ¹¹	L/C ¹¹
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	C ¹²	C ¹²	C ¹²	C ¹²
COMMERCIAL				
<u>Commercial and Transient Lodging</u>	L/C/X ¹³	L/C/X ¹³	L/C/X ¹³	L/C/X ¹³
Eating/Drinking Establishments	X	X	X	X
Entertainment-Oriented				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
General Retail				
- Sales-Oriented	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴
- Personal Services	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴
- Repair-Oriented	X	X	X	X
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X

Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
Office				
- General	X	X	X	X
- Medical	X	X	X	X
- Extended	X	X	X	X
Non-Accessory Parking	X	X	X	X
Self-Service Storage	X	X	X	X
Marina	C	C	C	C
INDUSTRIAL				
Industrial Services	X	X	X	X
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight Movement	X	X	X	X
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
OTHER	X	X	X	X
Agriculture/Horticulture				
Airport/Airpark	X	X	X	X
Animal Kennels/Shelters	X	X	X	X
Cemeteries	X	X	X	X
Detention & Post Detention Facilities	X	X	X	X
Dog Day Care	X	X	X	X
Heliports	X	X	X	X
Recreational or Medical Marijuana Facilities	X	X	X	X

Medical Marijuana Collectives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	P	P	P	P
Basic Utilities	P	P	P	P
Temporary Uses	L ¹⁶	L ¹⁶	L ¹⁶	L ¹⁶
Wireless Communication Facilities	L/C/X ¹⁷	L/C/X ¹⁷	L/C/X ¹⁷	L/C/X ¹⁷

¹ Residential Care Homes, state or federally approved, with six or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

² Subject to the provisions of Chapter 20.860 VMC, Home Occupations.

⁴ Subject to the provisions of Chapter 20.810 VMC, Accessory Dwelling Units.

⁵ Subject to the provisions of Chapter 20.880 VMC, Manufactured Home Developments. Manufactured Home Developments established prior to July 1, 2005 are exempt from the standards of VMC 20.410.050F – Development Standards and may continue to exist and expand within existing previously-approved boundaries. An existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision.

⁶ Subject to provisions in Chapter 20.895.040 VMC, Community Recreation and Related Facilities

⁷ Libraries only permitted outright; all other cultural institutions are conditional uses.

⁸ Family day care homes for no more than 12 children are permitted when licensed by the State.

⁹ Adult day care facilities for six or fewer adults allowed as limited uses subject to compliance with the development standards governing Home Occupations, per Section 20.860.020(B)(1)-(7) VMC; facilities with 7-12 adults allowed as conditional uses; and larger facilities are prohibited.

¹⁰ Community parks that meet all of the criteria contained in Section 20.410.050(E)(1) VMC are permitted by limited uses; all others require conditional use approval. Trails are limited uses subject to the additional development standards contained in Section 20.410.050(E).

¹¹ Schools, religious institutions, government buildings, fire stations, child care centers, and emergency services facilities that meet all of the criteria contained in Section 20.410.050(D) VMC are permitted by right; all others require

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conditional use approval. Child care centers permitted by right shall be consistent with VMC 20.840, Child Care Homes and Centers, and be subject to Type II review pursuant to VMC 20.210.050.

¹² Except bus, trolley and streetcar stops, including bus shelters, which are allowed by right.

¹³ One and two bedroom Bed-and-Breakfast facilities are permitted outright and 3-6 bedroom Bed-and-Breakfast facilities are allowed as conditional uses, with all Bed-and-Breakfast facilities subject to provisions of Chapter 20.830 VMC, Bed-and-Breakfast Establishments. No more than six bedrooms are allowed under any circumstances. All other commercial lodging is prohibited.

¹⁴ Retail commercial uses limited to 1,500 gsf per use to a maximum of 5,000 sq. ft. in planned developments of 150 units or more. See Section 20.260.020.B.1.b(2).

¹⁵ Subject to provisions in Section 20.895. 030VMC.

¹⁶ Subject to provisions in Chapter 20.885, except sales of fireworks which is prohibited in residential zones.

¹⁷ Building-mounted antennas are allowed by conditional use on non-residential buildings in single-family residential zones subject to requirements contained in Chapter 20.890 VMC, Wireless Communications Facilities.

¹⁸ Subject to Section 20.260.020.B.1.a(2), Planned Development and subject to Section 20.910.050 VMC, zero lot line requirements.

¹⁹ A “designated manufactured home” is exempt from the development standards of 20.410.050F VMC and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this Title if within (5) five years of the date of the original placement.

²⁰ Subject to Section 20.410.050(F) Development Standards – Criteria for Placement of Manufactured Homes.

²¹ Subject to Section 20.920 Infill Development Standards

²² Existing duplexes built on lots meeting the minimum infill lot size standards of VMC Table 20.920.060-1 shall be considered conforming uses even if not part of an infill development.

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²³ Medical Center Residential uses, as defined in VMC 20.160.020, are permitted outright if approved through a public facilities master plan per VMC 20.68.040.

Section 7. Vancouver Municipal Code Section 20.420.030 entitled “Uses” as last amended by Ordinance M- 4187 is hereby amended as follows:

Section 20.420.030 Uses

A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. Use table. A list of permitted, limited, conditional, and prohibited uses in Higher Density residential zones is presented in Table 20.420.030–1.

Table 20.420.030-1				
Higher Density Districts Use Table				
USE	R-18	R-22	R-30	R-35
RESIDENTIAL				

Household Living	P	P	P	P
Group Living	P	P	P	P
Transitional Housing	C²	C²	C²	C²
Home Occupation	L ³	L ³	L ³	L ³
HOUSING TYPES				
Single Dwelling, Attached	P ⁴	P ⁴	P ⁴	X
Single Dwelling, Detached	P ⁴	P ⁴	P ⁴	X ⁵
Accessory Dwelling Units	P ¹	P ¹	P ¹	P ¹
Duplexes	P ⁴	P ⁴	P ⁴	P ⁴
Multi-Dwelling Units	P ⁴	P ⁴	P ⁴	P ⁴
Manufactured Home Developments	L ⁷	L ⁷ /X	L ⁷ /X	L ⁷ /X
Designated Manufactured Home	L ²³	X	X	X
New Manufactured Home	X	X	X	X
CIVIC (Institutional)				
Basic Utilities	C	C	C	C
Colleges	C	C	C	C
<u>Community Centers</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Community Recreation	C ⁸	C ⁸	C ⁸	C ⁸
Cultural Institutions	P/C ⁹	P/C ⁹	P/C ⁹	P
Day Care				
- Family Day Care	P/C ¹⁰	P/C ¹⁰	P/C ¹⁰	P/C ¹⁰
- Child Care Center	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
- Adult Day Care	P/C ¹¹	P/C ¹¹	P/C ¹¹	P/C ¹¹
Emergency Services (except ambulance services)	C ¹²	C ¹²	C ¹²	C ¹²
Human Service Facilities	C²	C²	C²	C²
Medical Centers	C	C	C	C
Parks/Open Space				
- Neighborhood Parks	P	P	P	P
- Community Parks	L/C ¹³	L/C ¹³	L/C ¹³	L/C ¹³
- Regional Parks	L/C ¹³	L/C ¹³	L/C ¹³	L/C ¹³
- Trails	L/C ¹³	L/C ¹³	L/C ¹³	L/C ¹³
Postal Service	C	C	C	C
Religious Institutions	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
Schools	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴	L/C ¹⁴
Social/Fraternal Clubs	C ⁶	C ⁶	C ⁶	C ⁶
Transportation Facility	P/C ¹⁵	P/C ¹⁵	P/C ¹⁵	P/C ¹⁵
COMMERCIAL				
<u>Commercial and Transient</u>	L/X ¹⁶	L/X ¹⁶	L/X ¹⁶	L/X ¹⁶

Lodging				
Eating/Drinking Establishments	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
Entertainment-Oriented				
- Adult Entertainment	X	X	X	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	X
General Retail				
- Sales-Oriented	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Personal Services	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Repair-Oriented	X	X	X	X
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	X	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	X	X	X	X
Office				
- General	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Medical	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X	L ¹⁷ /X
- Extended	X	X	X	X
Non-Accessory Parking	X	X	X	X
Self-Service Storage	X	X	X	X
INDUSTRIAL				
Industrial Services	X	X	X	X
Manufacturing and Production	X	X	X	X
Railroad Yards	X	X	X	X
Research and Development	X	X	X	X
Warehouse/Freight	X	X	X	X

Movement				
Wholesale Sales	X	X	X	X
Waste-Related	X	X	X	X
Major Utility Facilities	X	X	X	X
OTHER				
Agriculture/Horticulture	P	P	P	P
Airport/Airpark	X	X	X	X
Animal Kennels/Shelters	X	X	X	X
Cemeteries				
Detention & Post Detention Facilities	X	X	X	X
Dog Day Care	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹
Heliports	X ²⁰	X ²⁰	X ²⁰	X ²⁰
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Collectives	X	X	X	X
Mining	X	X	X	X
Rail Lines/Utility Corridors	C	C	C	C
Temporary Uses	L ²¹	L ²¹	L ²¹	L ²¹
Basic Utilities	P	P	P	P
Wireless Communication Facilities	L/C/X ²²	L/C/X ²²	L/C/X ²²	L/C/X ²²

¹ Subject to the provisions of Chapter 20.810 VMC, Accessory Dwelling Units.

² ~~Subject to the provisions of Chapter 20.870 VMC Human Service Facilities.~~ The language for this footnote has been deleted.

³ Subject to the provisions of Chapter 20.860 VMC Home Occupations.

⁴ Provided the minimum required residential density is met, on an overall project basis.

⁵ Single-family dwelling units legally established prior to March 11, 2004, shall be considered permitted uses.

⁶ Subject to the provisions of Section 20.895.040 VMC Community Recreation and Related Facilities.

⁷ Subject to the provisions of Chapter 20.880 VMC, Manufactured Home Developments. Manufactured Home Developments established prior to July 1, 2005 are exempt from the standards of VMC 20.420.050G – Development Standards and may continue to exist and expand within existing previously-approved boundaries. An existing manufactured home in a development or subdivision may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. Manufactured Home Developments

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in the R-22, R-30, R-35 zones are allowed as a Limited Use (L) only as part of a VMC 20.260 Planned Development that meets overall minimum density standards for the applicable zone.

⁸ Subject to the additional provisions in Section 20.895.040 VMC.

⁹ Libraries permitted only; all other cultural institutions are conditional uses.

¹⁰ Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers are permitted as conditional uses, subject to the provisions of Chapter 20.840 VMC Child Care Centers, unless part of a Planned Development, in which case they are approved subject to Chapter 20.260 VMC. All Child care facilities must be licensed by the state.

¹¹ Adult day care facilities with 12 or fewer clients are permitted outright; larger facilities are permitted as conditional uses.

¹² Subject to the provisions of Chapter 20.870 VMC, Human Service Facilities

¹³ Community, regional parks and trails that meet all of the development standards in Section 20.420.050 (E)(1),(2) and (3), respectively, are permitted by as limited uses; all others require a Conditional Use approval.

¹⁴ Schools, child care centers, and religious institutions that meet all of the locational criteria contained in Section 20.420.050(F) VMC are permitted by right; all others require conditional use approval. Child care centers permitted by right shall be consistent with VMC 20.840, Child Care Homes and Centers, and be subject to Type II review pursuant to VMC 20.210.050.

¹⁵ Except bus, trolley and street car stops, including bus shelters, which are allowed by right.

¹⁶ Bed-and-breakfasts establishments as limited uses subject to provisions of Chapter 20.830 VMC Bed-and- Breakfast Establishments; all other commercial and transient lodging prohibited.

¹⁷ New commercial uses allowed as limited uses subject to special development restrictions in Section 20.420.060 VMC. Existing commercial uses permitted if legally established prior to code effective date. However, alterations and expansions shall be subject to 20.245 (Conditional Use Permits).

¹⁸ Subject to the provisions in Section 20.895.030 VMC.

¹⁹ Subject to the provisions of Chapter 20.850 VMC, Dog Day Care.

²⁰ Except as an accessory to a medical center.

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²¹ Subject to provisions of Chapter 20.885, except sale of fireworks prohibited in residential zones.

²² Subject to the provisions of Chapter 20.890 VMC Wireless Communications Facilities.

²³ A “designated manufactured home” is exempt from the development standards of 20.420.050G VMC and may continue to exist and expand. An existing unit may be replaced or may be relocated either to an approved manufactured home development or an approved manufactured home subdivision. After July 1, 2005, only “new manufactured homes” that also meet the “designated manufactured home” criteria will be permitted on individual lots not part of an existing approved manufacturing home development or manufactured home subdivision. Except that a new manufactured home placed on an individual lot after July 1, 2005, may be relocated as permitted by this Title if within (5) five years of the date of the original placement.

²⁴ Subject to the provisions of Chapter 20.840 VMC, Child Care Centers.

Section 8. Vancouver Municipal Code Section 20.430.030 entitled “Uses” as last amended by Ordinance M- 4187 is hereby amended as follows:

Section 20.430.030 Uses.

A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.
3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

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4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. Use table. A list of permitted, limited, conditional, and prohibited uses in the commercial and mixed use zones is presented in Table 20.430.030–1.

Table 20.430.030 – 1 Commercial and Mixed-Use Districts Use Table								
USE	CN	CC	CG	CX	WX	CPX ¹	MX ²	RGX ⁴
RESIDENTIAL								
Household Living	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁵		P ⁶	P
Group Living	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷		P ⁶	P
Transitional Housing	X	C ⁹	L ⁹	L ⁹	C ⁹		X	X
Home Occupation	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰		L ¹⁰	L ¹⁰
HOUSING TYPES								
Single Dwelling, Attached	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Single Dwelling, Detached	X	X	X	X	X		P ⁶	P
Accessory Dwelling Units	X	X	X	X	X		P ⁶	P
Duplexes	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Multi-Dwelling Units	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P
Existing Manufactured Home Developments	X	X	X	X	X		X	X
Designated Manufactured Homes	X	X	X	X	X		X	X
New Manufactured Homes	X	X	X	X	X		X	X
CIVIC (Institutional)								
Basic Utilities	C	C	C	P	C		C	C
Colleges	X	C	C	P	C		P	P
Community Centers	X	C	C	C	C		C	C
Community Recreation	X	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹
Cultural Institutions	L ¹⁹	P	P	P	P		P	P
Day Care								

- Family Day Care	P/L ¹³	P/L ¹³	P/L ¹³	P/L ¹³	P/L ¹³		P/L ¹³	P/L ¹³
- Child Care Center	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³		L ¹³	L ¹³
- Adult Day Care	P/C ¹⁴	P	P	P	P		P	P
Emergency Services	X	C	P	P	C		P	P
Human Service Facilities	L⁹	L⁹	L⁹	L⁹	L⁹		L⁹	L⁹
Medical Centers	X	C	C	P	C		C	P
Parks/Open Space								
- Neighborhood Parks	P	P	P	P	P		P	P
- Community Parks	P	P	P	P	P		P	P
- Regional Parks	X	P	P	P	P		P	P
- Trails	P	P	P	P	P		P	P
Postal Service	L ¹⁹	P	P	P	P		P	P
Religious Institutions	X	P	P	P	C		P	P
Schools (not truck driving schools)	C	P	P	P	P		P	P
Social/Fraternal Clubs	C	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹
Transportation Facility	P	P	P	P	P		P	P
Park & Ride Facilities								
- Surface	X	L ⁴⁸	L ⁴⁸	X	X	X	X	X
- Structure	X	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	X
COMMERCIAL								
Commercial and Transient Lodging	X	C	P	P	L ¹⁸ /C		L ¹⁸ /C	P
Eating/Drinking Establishments	L ^{19,20}	P	P	P	P		P	P
Entertainment-Oriented								
- Adult Entertainment	X	X	L ²³	X	X		X	X
- Indoor Entertainment	X	P/L ²⁴	P/L ²⁴	P/L ²⁴	P/L ²⁴		P/L ²⁴	P/L ²⁴
- Major Event Entertainment	X	X	P	P	C		C	X
General Retail								
- Sales-Oriented	L ¹⁹	P	P	P ²⁵	P		P	P ^{25,46}
- Personal Services	L ¹⁹	P	P	P	P		P	P
- Repair-Oriented	X	P	P	P	X		P	P
- Bulk Sales	X	P	P	P	X		P	C
- Outdoor Sales	X	C	P/L ²⁶	P/L ²⁶	X		P/L ²⁶	X
- Artisan and Specialty Goods Production	X	L ⁴⁰	L ⁴⁰	L ⁴⁰	X		X	X
Motor Vehicle Related								
- Motor Vehicle	X	P ^L ²⁷	P	P	X		C ²⁷	X/L ⁴⁵

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Sales/Rental								
- Motor Vehicle Servicing/Repair	X	PL ²⁸	L ²⁸	L ²⁸	X		C ²⁸	X
- Vehicle Fuel Sales	X	L ²⁸	L ²⁸	L ²⁸	C		C ²⁸	X
- EV Basic Charging Stations (accessory only)	P	P	P	P	P		P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P	P		P	P
- EV Battery Exchange Stations	X	P	P	P	X		X	P
Office								
- General	L ¹⁹	P	P	P	P		P	P
- Medical	L ¹⁹	P	P	P	P		P	P
- Extended	X	P	P	P	X		X	X
Marina (See also VMC 20.760)	X	P	P	P	P		P	X
Non-Accessory Parking	X	C	C	C ⁴³	C		C	C ⁴³
Self-Service Storage	X	P ³	P	X	X		X	X
INDUSTRIAL								
Industrial Services	X	C	C	X	X		X	C
Manufacturing and Production	X	C/X ³⁰	P/X ³¹	P/X ⁴¹	X		C/X ³²	P ⁴¹
Railroad Yards	X	X	X	X	X		X	X
Research and Development	X	X	P	C	C		C	P
Warehouse/Freight Movement	X	X	X	X	X		X	X
Waste-Related	X	X	P ⁴⁷	X	X		X	X
Wholesale Sales	X	X	C	C	X		X	X
Major Utility Facilities	X	X	X	X	X		X	X
OTHER								
Agriculture/Horticulture	X	X	X	X	X		X	X
Airport/Airpark	X	X	X	X	X		X	X
Animal Kennels/Shelters	X	L ³³	L ³³	X	X		X	X
Cemeteries	X	C ³⁴	P ³⁴	C ³⁴	X			X
Detention & Post Detention Facilities	X	X	C/X ³⁵	C/X ³⁵	X		X	X
Dog Day Care	L ³⁶	L ³⁶	L ³⁶	L ³⁶	L ³⁶		L ³⁶	L ³⁶
Heliports	X	X	X	C ³⁷	C ³⁷		C ³⁷	C ³⁷

Medical Marijuana Cooperatives	X	X	X	X	X		X	X
Recreational or Medical Marijuana Facilities	X	X	X	X	X		X	X
Mining	X	X	X	X	X		X	C
Rail Lines/Utility Corridors	C	P	P	P	C		C	P
Temporary Uses	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶		L ²⁶	L ²⁶
Wireless Communication Facilities	X	L/C/ X ³⁹	L/C/ X ³⁹	L/C/ X ³⁹	L/C/ X ³⁹		L/C/ X ³⁹	L/C/ X ³⁹

¹ Refer to Vancouver Central Park Plan District, 20.640.

² Refer to Mixed Use standards in 20.430.060.

³ A single ground floor caretaker/security/manager residence is allowed if it is an integral part of a mini-storage building.

⁴ All of part of residential uses must be located above the ground floor of the structure as specified by VMC 20.430.060.B.2 with exception of Community Commercial (CC) zoned properties fronting Broadway Street and located within the Uptown Village District of the Vancouver City Center Subarea Plan (refer to 20.430.020B).

⁵ Must have a minimum density of 10 dwelling units/net acre.

⁶ Allowed pursuant to mixed use standards of 20.430.060.

⁷ Residential Care Homes with six or fewer residents and any required on-site staff permitted by right in housing above the ground floor; all larger group home uses are permitted conditionally.

⁸ The language for this footnote has been deleted.

⁹ ~~Subject to provisions of Chapter 20.870 VMC Human Service Facilities. The language for this footnote has been deleted.~~

¹⁰ Subject to the provisions of Chapter 20.860 VMC Home Occupations.

¹¹ Subject to provisions of Section 20.895.040 VMC Community Recreation and Related Facilities.

¹² ~~This footnote is repealed. The language for this footnote has been deleted.~~

¹³ Family day care homes for no more than 12 children are permitted when licensed by the state. Child care centers (13 or more children) are Limited (L), subject to a Type II procedure in Chapter 20.210. Child care centers can also be

approved as part of a Planned Development, VMC 20.260. In all cases child care centers must meet the standards outlined in Chapter 20.840 VMC.

¹⁴ In the CN zone, adult day care facilities for six or fewer adults allowed outright in the CN zone, all other facilities are permitted as conditional uses.

¹⁵ The language for this footnote has been deleted

¹⁶ The language for this footnote has been deleted.

¹⁷ Transportation facilities are permitted except for large or land-intensive facilities such as park-and-ride lots and water taxi and ferry stations.

¹⁸ Bed-and-breakfast establishments are allowed as limited uses, subject to the provisions in Chapter 20.830 VMC, and all other lodging allowed as conditional uses.

¹⁹ Limited uses subject to the development standards in Section 20.430.040(D) VMC.

²⁰ Eating and drinking establishments are permitted only in conjunction with another permitted use on site. Exclusively or predominantly drive-through eating and drinking establishments are prohibited.

²² Limited uses subject to the development standards in Section 20.430.050(B) VMC.

²³ Subject to provisions in Section 20.820 VMC Adult Entertainment.

²⁴ Provisions in Section 20.895.060 VMC apply to Indoor Target Shooting Ranges.

²⁵ Pawnshops allowed in CX and CG Districts only. No more than four (4) pawnshop establishments allowed in the CX District.

²⁶ Subject to provisions in Chapter 20.885 VMC Temporary Uses.

²⁷ Sales/rental lots for motor vehicles only are subject to the following criteria: (a) the lot size is approximately 200' by 200', or 100' by 100' if a corner lot, though smaller lots will be considered if shown to meet all other requirements; (b) reviewed and approved by the City Transportation Manager for on-site circulation, access, and parking plan; (c) located on a primary arterial with average traffic in excess of 10,000 vehicle trips per day; (d) employee/customer parking is provided at a rate of one space plus an additional space per each 5,000 sq. ft. of lot area; © there is no vehicle display in setback areas, and all setbacks are landscaped rather than paved.

²⁸ Subject to provisions in Section 20.895.070 VMC, Motor Vehicle Fuel Sales and Repair.

²⁹ The language for this footnote has been deleted.

³⁰ Micro-breweries and manufacturing of optical, medical and dental devices, goods, and equipment allowed by conditional use; all others prohibited.

³¹ Micro-breweries, bakeries, printing, publishing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, and manufacturing of optical, medical and dental devices, goods, and equipment allowed outright; all others prohibited.

³² Micro-breweries allowed by conditional use; all others prohibited.

³³ Subject to provisions in Section 20.895.020 VMC Animal Kennel/Shelters.

³⁴ Subject to provisions in Section 20.895.030 VMC Cemeteries.

³⁵ Secure Transition Facilities as per 20.855.020(B)(6)(a) are prohibited.

³⁶ Subject to the provisions in Chapter 20.850 VMC Dog Day Care.

³⁷ Subject to provisions in Section 20.895.080 VMC Private Landing Strips and Heliports. Airpark related uses are permitted in Pearson Airpark and Evergreen Airport only.

³⁸ The language for this footnote has been deleted.

³⁹ Subject to requirements in Chapter 20.890 VMC Wireless Telecommunications Facilities.

⁴⁰ Subject to limitations in Section 20.430.050A. Uses defined in Section 20.160.020 C 10.

⁴¹ Printing, binding, lithography, repair shops for tools, scientific/professional instruments and motors, computer research or assembly, and manufacturing of optical, medical and dental devices, goods and equipment permitted outright; all others prohibited.

⁴² Ground floor residential is allowed within the CX zone with the exception of properties fronting Main Street between Sixth Street and Mill Plain.

⁴³ Parking structures are permitted outright.

⁴⁴ Allowed subject to provisions of Riverview Gateway Plan District Standards 20.680, and associated Master Plan adopted for the area of proposed development.

⁴⁵ Motor vehicle rental permitted where ancillary to another use.

⁴⁶ Retail uses shall not exceed 50,000 square feet in total floor space unless included in a mixed use building with other

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uses accounting for at least 20% of floor space, and is in full compliance with Riverview Plan District Design Guidelines.

⁴⁷ Neighborhood recycling and/or yard debris collection centers which are exempt from a state solid waste handling permits are permitted; all other waste-related uses prohibited. If a neighborhood recycling and/or yard debris collection center is handling organic materials, they shall not be stored on site for a period longer than 7 days.

⁴⁸ See Section 20.430.040.E, Park & Ride Facilities development standards.

⁴⁹ Subject to 20.884 VMC.

Section 9. Vancouver Municipal Code Section 20.440.030 entitled “Uses” as last amended by Ordinance M- 4187 is hereby amended as follows:

Section 20.440.030 Uses.

A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions.

3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

5. Uses may also be subject to restrictions and standards set forth in the Water Resource Protection Ordinance (Title 14).

B. Use table. A list of permitted, limited, conditional, and prohibited uses in the industrial zoning districts is shown in Table 20.440.030–1.

**Table 20.440.030–1
Industrial Zoning Districts Use Table**

USE	OCI²⁰	IL¹	IH	ECX²⁷
RESIDENTIAL				
Household Living	L ²	L ²	L ²	L ²⁸
Group Living	P ²¹ /X	X	X	P ²¹ /X
Transitional Housing	P²¹/X	X	X	P²¹/X
Home Occupation	L ³	L ³	L ³	L ³
HOUSING TYPES				
Single Dwelling, Attached	L ²	X	X	L ²⁸
Single Dwelling, Detached	X	X	X	X
Accessory Dwelling Units	X	X	X	X
Duplexes	L ²	X	X	L ²⁸
Multi-Dwelling Units	L ²	L ²	X	L ²⁸
Existing Manufactured Home Developments	X	X	X	X
Designated Manufactured Homes	X	X	X	X
New Manufactured Homes	X	X	X	X
CIVIC (Institutional)				
Basic Utilities	P	P	P	P
Colleges	X	X	X	C
<u>Community Centers</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>
Community Recreation	L ²⁴	P	X	L ²⁴
Cultural Institutions	X	P	X	P
Day Care				
- Child Care Center	L ⁴	L ⁴	X	L ⁴
- Adult Day Care	P	P	X	P
Emergency Services (except ambulance services)	P	P	P	P
Human Service Facilities	L²⁵	L²⁵	L²⁵	L²⁵
Medical Centers	C	X	X	P
Parks/Open Space				
- Neighborhood Parks	P	C	C	P
- Community Parks	C	C	C	C
- Regional Parks	C	C	C	C
- Trails	C	C	C	P
Postal Service	X	P	P	X
Religious Institutions	X	X	X	X

Schools	X	X	X	X
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	P/X ²⁶	P	P	P/X ²⁶
Park & Ride Facilities				
- Surface	X	L ³¹	L ³¹	X
-Structure	L ³¹	L ³¹	L ³¹	L ³¹
COMMERCIAL				
Commercial and Transient Lodging	P	X	X	P
Eating/Drinking Establishments	L ⁵	L ⁵	L ⁶	L ⁶
Entertainment-Oriented				
- Adult Entertainment	X	L ⁷	L ⁷	X
- Indoor Entertainment	X	X	X	X
- Major Event Entertainment	X	X	X	P
General Retail				
- Sales-Oriented	L ⁶	L ⁶	L/C ⁶	L ⁶
- Personal Services	L ⁶	L ⁶	X	L ⁶
- Repair-Oriented	L ⁶	L ⁶	X	L ⁶
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	P	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	L ⁸	L ⁸	X
- Vehicle Fuel Sales	X	X	P	X
- EV Basic Charging Stations (accessory only)	P	P	P	P
- EV Rapid Charging Stations (accessory only)	P	P	P	P
- EV Battery Exchange Stations	P	P	X	P
Office				
- General	P	P	L/C ⁹	P
- Medical	P	P	X	P
- Extended	P	P	X	P
Marina (See also VMC	X	C	X	X

20.760)				
Non-Accessory Parking	C ¹⁰	L ¹⁰ /X	X	L ³⁰¹⁰
Self-Service Storage	P	P	P	P
INDUSTRIAL				
Industrial Services	P	P	P	P
Manufacturing and Production	P	P ¹¹	P ¹¹	P
Railroad Yards	X	X	X	X
Bulk Crude Oil storage and handling facilities	X ³⁴	X ³⁴	X ³⁴	X ³⁴
Petroleum/Oil Refineries	X	X	X	X
Research and Development	P	P	C	P
Warehouse/Freight Movement	X	L ¹²	P	X
Wholesale Sales	P	L ¹²	X	X
Waste-Related	X	X	P ²² /X	X
Major Utility Facilities	X	X/P ³²	L ³³	X
OTHER				
Agriculture/Horticulture	X	P	P	X
Airport/Airpark	X	L ¹⁹	P	X
Animal Kennels/Shelters	X	L ¹⁷	L ¹⁷	X
Cemeteries	X	X	C	X
Detention & Post Detention Facilities	X	C/X ¹³	C ¹⁴	X
Dog Day Care	L ¹⁵	L ¹⁵	L ¹⁵	L ¹⁵
Heliports	C	C	C	C
Recreational or Medical Marijuana Facilities	X	X	X	X
Medical Marijuana Collectives	X	X	X	X
Mining	C ¹⁸	C ¹⁸	C ¹⁸	C ¹⁸
Rail Lines/Utility Corridors	P/X ²³	P	P	P/X ²³
Wireless Communication Facilities	L ¹⁶	L ¹⁶	L ¹⁶	L ¹⁶

¹ Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030-1.

² In the OCI zone, multi-family housing allowed above ground floor only as specified by VMC 20.430.060.B.2. In all industrial zones, one caretaker residence permitted per use.

³ Subject to the conditions in chapter 20.860 VMC Home Occupations.

⁴ Child care centers allowed as a Limited (L) use, subject to a Type II procedure. Child care centers are permitted in order to provide service for those employees working in the IL district, subject to provisions in Chapter 20.840 VMC Child Care Centers.

⁵ If within an industrial building, these uses shall consume no more than 10% of the building's total gross square footage. If freestanding, they shall be considered together with the rest of the project and shall consume no more than 10% of the site's total gross square footage.

⁶ These limited uses, separately or in combination, may not exceed 20% of the entire building square footage within a development complex. No retail uses shall exceed 40,000 gross square feet (gsf) per building or business; retail uses greater than 40,000 gsf but less than 60,000 gsf require conditional use review.

⁷ Subject to provisions in Section 20.820 VMC Adult Entertainment.

⁸ Subject to provisions in Section 20.895.070 Motor Vehicle Fuel Sales and Repair.

⁹ Offices not accessory to a permitted use may not exceed 40,000 gsf; offices greater than 40,000 gsf but less than 60,000 gsf require conditional use review.

¹⁰ In the OCI zone, non-accessory surface parking is conditionally permitted on brownfields where subsurface environmental constraints effectively preclude other uses, provided such development complies with applicable local, state and federal environmental standards. In the IL zone, non-accessory surface parking is permitted, and non-accessory structured parking is prohibited. In the ECX zone, non-accessory structural parking only shall be permitted.

¹¹ Subject to NAICS Table 20.440-2.

¹² Permitted as limited use provided all activities, except outdoor storage of materials, are wholly contained within building(s).

¹³ Secure Community Transition Facilities as per 20.150 are prohibited.

¹⁴ In addition to other detention and post-detention facilities, Secure Community Transition Facilities are allowed by conditional use permit, subject to criteria set forth in 20.855.020(B)(6)(a).

¹⁵ Subject to provisions in Chapter 20.850 VMC Dog Day Care.

¹⁶ Subject to requirements in Chapter 20.890 VMC Wireless Telecommunications Facilities.

¹⁷ Subject to provisions in Section 20.895.020 Kennels/Shelters.

¹⁸ Surface mining is only allowed by conditional use on sites of 20 acres or larger which are adjacent to existing mining operations. Reclamation activity for existing mining operations approved by the Washington State Department of Natural Resources is a permitted use in any non-residential zoning district.

¹⁹ Allow airport/airpark related activities such as hangars, air cargo, and warehousing, pilot schools, aircraft sales and repairs, aviation clubs, and museum in the Light Industrial District (IL). New airports/airparks are prohibited.

²⁰ All uses locating the OCI zone shall comply with the special use limitations of 20.440.040(C) VMC and 20.440.050(A) VMC. Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistence with these agreements shall not be deemed nonconforming.

²¹ Existing legally established group living ~~and transitional housing~~ uses are permitted. New group living ~~and transitional housing uses are is~~ prohibited.

²² 10-day hazardous waste handling and transfer facilities, excluding facilities handling radioactive or high explosive materials, are allowed, provided such facilities: a) do not repackage waste (except as necessary to address damaged or improper packaging); b) are located at least 200' from any residential zoning district; and c) do not store hazardous wastes (except for "universal wastes," as that term is defined in Code of Federal Regulations, Title 40, Part 273) for more than ten days.

²³ Prohibited within 200' of a residential zone.

²⁴ Subject to provisions of Chapter 20.895.040 VMC Community Recreation and Related Facilities.

²⁵ ~~Subject to provisions of Chapter 20.870 VMC Human Service Facilities. The language for this footnote has been deleted.~~

²⁶ Transportation facilities are permitted except for large or land-intensive facilities such as water taxi and ferry stations.

²⁷ All uses locating in the ECX zone shall comply with VMC 20.690, Section 30 Employment Center Plan District. Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties, unless property owners choose differently as provided under VMC 20.690.030. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed nonconforming.

²⁸ In the ECX zone, multi-family housing is allowed above ground floor only; and one caretaker residence permitted per use.

²⁹ Vehicle fuel sales is limited to one operation within the Section 30 Plan District.

³⁰ ~~Non-accessory structural parking only is permitted. The language for this footnote has been deleted.~~

³¹ See Section 20.430.040.E. Park & Ride Facilities Development Standards.

³² Major Utility Facilities are prohibited with the exception that sewer treatment plants and lagoons are allowed outright.

³³ Biomass and coal energy generating plants are prohibited on Heavy Industrial zoned properties within the Vancouver City Center Subarea and Hough Neighborhood Association boundaries located west of Lincoln Street and east of the Burlington Northern Santa Fe Railroad tracks.

³⁴ Existing bulk crude oil storage facilities including vested projects as of July 18, 2016 are prohibited to expand the amount of crude oil storage.

Table 20.440.030–2

North American Industrial Classification System (NAICS) for Industrial Zoning Uses

The following list of uses is based on the North American Industrial Classification System (NAICS). NAICS is organized in a hierarchical structure much like the existing SIC (Standard Industrial Classification). NAICS industries are identified by a 6-digit code, in contrast to the 4-digit SIC code. The longer code accommodates the larger number of sectors and allows more flexibility in designating subsectors. The use of NAICS codes for permitted uses refers only to the use of a particular site, rather than the type of industry involved. For example, office uses for manufacturing firms are treated as offices and are not permitted in the industrial zones.

— The first two digits designate a major economic sector (formerly division) such as agriculture or manufacturing.

— The third digit designates an economic subsector (formerly major group) such as crop production or apparel manufacturing.

— The fourth digit designates an industry group, such as grain and oil seed farming or fiber, yarn

and thread mills.

— The fifth digit designates the NAICS industry such as wheat farming or broad woven fabric mills. Retail uses are marked with a “1” in the table below. Please see the footnotes at the end of the table for an explanation of permitted development.

* Industrial uses may be further regulated by the Water Resource Protection Ordinance (Title 14).

* For Artisan and Specialty Goods Manufacturing Uses refer to Section 20.160.020C-10.

Manufacturing Uses			IL²	IH
311	Food Manufacturing			
	3111	Animal food manufacturing	P	P
	3112	Grain and oilseed milling	X	P
	3113	Sugar and confectionery product manufacturing	P	P
	3114	Fruit and vegetable preserving and specialty food manufacturing	P	P
	3115	Dairy product manufacturing	P	P
	3116	Animal slaughtering and processing	X	P
	31161	Animal slaughtering and processing	X	P
	3117	Seafood product preparation and processing	P	P
	3118	Bakeries and tortilla manufacturing	P	P
	3119	Other food manufacturing	P	P
312	Beverage and Tobacco Product Manufacturing			
	3121	Beverage manufacturing	P	P
	31211	Soft drink and ice manufacturing	P	P
	312111	Soft drink manufacturing	P	P
	312112	Bottled water manufacturing	P	P
	312113	Ice manufacturing	P	P
	31212	Breweries	C	P
	31213	Wineries	P	P
	31214	Distilleries	C	P
	3122	Tobacco manufacturing	P	P
313	Textile Mills			
	3131	Fiber, yarn, and thread mills	P	P
	3132	Fabric mills	P	P
	3133	Textile and fabric finishing and fabric coating mills	P	P

314	Textile Product Mills			
	3141	Textile furnishings mills	P	P
	3149	Other textile product mills	P	P
315	Apparel Manufacturing			
	3151	Apparel knitting mills	P	P
	3152	Cut and sew apparel	P	P
	3159	Apparel accessories and other apparel manufacturing	P	P
316	Leather and Allied Product Manufacturing			
	3161	Leather and hide tanning and finishing	X	P
	3162	Footwear manufacturing	P	P
	31621	Footwear manufacturing	P	P
	3169	Other leather and allied product manufacturing	P	P
321	Wood Product Manufacturing			
	3211	Sawmills and wood preservation	X	P
	3212	Veneer, plywood, and engineered wood product manufacturing	X	P
	3219	Other wood product manufacturing	P	P
322	Paper Manufacturing			
	3221	Pulp, paper, and paperboard mills	X	P
	3222	Converted paper product manufacturing	P	P
323	Printing and Related Support Activities			
	3231	Printing and related support activities	P	P
324	Petroleum and Coal Products Manufacturing			
	3241	Petroleum and coal products manufacturing	X	P
	324110	Petroleum and Oil Refineries	X	X
325	Chemical Manufacturing			
	3251	Basic chemical manufacturing	X	P
	3252	Resin, synthetic rubber, and artificial and synthetic fibers and filaments manufacturing	X	P
	3253	Pesticide, fertilizer, and other agricultural chemical manufacturing	X	P
	3254	Pharmaceutical and medicine manufacturing	P	P
	3255	Paint, coating, and adhesive manufacturing	X	C
	3256	Soap, cleaning compound, and toilet preparation manufacturing	P	P
	3259	Other chemical product and preparation manufacturing	X	P
	32591	Printing ink manufacturing	X	P
	32592	Explosives manufacturing	X	P
	32599	All other chemical product and preparation manufacturing	X	P
	325991	Custom compounding of purchased resins	P	P
	325992	Photographic film, paper, plate, and chemical manufacturing	X	P
	325998	All other miscellaneous chemical product and preparation manufacturing	X	P

326	Plastics and Rubber Products Manufacturing			
	3261	Plastics product manufacturing	X	P
	32611	Unsupported plastics film, sheet, and bag manufacturing	X	P
	32612	Plastics pipe, pipe fitting, and unsupported profile shape manufacturing	X	P
	32613	Laminated plastics plate, sheet, and shape manufacturing	X	P
	32614	Polystyrene foam product manufacturing	X	P
	32615	Urethane and other foam product (except polystyrene) manufacturing	X	P
	32616	Plastics bottle manufacturing	X	P
	32619	Other plastics product manufacturing	X	P
	3262	Rubber product manufacturing	X	P
	32621	Tire manufacturing	X	P
	326211	Tire manufacturing (except retreading)	X	P
	326212	Tire retreading	X	P
	32622	Rubber and plastics hoses and belting manufacturing	P	P
	32629	Other rubber product manufacturing	P	P
	326291	Rubber product manufacturing for mechanical use	C	P
	326299	All other rubber product manufacturing	P	P
327	Nonmetallic Mineral Product Manufacturing			
	3271	Clay product and refractory manufacturing	P	P
	3272	Glass and glass product manufacturing	P	P
	3273	Cement and concrete product manufacturing	X	P
	3274	Lime and gypsum product manufacturing	X	P
	3279	Other nonmetallic mineral product manufacturing	X	P
331	Primary Metal Manufacturing			
	3311	Iron and steel mills and ferroalloy manufacturing	X	P
	3312	Steel product manufacturing from purchased steel	X	P
	3313	Alumina and aluminum production and processing	X	P
	3314	Nonferrous metal (except aluminum) production and processing	X	P
	3315	Foundries	X	P
332	Fabricated Metal Product Manufacturing			
	3321	Forging and stamping	P	P
	3322	Cutlery and hand tool manufacturing	P	P
	3324	Architectural and structural metals manufacturing	P	P
	3325	Boiler, tank, and shipping container manufacturing	P	P
	3326	Hardware manufacturing	P	P
	3327	Spring and wire product manufacturing	P	P
	3328	Machine shops; turned product; and screw, nut, and bolt manufacturing	P	P
	33281	Coating, engraving, heat treating, and allied activities	P /X ¹	P /X ¹

	3329	Coating, engraving, heat treating, and allied activities	P	P
	33291	All other fabricated metal product manufacturing	P	P
	33299	Metal valve manufacturing	P	P
	32991	All other fabricated metal product manufacturing	P	P
	32992	Ball and roller bearing manufacturing	X	P
	32993	Small arms ammunition manufacturing	X	P
	32994	Ammunition (except small arms) manufacturing	X	P
	32995	Other ordnance and accessories manufacturing	X	P
	32996	Fabricated pipe and pipe fitting manufacturing	P	P
	32997	Industrial pattern manufacturing	P	P
	32998	Enameled iron and metal sanitary ware manufacturing	P	P
	32999	All other miscellaneous fabricated metal product manufacturing	P	P
333	Machinery Manufacturing			
	3331	Agriculture, construction, and mining machinery manufacturing	P	P
	3332	Industrial machinery manufacturing	P	P
	3333	Commercial and service industry machinery manufacturing	P	P
	3334	Ventilation, heating, air-conditioning, and commercial refrigeration equipment manufacturing	P	P
	3335	Metalworking machinery manufacturing	P	P
	3336	Engine, turbine, and power transmission equipment manufacturing	P	P
	3339	Other general purpose machinery manufacturing	P	P
334	Computer and Electronic Product Manufacturing			
	3341	Computer and peripheral equipment manufacturing	P	P
	3342	Communications equipment manufacturing	P	P
	3343	Audio and video equipment manufacturing	P	P
	3344	Semiconductor and other electronic component manufacturing	P	P
	3345	Navigational, measuring, electromedical, and control instruments manufacturing	P	P
	3346	Manufacturing and reproducing magnetic and optical media	P	P
335	Electrical Equipment, Appliance, and Component Manufacturing			
	3351	Electric lighting equipment manufacturing	P	P
	3352	Household appliance manufacturing	P	P
	3353	Electrical equipment manufacturing	P	P
	3359	Other electrical equipment and component manufacturing	P	P
336	Transportation Equipment Manufacturing			
	3361	Motor vehicle manufacturing	X	P
	3362	Motor vehicle body and trailer manufacturing	X	P
	3363	Motor vehicle parts manufacturing	P	P
	3364	Aerospace product and parts manufacturing	X	P
	3365	Railroad rolling stock manufacturing	X	P

	3366	Ship and boat building	X	P
	33661	Ship and boat building	X	P
	336611	Ship building and repair	P	P
	336612	Boat building	X	P
	3369	Other transportation equipment manufacturing	X	P
	33699	Other transportation equipment manufacturing		
	336991	Motorcycle, bicycle, and parts manufacturing	P	P
	336992	Military armored vehicle, tank, and tank component manufacturing	X	P
	336999	All other transportation equipment manufacturing	X	P
337	Furniture and Related Product Manufacturing			
	3371	Household and institutional furniture and kitchen cabinet manufacturing	P	P
	3372	Office furniture (including fixtures) manufacturing	P	P
	3379	Other furniture related product manufacturing	P	P
339	Miscellaneous Manufacturing			
	3391	Medical equipment and supplies manufacturing	P	P
	3399	Other miscellaneous manufacturing	P	P
42	Wholesale Trade		P	P
444	Building Material and Garden Equipment and Supplies Dealers			
	44411	Home Centers	P	X
	44419	Other building materials dealers (with sales of bulk construction materials to contractors)	P	X
	5324	Commercial and Industrial machinery and equipment rental and leasing (except 53242 – Office machinery and equipment)	P	P
611	Educational Services			
	6111	Elementary and secondary schools (and IH)	C	X
	6112	Junior colleges (and IH)	C	X
	6113	Colleges, universities, and professional schools (and IH)	C	X
	6114	Business schools and computer and management training	C	X
811	Repair and Maintenance			
	8112	Electronic and precision equipment repair and maintenance	P	P
	8114	Personal and household goods repair and maintenance	P	P
812	Personal and Laundry Services			
	81232	Dry cleaning and laundry services (except coin-operated)	P	P
	Miscellaneous			
		Offsite hazardous waste treatment and storage facilities (subject to state siting criteria)	P	X
		Branch banks	P	P

¹ Electroplating and related uses not permitted.

² Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030-2.

Section 10. Vancouver Municipal Code Section 20.450.030 entitled “Uses” as last amended by Ordinance M-4701 is hereby amended as follows:

Section 20.450.030 Uses.

A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this Title. Although permitted by right, most of these uses are still subject to the Site Plan Review, as governed by Chapter 20.270 VMC.

2. A limited (L) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions. Most uses also are subject to Site Plan Review, as governed by Chapter 20.270 VMC. If not subject to Site Plan Review, such a use may be subject to a Type I review, per the requirements in Section 20.210.040 VMC.

3. A conditional use (C) is a discretionary use reviewed by the Hearings Examiner. The approval criteria and approval process are set forth in Chapters 20.245 VMC and 20.210 VMC, governing Conditional Uses and Decision-Making Procedures, respectively.

4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.

B. Use tables. Lists of permitted, limited, conditional, and prohibited uses in Open Space Districts are presented in Tables 20.450.030-1 and 20.450.030-2. Specialized open space uses and activities are set forth in Table 20.450.030-1. Uses described in the Use Classification section (20.160 VMC), are set forth in Table 20.450-2. Special limitations on uses are set forth in section 20.450.050.

Table 20.450.030-2 Permitted, Limited, Conditional and Prohibited Uses in Open Space District					
		Greenway			
USE	Natural Area	Vancouver Lake	Lettuce Fields²	General	Park¹
RESIDENTIAL					
Household Living	X	X/L ³	X/L ³	X/L ³	X/L ³
Group Living	X	X	X	X	X
Transitional Housing	X	X	X	X	X
Home Occupation	X	X	X	X	X
HOUSING TYPES					
Single Dwelling, Attached	X	X	X	X	X
Single Dwelling, Detached	X	X/L ³	X/L ³	X/L ³	X/L ³
Accessory Dwelling Units	X	X	X	X	X
Duplexes	X	X	X	X	X
Multi-Dwelling Units	X	X	X	X	X
Existing Manufactured Home Development	X	X	X	X	X
Designated Manufactured Home	X	X	X	X	X
New Manufactured Home	X	X	X	X	X
CIVIC (Institutional)					
Colleges	X	X	X	X	X
<u>Community Centers</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Community Recreation	X	X	X	X	P

Cultural Institutions	X	X	X	X	P
Day Care					
- Family Day Care	X	X	X	X	P
- Child Care Center	X	X	X	X	X
- Adult Day Care	X	X	X	X	P
Emergency Services	X	X	X	X	X
Human Service Facilities	X	X	X	X	P
Medical Centers	X	X	X	X	X
Postal Service	X	X	X	X	X
Religious Institutions	X	X	X	X	X
Schools	X	X	X	X	P
Social/Fraternal Clubs	X	X	X	X	X
COMMERCIAL					
Commercial <u>and</u> Transient Lodging	X	X	X	X	X
Eating/Drinking Establishments	X	X	X	X	X
Entertainment-Oriented					
- Adult Entertainment	X	X	X	X	X
- Indoor Entertainment	X	X	X	X	X
- Major Event Entertainment	X	X	X	X	X
General Retail					
- Sales-Oriented	X	X	X	X	X
- Personal Services	X	X	X	X	X
- Repair-Oriented	X	X	X	X	X
- Bulk Sales	X	X	X	X	X
- Outdoor Sales	X	X	X	X	X
Motor Vehicle Related					
- Motor Vehicle Sales/Rental	X	X	X	X	X
- Motor Vehicle Servicing/Repair	X	X	X	X	X
- Vehicle Fuel Sales	X	X	X	X	X
- Electric Vehicle Re-charging Station	X	X	X	X	X
Office					
- General	X	X	X	X	X
- Medical	X	X	X	X	X
- Extended	X	X	X	X	X
Non-Accessory Parking	X	X	X	X	X

Self-Service Storage	X	X	X	X	X
Marina	X	X	X	X	X
INDUSTRIAL		X	X	X	X
Industrial Services	X	X	X	X	X
Manufacturing and Production	X	X	X	X	X
- Light Industrial	X	X	X	X	X
- General Industrial	X	X	X	X	X
- Heavy Industrial	X	X	X	X	X
Railroad Yards	X	X	X	X	X
Research and Development	X	X	X	X	X
Warehouse/Freight Movement	X	X	X	X	X
Wholesale Sales	X	X	X	X	X
Waste-Related	X	X	X	X	X
Major Utility Facilities	X	X	X	X	X
OTHER					
Agriculture/Horticulture	X	X	X	X	X
Airport/Airpark	X	X	X	X	X
Animal Kennels/Shelters	X	X	X	X	
Cemeteries	X	X	X	X	X
Detention & Post Detention Facilities	X	X	X	X	X
Dog Day Care	X	X	X	X	X
Heliports	X	X	X	X	X
Mining	X	X	X	X	X
Public Facilities and Utilities					
- Essential Utilities	X	P	L ⁶	L ⁷	L ⁷
- Major Utilities	X	X	X/C ⁶	C	C
- Essential Public Facilities	X	X	C ⁶	C	C
- Other Major Utilities	X	X	X	C	C
- Minor Utilities	X	C	L ⁶	C ⁷	C ⁷
- Public Utility Corridors	X	C	C ⁶	C	C
- Transportation Facilities	X	C	C ^{8/X}	C	
Rail Lines	X	X	X	C	C
Recreational or Medical Marijuana Facilities	X	X	X	X	X
Temporary Uses	X	X	X	X	X
Wireless Communication	X	C/L ⁹	X	C ¹⁰	C

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Facilities					
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¹ Parks shall be developed in accordance with the standards set forth in Section 20.450.040 VMC.

² All uses in the Lettuce Fields Greenway District are subject to the special provisions for uses in 20.450.050(A).

³ Caretaker residence or existing dwellings are permitted. In the Lettuce Fields Greenway District, only existing dwellings are permitted. New dwellings, including guest houses, accessory dwelling units, bed and breakfast establishments, etc. are prohibited. In the Vancouver Lake Greenway District, single-family dwellings require a minimum of 160 acres each.

⁴ Family day care homes for no more than 12 children are permitted when licensed by the state. Family day care homes and child care centers (13 or more children) must meet the standards outlined in Chapter 20.840 VMC.

⁵ Subject to the provisions of VMC 20.895.030 Cemeteries.

⁶ Subject to the development standards of 20.450.040(B)(5).

⁷ Plans for the construction or extension of essential utility services are to be reviewed and approved by development review staff. Utilities shall be installed underground or screened as to not be visible within the Greenway or Park. No septic fields are allowed.

⁸ Only transit stops and shelters and bicycle parking integrated with automobile parking at trailheads are permitted by conditional use. Other transportation facilities are prohibited.

⁹ Permitted subject to the requirements of Section 20.890 VMC.

¹⁰ Permitted only as co-location and through the conditional use process.

Section 11. Vancouver Municipal Code Chapter 20.870 entitled “Human Services Facilities” as last amended by Ordinance M-3643 is hereby repealed in its entirety:

Chapter 20.870
HUMAN SERVICES FACILITIES

Sections:

~~20.870.010 Purpose.~~

~~20.870.020 Types.~~

~~20.870.030 Approval Process.~~

~~20.870.040 Approval Criteria~~

~~20.870.050 Development Standards.~~

~~20.870.060 Existing Facilities.~~

~~Section 20.870.010 Purpose.~~

~~Community benefits. Facilitating the provision of basic shelter, food, job training and other health and social services to those City residents in need is an important function of the community. At the same time, it is important that these be regulated in a way that minimizes any adverse off-site impacts, particularly in established neighborhoods where such facilities tend to be located. There is a particular concern that no area bear a disproportionate burden in the provision of these services. The purpose of this Chapter is to identify the procedures and criteria by which such Human Service Facilities will be reviewed.~~

~~(M-3643, Added, 01/26/2004)~~

~~**Section 20.870.020 Types.** A. Class 1 facility. A Class 1 facility is a facility defined as Transitional Housing pursuant to the definition in Section 20.160.020(A)(3) VMC.~~

~~B. Class 2 facility. A Class 2 facility is (1) a human services facility other than a Class 1 facility as defined in Subsection A above, which (2) serves an average of 75 or more clients per day based on the number of days per week that the facility serves its clients.~~

~~C. Class 3 facility. Class 3 facility is (1) a human service facility other than a Class 1 or 2 facility as defined in Subsections A and B above; which (2) serves an average of 20-74 clients per day based on the number of days per week that the facility serves its clients.~~

~~D. Exemption. If the application for location, relocation or expansion of a human service facility states that said facility is to serve an average of 19 or fewer clients per day, based on the number of days per weeks that the facility serves its clients, said facility shall be exempt from the requirements of this Chapter.~~

~~(M 4034, Amended, 12/03/2012, Sec 26 Effective 01/03/2013; M 3643, Added, 01/26/2004)~~

~~**Section 20.870.030 Approval Process.** A. Any new or expanded Human Service Facility shall be reviewed as a Type III, pursuant to VMC 20.210.060, with demonstration of compliance with approval criteria contained in VMC 20.870.040.~~

~~B. Co-location of services. The City shall encourage clustering of services, including multi-service centers, in areas or situations where such clustering will measurably improve the effective and efficient delivery of services to clients and minimize or reduce adverse impacts to the adjacent neighborhood. In recognition of this, an applicant may request a waiver or reduction of the spacing standards contained in VMC 20.870.050 to a service in an existing Human Service facility by means of a Type II, pursuant to Section 20.210.050 VMC, if the applicant demonstrates that co-location of facilities will:~~

~~1. Provide a range of services to the same or similar client population;~~

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~~2. Reduce cumulative impacts of the services that would occur if they were separately located;~~

~~3. Improve coordination of services by addressing gaps in services or by reducing duplication of services; and~~

~~4. Improve the ability of the client population to access needed services in a more efficient and coordinated way.~~

~~C. Modification of spacing requirements~~

~~1. An applicant for a Human Service Facility may request a modification of the spacing requirements contained in Section 20.870.050 VMC by up to 20% as part of the approval pursuant to Subsection A above by demonstrating that there is a lack of feasible alternative sites outside of the dispersal area.~~

~~2. An applicant for a Human Service Facility may request a modification of the spacing requirements contained in Section 20.870.050 VMC by more than 20% as part of the initial approval pursuant to Subsection (A) above that all the following conditions and facts exist:~~

~~a. The facts presented constitute an exceptional situation that provides for relief under this provision;~~

~~b. The applicant has demonstrated there is a lack of feasible alternative sites outside of the dispersal area;~~

~~c. Approval of the application will not be substantially detrimental to the public health, safety and welfare or to the property and improvements in the neighborhood.~~

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~~(ACM M-3363, Amended, 12/20/2013, Change reference of 20.210.040 to 20.210.020 Type II applicaitons; M-4034, Amended, 12/03/2012, Sec 27 Effective 01/03/2013; M-3663, Amended, 08/02/2004, Sec 21; M-3643, Added, 01/26/2004)~~

~~**Section 20.870.040 Approval Criteria**~~

~~A. Compatibility. The establishment, maintenance or operation of the facility will not, under the circumstances of the particular case, be significantly detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be significantly detrimental or injurious to the property or improvements in the neighborhood or to the general welfare of the City.~~

~~B. Compliance with applicable regulations. Demonstration that the applicant has complied with all standards and regulation contained in this Chapter.~~

~~(M-3643, Added, 01/26/2004)~~

~~**Section 20.870.050 Development Standards.** A. Class 1 facility. All such facilities shall be required to comply with each of the following standards:~~

~~1. A Transitional Housing provider shall not be sited less than one mile from another such facility or less than 1,320 feet from any Class 2, 3 or other human service facility as defined herein, or from any Residential Care Center defined at VMC 20.150.040. The distances required by this provision shall be measured by following a straight line, without regard to intervening buildings, from the nearest property line of the proposed facility to the nearest property line of the closest existing facility.~~

~~2. All functions associated with such a facility must take place within the building proposed to house the facility, provided, that this regulation shall not apply to facilities that provide services to persons at different locations.~~

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~~3. Restrooms must be provided to serve the expected number of clients at peak periods and these must be kept in working order.~~

~~4. Outdoor waiting for clients may be restricted and if allowed shall not be in the public right of way and must be physically separated from the public right of way. Any such outdoor waiting facility must be large enough to accommodate the expected numbers of clients.~~

~~5. A maintenance plan for the exterior of the building and site must be submitted with the application and must be followed. The plan must provide for the building and site to be maintained at a level that will not detract from the character of the surrounding area.~~

~~6. A litter control plan must be submitted with the application and must be followed. The plan must provide for effective litter removal at or near the site of the facility.~~

~~7. Sufficient off street parking must be provided for staff and clients.~~

~~B. Class 2 facility. All such facilities shall be required to comply with each of the following standards:~~

~~1. Class 2 facilities shall be sited not less than 1,320' from any other Class 1, 2, or 3 facility as defined herein. The distances required by this provision shall be measured by following a straight line, without regard to intervening buildings, from the nearest property line of the proposed facility to the nearest property line of the closest existing facility.~~

~~2. Functions associated with such a facility must take place within the building proposed to house the facility, provided that this regulation shall not apply to facilities that provide services to persons at different locations.~~

~~3. Restrooms must be provided to serve the expected number of clients at peak periods and these must be kept in working order.~~

~~4. Outdoor waiting for clients may be restricted and if allowed shall not be in the public right-of-way and must be physically separated from the public right-of-way. Any such outdoor waiting facility must be large enough to accommodate the expected numbers of clients.~~

~~5. A maintenance plan for the exterior of the building and site must be submitted with the application and must be followed. The plan must provide for the building and site to be maintained at a level that will not detract from the character of the surrounding area.~~

~~6. A litter control plan must be submitted with the application and must be followed. The plan must provide for effective litter removal at or near the site of the facility.~~

~~7. Sufficient off-street parking must be provided for staff and clients.~~

~~C. Class 3 facility. All such facilities shall be required to comply with each of the following standards:~~

~~1. Class 3 facility may be located, relocated or expanded if there are no more than four existing Class 3 facilities within 2,000' of the center of the proposed Class 3 site.~~

~~2. All functions associated with such a facility must take place within the building proposed to house the facility, provided, that this regulation shall not apply to facilities that provide services to persons at different locations.~~

~~3. Restrooms must be provided to serve the expected number of clients at peak periods and these must be kept in working order.~~

~~4. Outdoor waiting for clients may be restricted and if allowed shall not be in the public right of way and must be physically separated from the public right of way. Any such outdoor waiting facility must be large enough to accommodate the expected numbers of clients.~~

~~5. A maintenance plan for the exterior of the building and site must be submitted with the application and must be followed. The plan must provide for the building and site to be maintained at a level that will not detract from the character of the surrounding area.~~

~~6. A litter control plan must be submitted with the application and must be followed. The plan must provide for effective litter removal at or near the site of the facility.~~

~~7. Sufficient off-street parking must be provided for staff and clients.~~

~~(M 3643, Added, 01/26/2004)~~

~~**Section 20.870.060 Existing Facilities.**~~

~~A. Registration. Facilities existing as of November 1, 1991, shall be required to register with the Planning Official and shall provide information regarding size, function and number of clients served.~~

~~B. Compliance with regulations. Such facilities shall be required to comply with all standards and regulations as set forth in this Chapter except spacing requirements within 90 calendar days of the date of receipt of the City's written notice requesting compliance. Spacing and location requirements as set forth herein shall be met by any facility whose client numbers or operations change so that such facility becomes either a Class 1, 2 or 3 facility.~~

~~C. Abandonment. Any existing facility that is abandoned for a continuous period of one year or more must meet the spacing and location requirements as set forth in this Chapter to be re-established at the same location.~~

ORDINANCE - 75

~~(M-3643, Added, 01/26/2004)~~

Section 12. Vancouver Municipal Code Section 20.945.070 entitled “Minimum Off-Street Parking Requirements” as last amended by Ordinance M-4223 is hereby amended as follows:

Section 20.945.070 Minimum Off-Street Parking Requirements.

A. Parking requirements for unlisted uses.

1. The Planning Official may rule that a use not specifically listed in Table 20.945.070–2 below is a use similar to a listed use and that the same parking standards shall apply. If the applicant requests that the Planning Official’s decision be rendered in writing, it shall constitute an interpretation, as governed by Chapter 20.255 VMC; and

2. The Planning Official shall maintain a list of approved unlisted use parking requirements that have the same effect as an amendment to this chapter.

B. Choice of parking requirements. When a building or use is planned or constructed in such a manner that a choice of parking requirements could be made, the use which requires the greater number of parking spaces shall govern.

C. Measurements. The following measurements shall be used in calculating the total minimum number of vehicle parking spaces required in this chapter:

ORDINANCE - 76

1. Fractions. Fractional space requirements of up to 0.5 shall be rounded down to the next whole number and 0.5 or greater rounded up to the next whole number.

2. Employees. Where employees are specified for the purpose of determining the minimum vehicle parking spaces required, the employees counted are those who work on the premises during the largest shift at the peak season.

3. Students. When students are specified for the purpose of determining the minimum vehicle parking spaces required, the students counted are those who are on the campus during the peak period of the day during a typical school term.

4. Space. Unless otherwise noted, where gross square feet (gsf) are specified, the area measured shall be gross floor area under the roof measured from the faces of the structure, excluding only space devoted to covered off-street parking or loading.

D. Exclusions to minimum vehicle parking requirements. The following shall not be counted towards the computation of the minimum parking spaces as required in Table 20.945.070-2 below:

1. On-street parking. Parking spaces in the public street or alley shall not be eligible as fulfilling any part of the parking requirement except as provided elsewhere in this title;

2. Fleet parking. Required vehicle parking spaces may not be used for storage of fleet vehicles, except when a use can show that employee and fleet parking spaces are used interchangeably, (e.g., the employee drives the fleet vehicle from home, or the spaces are used for fleet storage only at night and are available for employee use during the day). For the purposes of this title, space exclusively devoted to the storage of fleet vehicles will be considered as outdoor storage.

E. Reductions in minimum required vehicle parking.

1. The Planning Official may reduce the minimum off-street vehicle parking spaces required in Table 20.945.070-2 by up to 10% in new non-residential developments by means of a Type I procedure, when an applicant for a development permit can demonstrate in a parking study prepared by a traffic consultant or in parking data from comparable sites that:

a. The requested reduction in parking will not have an adverse impact on uses in the immediate vicinity.

b. Use of transit, demand management programs, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared with Institute of Transportation Engineers (ITE) vehicle trip generation rates and minimum city parking requirements.

c. The city shall not be responsible for providing parking for a development should a reduction in required parking under this section result in a deficit in parking that is not desirable to the owner of the property or use.

2. The Planning Official may reduce the minimum off-street vehicle parking spaces required in Table 20.945.070–2 up to 20% if the required conditions detailed in Section 20.945.070(E)(1) and (2) are met. Reductions in parking minimums shall be cumulative and inclusive of reductions allowed under any provision of Vancouver Municipal Code Title 20.

a. For every five bicycle parking spaces provided which meet bicycle parking design standards

or for each bicycle locker (two-bicycle capacity), the minimum motor vehicle parking requirement may be reduced by one space up to 7 % of total required vehicle parking spaces. Mixed-use developments using this provision shall provide bicycle parking indoors.

b. Sites where at least 20 parking spaces are required and where at least one street lot line abuts a designated arterial roadway, transit supportive plazas may be substituted for up to 5% of required vehicle parking.

1. The plaza must be adjacent to the arterial street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.

2. The plaza must be at least 300 sq. ft. in area and be shaped so that a 10 foot by 10 foot square will fit entirely within the plaza.

3. The plaza must be open to the public, contain a bench or other sitting area, contain a shelter or other weather protection covering at least 20 sq. ft., and shall have at least 10% and no more than 25% landscaping.

c. Building Orientation/Site Design Incentive. Developments which incorporate all of the following building orientation/site design characteristics into the site plan shall be eligible for a 5% reduction in required on-site parking.

1. Build to the Sidewalk. Buildings located as close as possible to the public street and sidewalk, preferably at the minimum required setback. Primary entrance shall be oriented toward the street.

2. Provide public spaces. Commercial development should provide spaces for civic

interaction. To make these more accessible and accommodating to the public, pedestrian plazas, street furniture and landscaped open spaces should be incorporated as site amenities.

3. Build to the corner. Buildings on corner lots should be located on the street corner with building frontage on both streets with primary entrances oriented toward the intersection. If no buildings are located at street corners, pedestrian plazas and amenities should provide a focus for the area. Intersection vision clearance standards shall apply.

4. Pad Development. Pad development should be located at the corners of a development or at the intersection created by the site driveway with the public street. The location and site design of pad development should integrate seamlessly with the on-site pedestrian circulation plan and all off-site pedestrian, bicycle and transit facilities.

3. A request to reduce the required minimum parking more than 20% is subject to a Type II Variance procedure.

F. Parking in City Center (CX) Zone

The following minimum requirements shall apply, in accordance with Section 20.630.050 (Parking Control), in all areas zoned City Center District (CX):

Table 20.945.070-1 CX District Parking Space Requirements	
Land Use	Parking Requirements
Residential	1 space/dwelling unit
Transient Lodging	1/space/living unit
Congregate Care Facilities	1 space/two (2) living units
All other uses	1 space/1,000 sq. ft. of floor area

G. Parking in Transit Overlay District

Developments located within the Transit Overlay District may be subject to special parking standards contained in VMC 20.550.

H. Application of Parking Requirements

1. Notwithstanding any other requirement of this chapter, no parking shall be required for any commercial use located in an existing structure which abuts Main Street between Fifth Street and McLoughlin Boulevard, up to and including the first two floors above street level, and any basement levels. The requirements for uses in all floors of three stories or above shall be the same as that in all other areas in the City Center District (CX).

2. In addition, notwithstanding any other requirements of this chapter, requirements for off-street parking shall not apply within the Community Commercial District (CC) extending from McLoughlin Boulevard to Fourth Plain Boulevard in the event of a change in commercial occupancy of a building or of a remodeling of a commercial structure if the original floor area is not exceeded by 25%. This provision does not apply to conversion of residential occupancy to commercial occupancy. The requirements for off-street parking for the Community (CC) Commercial District within this area shall be based on the City Center (CX) District Parking Requirements of VMC Table 20.945.070-1 and shall only be for the total area of additions in excess of 25% of the floor area in existence on July 19, 2010.

3. Commercial uses in the CN, Neighborhood Commercial District may count available on-

street parking spaces which are immediately adjacent to the development toward the minimum on-site parking requirement.

4. Parking stalls used for Electric Vehicle Basic Charging Stations and Rapid Charging Stations shall be counted toward the minimum number of required parking stalls in a development.

I. Use of Public Parking

The requirements for off-street parking can be satisfied by execution of a long-term lease for a segment of equivalent parking in an existing public or private parking facility. Lease fees in public facilities would be at market rates as established and adjusted by the Vancouver City Council after considering the advice of the Parking Advisory Committee. Continued leasing of such space shall be required, and failure to provide the required parking shall be cause for revocation of the occupancy permit for the structure involved.

J. Specific requirements for minimum parking. Parking shall be provided for uses as per Table 20.945.070-2 below.

Table 20.945.070-2
Minimum Off-Street Vehicle Parking Requirements

Use	Minimum
RESIDENTIAL	
Household Living	See Housing Types below
Group Living	1 space/7 residents served under age 12 1 space per resident served ages 12-17

	1 space per resident served age 18 or older
Transitional Housing	1:3 beds
Home Occupation	None
HOUSING TYPES	
Single Dwelling, Attached	1.0/DU ¹
Single Dwelling, Detached	1.0/DU
Accessory Dwelling Units	1.0/DU
Duplexes	1.0/DU
Multi-Dwelling Units	1.5/DU ⁴
Manufactured Home Subdivisions	1.0/DU
Manufactured Home Parks	1.0/DU
CIVIC (Institutional)	
Basic Utilities	None
Community Centers	Per Approved Parking Study
Community Recreation	Per Approved Parking Study
Cultural Institutions	1:400 sq. ft.
Day Care	
- Child Care	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 children served
- Adult Day Care	Family Day Care Home: none Institutional: 1.0/employee + 1.0/12 clients served
- Dog Day Care	1.0/employee + 1.0/12 animals served
Emergency Services	1:300
Human Service Facilities	Refer to specific use type
Medical Centers	1.0/4 beds (hospital, residential care center); 1.0/2 beds for patients or residents (convalescent hospital, nursing home, congregate care facility)
Parks/Open Space	
- Neighborhood Parks	Parks Department to Determine
- Community Parks	
- Regional Parks	
- Trails	None
Postal Service	1:300
Religious Institutions	1.0/6 seats or 12' of bench in main assembly area
Social/Fraternal Clubs	1/100
Transportation Facility	None

Schools	
- Preschool	2/classroom
- Elementary and Middle	1 space/4 seats or 8 feet of bench length in auditorium or assembly room, whichever is greater
- High School	1 space/employee, plus 1 space/each 6 students, or 1 space/4seats or 8 feet of bench length in auditorium, whichever is greater.
- College* *Classrooms = 30 students Lecture halls require additional parking of 12 spaces per 30 seats. Additional parking may be required as determined by Planning Official.	1/ space/3 seats in classroom
COMMERCIAL	
Commercial and Transient Lodging	1.0/lodging unit
Eating/Drinking Establishments	1/250
Entertainment-Oriented	
- Adult Entertainment	Refer to specific use, i.e. theater, book or video store
Indoor Entertainment	
- Movie/Live Performance Theaters	1.0/6 seats or 12' bench
- Skating Rinks/Arcades	1.0/150
- Bowling Alleys	5 spaces per lane
- Shooting Ranges	1 space per lane
- Major Event Entertainment	1.0/6 seats or 12' bench
General Retail	
- Sales-Oriented	1/300
- Personal Services	1/400
- Repair-Oriented	1/400
- Bulk Sales	(a) Properties with less than 10,000 square feet of open sales or rental area shall provide 1 space for each one thousand square feet of gross floor area, plus one space for each 2,500 sq. ft of open sales or rental area. (b) Properties with 10,000 square feet or more of open sales or rental area shall provide 1 space for each 1,000 square feet of gross floor area, plus 4 spaces, plus one 1 space for each 10,000 square feet of open sales or

	rental area in excess of 10,000 sq. ft.
- Outdoor Sales	Same as Bulk Sales
Animal Kennel/shelters	1/600 plus 1 per employee
Motor Vehicle Related	
- Motor Vehicle Sales/Rental	(a) Properties with less than 10,000 square feet of open sales or rental area shall provide 1 space for each one thousand square feet of gross floor area, plus one space for each 2,500 sq. ft. of open sales or rental area. (b) Properties with 10,000 square feet or more of open sales or rental area shall provide 1 space for each 1,000 square feet of gross floor area, plus 4 spaces, plus one 1 space for each 10,000 square feet of open sales or rental area in excess of 10,000 sq. ft.
- Motor Vehicle Servicing/Repair	1/500
- Vehicle Fuel Sales ³	No less than 2
- Elec. Vehicle Re-charging Station	None
Office	
- General	1/400
- Medical	1/200
- Extended	1/300
Non-Accessory Parking	N/A
Self-Service Storage	Based on area of office
Marina	
INDUSTRIAL	
Industrial Services	1/600
Manufacturing and Production	1/800
Railroad Yards	None
Research and Development	1/600
Warehouse/Freight Movement	1/2000
Wholesale Sales	1/1250
Waste-Related	1 space per 200 sq. ft. of office space, plus 1 space per employee
OTHER	
Agriculture/Horticulture	None
Airport/Airpark	None
Cemeteries	1.0/6 seats or 12' of bench in chapels
Detention Facilities	1.0/3 beds

Heliports	None
Mining	1 per employee maximum shift
Rail Lines/Utility Corridors	None
Temporary Uses	None
Wireless Communication Facilities	One

¹ DU=Dwelling Unit

² Does not include outpatient clinics or medical offices; see Medical/Dental Offices.

³ Gasoline stations offering other retail goods for sale, in enclosed spaces accessible by the customer, shall also comply with the parking requirements for convenience stores. Gasoline stations providing vehicle repair or maintenance services shall also comply with the parking requirements for vehicle repair or service facilities.

⁴ Senior multi-family housing project shall provide on-site parking at a minimum rate of one space per dwelling unit.

Section 13. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 14. This Ordinance shall be effective thirty days after adoption.

Read first time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2018.

Anne McEnery-Ogle, Mayor

Natasha Ramras, City Clerk

By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

ORDINANCE - 87

E. Bronson Potter, City Attorney

ORDINANCE - 88

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE repealing the current chapter 20.870 VMC relating to the siting of Human Services Facilities; amending chapters 20.160 VMC Use Classifications, 20.180 VMC Fees, 20.225 Summary of Land Use Permits, 20.410 Lower Density Residential Districts, 20.420 Higher Density Residential Districts, 20.430 Commercial and Mixed Use Districts, 20.440 Industrial Districts, 20.450 Open Space Districts, 20.945 Parking and Loading; and providing for an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at (360) 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).



City of Vancouver • P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

August 30, 2018 - SEPA Determination of Non-Significance (DNS) for Proposed Amendments to Vancouver Municipal Code Title 20 entitled "Land Use and Development Code" regarding the Siting of Human Services Facilities, as well as related amendments.

Proposal:

1. Repeal VMC 20.870 "Human Services Facilities Siting" in its entirety in order for the City to gain compliance with Title VIII of the Civil Rights Act (the Fair Housing Act), and Federal Court of Appeals 9th Circuit guidance regarding disparate treatment of individuals based on user status, rather than specified land use impacts; deletion of this chapter will eliminate minimum spacing requirements and a separate permit approval process for Human Service Facilities;
2. Revise VMC 20. 160 "Use Classifications" to:
 - a. Delete "Transitional Housing" and "Human Service Facilities" as use classifications;
 - b. Amend "Medical Centers" to include Drug and Alcohol Treatment;
 - c. Amend "Religious Institutions" to allow for such uses to shelter, feed, or provide other services to the poor as an extension of their ministry;
 - d. Amend "Commercial Lodging" to include shelters and rename "Commercial and Transient Lodging";
 - e. Amend "Eating and Drinking Establishments" to include group meal service
 - f. Amend "General Retail – Sales Oriented" to include food and clothing pantries;
 - g. Amend "Warehouse/Freight Movement" to include food banks;
 - h. Add Community Centers as a new use classification to include homeless day centers;
3. Revise VMC 20.210 "Summary of Development Application Types" to delete Human Service Facilities – Collocation and Human Service Facilities – Initial/Spacing Modifications;
4. Revise VMC 20.410.030-1 "Lower Density Residential Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers, modify Commercial Lodging title;
5. Revise VMC 20.420.030-1 "Higher Density Residential Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers as conditional uses in all districts, modify Commercial Lodging title to include "and Transient," add footnotes referencing performance standards for community centers

and certain eating and drinking facilities and commercial and transient lodging uses. ***Possible alternative language: Eliminate references to specific performance standards for all community centers and eating and drinking establishments where customers have a specified meal time (e.g. group meal service);***

6. Revise VMC 20.430.030-1 "Commercial and Mixed Use Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Center as a conditional use in all districts except CN where it would be prohibited, modify Commercial Lodging title to include "and Transient" and allow as conditional use in CG, CX and RGX districts if guests must check in at the same time (otherwise permitted outright), add footnotes referencing performance standards for community centers and certain eating and drinking facilities and commercial and transient lodging uses, modify miscellaneous footnotes. ***Possible alternative language: Eliminate language that distinguishes between lodging where guests must check in at the same time (e.g. shelters) and other lodging and allow all commercial lodging outright except in the CN Neighborhood Commercial District where it would be prohibited and the CC Community Commercial District where it would be a conditional use; Eliminate language that distinguishes between eating and drinking establishments where customers are served meals at specific times (e.g. group meal service) and other restaurants and allow all eating and drinking establishments outright in all commercial zoning districts; Eliminate references to specific performance standards for community centers, group meal service, and shelters;***
7. Revise VMC 20.440.030-1 "Industrial Zoning Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Center as a limited use in the OCI, IL and ECX districts subject to certain performance standards (prohibited in the IH District), modify Commercial Lodging title and allow as limited use in IL District if guests must check in at the same time (otherwise prohibited) and as a conditional use in the ECX District if guests must check in at the same time (otherwise allowed outright), add footnotes referencing performance standards for community centers and certain eating and drinking facilities and commercial and transient lodging uses, modify miscellaneous footnotes. ***Possible alternative language: Allow community centers outright in the OCI Office Commercial Industrial District, IL Light Industrial District, ECX Employment Center Mixed Use District; Prohibit shelters from locating in the IL Light Industrial District; Eliminate language that references performance standards for community centers, shelters and group meal service;***
8. Revise VMC 20.450.030-1 "Open Space Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers as new use that is prohibited in all districts, modify Commercial Lodging title to include "and Transient," eliminate outdated industrial use categories;
9. Revise VMC 20.895.040 entitled "Miscellaneous Special Use Standards – Commercial Lodging" to modify the use classification title and add new performance standards for all commercial and transient lodging uses where customers must check in at the same

time. **Possible alternative language: Eliminate this proposed section from the ordinance;**

10. Add a new section VMC 20.895.050 entitled "Miscellaneous Special Use Standards – Community Centers" to add new performance standards for all community centers.

Possible alternative language: Eliminate this proposed section from the ordinance;

11. Add a new section VMC 20.895.080 entitled "Miscellaneous Special Standards – Eating and Drinking Establishments" to add new performance standards for Eating and Drinking Establishments where meals are served at specified times (versus customers being able to order meals at any time). **Possible alternative language: Eliminate this proposed section from the ordinance;**

12. Revise VMC 20.945.070-2 entitled "Minimum Off-Street Vehicle Parking Requirements" to delete Human Service Facilities, fix error regarding Accessory Dwelling Unit parking requirements, add new use category "Community Centers" and modify Commercial Lodging title to include "and Transient."

For more specific information including a complete draft version of proposed changes to VMC Title 20, visit the City's web page for the Human Services Facilities Siting Ordinance changes, at: <https://www.cityofvancouver.us/ced/page/human-services-facilities-siting-ordinance-changes>

Contact: Chad Elken, Director, Vancouver Community and Economic Development Department (360) 487-7882), chad.eiken@cityofvancouver.us. The City of Vancouver, lead agency, has reviewed the Environmental Checklist as required by WAC 197-11-330(1), pursuant to the State Environmental Policy Act (SEPA), and determined that the proposal will not have a probable significant adverse impact on the environment. Under the authority of WAC 197-11-330(1) and 197-11-350, this Notice of Determination of Non-Significance (DNS) has been issued.

A SEPA checklist and background information are available from City staff. Pursuant to WAC 197-11-340, comments **on this SEPA determination** will be received until **5:00 p.m., October 1, 2018**. Procedural appeals to the SEPA determination must be filed in writing within 14 calendar days following the end of the comment period. A City Council decision of the SEPA procedural appeal shall be final and not subject to further administrative appeal. Substantive SEPA appeals shall be filed in writing within 14 calendar days of the issuance of Councils decision.



Name

August 30, 2018

Date

WAC 197-11-960: SEPA ENVIRONMENTAL CHECKLIST

ANNUAL REVIEW REQUESTS

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: Proposed text amendments to Vancouver Municipal Code Title 20 entitled "Land Use and Development Code" regarding the repeal of Chapter 20.870 "Human Services Facilities Siting," and related amendments pertaining to land use regulations for human service facilities. Proposed amendments would apply to all properties within the City of Vancouver.

2. Name and contact information of applicants: Chad Eiken, City of Vancouver,
Chad.eiken@cityofvancouver.us, 360-487-7882

4. Date checklist prepared: August 30, 2018

5. Agency requesting checklist: City of Vancouver, WA

6. Proposed timing or schedule (including phasing, if applicable): A public hearing is scheduled before the Vancouver Planning Commission on Tuesday September , at 6:30 p.m. A hearing before the Vancouver City Council is anticipated to be scheduled in November. Both hearings will be held at Vancouver City Council Hall, 415 W 6th St., Vancouver, WA, 98660.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None known

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. None known.

10. List any government approvals or permits that will be needed for your proposal, if known. City Council approval of an ordinance with the proposed changes is needed.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

WAC 197-11-960: SEPA ENVIRONMENTAL CHECKLIST

Important Note: Based on Planning Commission and City Council input at public workshops, the draft ordinance contains alternative language in numerous places (indicated in the draft ordinance in ***bold italics***) that may be substituted for the draft language as indicated. The alternative language would have the practical effect of lessening permitting and operating requirements on social service providers. This review considers environmental impacts from both approaches in order to allow for public comment on both approaches.

Proposed substantive changes:

1. Repeal VMC 20.870 "Human Services Facilities Siting" in its entirety in order for the City to gain compliance with Title VIII of the Civil Rights Act (the Fair Housing Act), and Federal Court of Appeals 9th Circuit guidance regarding disparate treatment of individuals based on user status, rather than specified land use impacts; deletion of this chapter will eliminate minimum spacing requirements and a separate permit approval process for Human Service Facilities;
2. Revise VMC 20. 160 "Use Classifications" to:
 - a. Delete "Transitional Housing" and "Human Service Facilities" as use classifications;
 - b. Amend "Medical Centers" to include Drug and Alcohol Treatment;
 - c. Amend "Religious Institutions" to allow for such uses to shelter, feed, or provide other services to the poor as an extension of their ministry;
 - d. Amend "Commercial Lodging" to include shelters and rename "Commercial and Transient Lodging";
 - e. Amend "Eating and Drinking Establishments" to include group meal service
 - f. Amend "General Retail – Sales Oriented" to include food and clothing pantries;
 - g. Amend "Warehouse/Freight Movement" to include food banks;
 - h. Add Community Centers as a new use classification to include homeless day centers;
3. Revise VMC 20.210 "Summary of Development Application Types" to delete Human Service Facilities – Collocation and Human Service Facilities – Initial/Spacing Modifications;
4. Revise VMC 20.410.030-1 "Lower Density Residential Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers, modify Commercial Lodging title;
5. Revise VMC 20.420.030-1 "Higher Density Residential Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers as conditional uses in all districts, modify Commercial Lodging title to include "and Transient," add footnotes referencing performance standards for community centers and certain eating and drinking facilities and commercial and transient lodging uses. ***Possible alternative language: Eliminate references to specific performance standards for all community centers and eating and drinking establishments where customers have a specified meal time (e.g. group meal service);***
6. Revise VMC 20.430.030-1 "Commercial and Mixed Use Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Center as a conditional use in all districts except CN where it would be prohibited, modify Commercial Lodging title to include "and Transient" and allow as conditional use in CG, CX and RGX districts if guests must check in at the

WAC 197-11-960: SEPA ENVIRONMENTAL CHECKLIST

same time (otherwise permitted outright), add footnotes referencing performance standards for community centers and certain eating and drinking facilities and commercial and transient lodging uses, modify miscellaneous footnotes. **Possible alternative language: Eliminate language that distinguishes between lodging where guests must check in at the same time (e.g. shelters) and other lodging and allow all commercial lodging outright except in the CN Neighborhood Commercial District where it would be prohibited and the CC Community Commercial District where it would be a conditional use; Eliminate language that distinguishes between eating and drinking establishments where customers are served meals at specific times (e.g. group meal service) and other restaurants and allow all eating and drinking establishments outright in all commercial zoning districts; Eliminate references to specific performance standards for community centers, group meal service, and shelters;**

7. Revise VMC 20.440.030-1 "Industrial Zoning Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Center as a limited use in the OCI, IL and ECX districts subject to certain performance standards (prohibited in the IH District), modify Commercial Lodging title and allow as limited use in IL District if guests must check in at the same time (otherwise prohibited) and as a conditional use in the ECX District if guests must check in at the same time (otherwise allowed outright), add footnotes referencing performance standards for community centers and certain eating and drinking facilities and commercial and transient lodging uses, modify miscellaneous footnotes. **Possible alternative language: Allow community centers outright in the OCI Office Commercial Industrial District, IL Light Industrial District, ECX Employment Center Mixed Use District; Prohibit shelters from locating in the IL Light Industrial District; Eliminate language that references performance standards for community centers, shelters and group meal service;**
8. Revise VMC 20.450.030-1 "Open Space Districts Use Table" to delete Transitional Housing and Human Service Facilities, add Community Centers as new use that is prohibited in all districts, modify Commercial Lodging title to include "and Transient," eliminate outdated industrial use categories;
9. Revise VMC 20.895.040 entitled "Miscellaneous Special Use Standards – Commercial Lodging" to modify the use classification title and add new performance standards for all commercial and transient lodging uses where customers must check in at the same time. **Possible alternative language: Eliminate this proposed section from the ordinance;**
10. Add a new section VMC 20.895.050 entitled "Miscellaneous Special Use Standards – Community Centers" to add new performance standards for all community centers. **Possible alternative language: Eliminate this proposed section from the ordinance;**
11. Add a new section VMC 20.895.080 entitled "Miscellaneous Special Standards – Eating and Drinking Establishments" to add new performance standards for Eating and Drinking Establishments where meals are served at specified times (versus customers being able to order meals at any time). **Possible alternative language: Eliminate this proposed section from the ordinance;**

WAC 197-11-960: SEPA ENVIRONMENTAL CHECKLIST

12. Revise VMC 20.945.070-2 entitled "Minimum Off-Street Vehicle Parking Requirements" to delete Human Service Facilities, fix error regarding Accessory Dwelling Unit parking requirements, add new use category "Community Centers" and modify Commercial Lodging title to include "and Transient."

For more specific information including a complete draft version of proposed changes to VMC Title 20, visit the City's web page for the Human Services Facilities Siting Ordinance changes, at: <https://www.cityofvancouver.us/ced/page/human-services-facilities-siting-ordinance-changes>

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed changes will apply to all properties and zoning districts within the City of Vancouver limits.

B. ENVIRONMENTAL ELEMENTS

1. EARTH: Not Applicable to Non-Project Actions

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____ Does Not Apply

b. What is the steepest slope on the site (approximate percent slope)? Does Not Apply

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Does Not Apply

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Does Not Apply

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Does Not Apply

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Does Not Apply

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Does Not Apply

h. Proposed measures to reduce erosion or other impacts to the earth, if any:
Does Not Apply

2. AIR: Not Applicable to Non-Project Actions

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Does Not Apply

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Does Not Apply

c. Proposed measures to reduce or control emissions or other impacts to air, if any: Does Not Apply

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3. WATER: Not Applicable to Non-Project Actions

a. Surface Water: Not Applicable to Non-Project Actions

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. Does Not Apply
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. Does Not Apply
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. Does Not Apply
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. Does Not Apply
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Does Not Apply
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. Does Not Apply

b. Ground Water: Not Applicable to Non-Project Actions

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. Does Not Apply
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. Does Not Apply

c. Water runoff (including stormwater): Not Applicable to Non-Project Actions

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. Does Not Apply
- 2) Could waste materials enter ground or surface waters? If so, generally describe. Does Not Apply
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. Does Not Apply

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: Not Applicable to Non-Project Actions

4. PLANTS: Not Applicable to Non-Project Actions

a. Check the types of vegetation found on the site:

- ___deciduous tree: alder, maple, aspen, other
- ___evergreen tree: fir, cedar, pine, other
- ___shrubs
- ___grass
- ___pasture
- ___crop or grain
- ___Orchards, vineyards or other permanent crops.
- ___wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___water plants: water lily, eelgrass, milfoil, other

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____ other types of vegetation Does Not Apply

- b. What kind and amount of vegetation will be removed or altered? Does Not Apply
 - c. List threatened and endangered species known to be on or near the site. Does Not Apply
 - d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Does Not Apply
 - e. List all noxious weeds and invasive species known to be on or near the site. Does Not Apply
5. **ANIMALS:** Not Applicable to Non-Project Actions
- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: Does Not Apply

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. Does Not Apply
 - c. Is the site part of a migration route? If so, explain. Does Not Apply
 - d. Proposed measures to preserve or enhance wildlife, if any: Does Not Apply
 - e. List any invasive animal species known to be on or near the site. Does Not Apply
6. **ENERGY & NATURAL RESOURCES:** Not Applicable to Non-Project Actions
- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Does Not Apply
 - b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Does Not Apply
 - c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Does Not Apply

7. **ENVIRONMENTAL HEALTH:** Not Applicable to Non-Project Actions

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. Does Not Apply
Describe any known or possible contamination at the site from present or past uses. Does Not Apply
 - 1) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. Does Not Apply
 - 2) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Does Not Apply
 - 3) Describe special emergency services that might be required. Does Not Apply
 - 4) Proposed measures to reduce or control environmental health hazards, if any: Does Not Apply

b. **Noise:** Not Applicable to Non-Project Actions

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? Does Not Apply
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Does Not Apply
- 3) Proposed measures to reduce or control noise impacts, if any: Does Not Apply

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8. LAND AND SHORELINE USE:

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. See response to Question _ under Non-Project Actions.
 - b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? Does Not Apply
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: Does Not Apply
 - c. Describe any structures on the site. Applies to all properties within the City of Vancouver limits.
 - d. Will any structures be demolished? If so, what? Does Not Apply
 - e. What is the current zoning classification of the site? See previous response 8a
 - f. What is the current comprehensive plan designation of the site? See previous response 8a
 - g. If applicable, what is the current shoreline master program designation of the site? Does Not Apply
 - h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Does Not Apply
 - i. Approximately how many people would reside or work in the completed project? Specific projections are not obtainable for non-project actions.
 - j. Approximately how many people would the completed project displace? None anticipated
 - k. Proposed measures to avoid or reduce displacement impacts, if any: Does not apply
 - l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Does Not Apply
 - m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: Does Not Apply
9. HOUSING: Not Applicable to Non-Project Actions
- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Does not apply
 - b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. Does Not Apply
 - c. Proposed measures to reduce or control housing impacts, if any: Does Not Apply
10. AESTHETICS: Not Applicable to Non-Project Actions
- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Does Not Apply
 - b. What views in the immediate vicinity would be altered or obstructed? Does Not Apply
 - c. Proposed measures to reduce or control aesthetic impacts, if any: Does Not Apply
11. LIGHT & GLARE: Not Applicable to Non-Project Actions
- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Does Not Apply
 - b. Could light or glare from the finished project be a safety hazard or interfere with views? Does Not Apply
 - c. What existing off-site sources of light or glare may affect your proposal? Does Not Apply
 - d. Proposed measures to reduce or control light and glare impacts, if any: Does Not Apply
12. RECREATION: Not Applicable to Non-Project Actions
- a. What designated and informal recreational opportunities are in the immediate vicinity?

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Does Not Apply

b. Would the proposed project displace any existing recreational uses? If so, describe. Does Not Apply

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: Does Not Apply

13. HISTORIC & CULTURAL PRESERVATION: Not Applicable to Non-Project Actions

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. No

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. Does Not Apply

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Does Not Apply

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. Does Not Apply

14. TRANSPORTATION: Not Applicable to Non-Project Actions

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. Does Not Apply

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Does Not Apply

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Does Not Apply

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Does Not Apply

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. Does Not Apply

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? Does Not Apply

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. Does Not Apply

h. Proposed measures to reduce or control transportation impacts, if any: Does Not Apply

15. PUBLIC SERVICES: Not Applicable to Non-Project Actions

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. No impacts anticipated. There has been no data discovered that would suggest that human service needs-related facilities result in increased public services than other similar commercial uses, except for perhaps public transit. The proposed changes would make it easier to locate certain human service facilities in close proximity to transit by eliminating existing spacing requirements between such facilities.

b. Proposed measures to reduce or control direct impacts on public services, if any. Does Not Apply

16. UTILITIES: Not Applicable to Non-Project Actions

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,

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other _____ Does Not Apply

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. Does Not Apply

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee _____ Chad Eiken

Position and Agency/Organization

Director, Vancouver Community and Economic Development Department

Date Submitted: August 30, 2018

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No impacts anticipated – proposal is to amend the City's land use and development code with regard to the siting of human service-related facilities.

Proposed measures to avoid or reduce such increases are: NA, see above

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Does not apply - see #1.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Does not apply.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is to amend a number of city code provisions which regulate human service facilities in the City of Vancouver. No impacts to energy or natural resources have been identified.

Proposed measures to protect or conserve energy and natural resources are:

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Does not apply.

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

No impacts are likely. Project does not involve any construction.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Does not apply.

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans**

The proposed ordinance would apply to all properties in the City and all zoning districts. The elimination of the Human Service Facilities Siting Ordinance will make it easier for social service providers to locate their facility without having to meet certain minimum spacing requirements from other services.

Such services will be combined with the most similar use designation in the Land Use and Development Code, and treated in the same manner (e.g. allowed outright, by conditional or limited use, or prohibited), with two notable exceptions: Shelters, and group meal service have been identified as having slightly different operating characteristics as other types of commercial lodging and eating and drinking establishments, respectively, in regard to when guests check in (shelters) or are served meals (group meal service).

Elimination of the minimum spacing requirements may result in more than one social service provider locating adjacent to or in close proximity to another existing facility. No specific impacts have been identified from the ability to co-locate (although some neighborhood advocates have indicated concerns with this), however the use of conditional use permits for shelters and related facilities and group meal service and related facilities would provide the public with an opportunity to review and comment on specific impacts at the time a facility is proposed. It is worth noting that the current Human Services Siting Ordinance, which has been in effect since 1991, already provides for an option for a social service provider to co-locate next to an existing facility when it will result in efficiencies for the clients to be served.

Possible adverse impacts identified from these minor operating differences to nearby properties include clients congregating outside such facilities waiting for their specific check-in or meal time which can block sidewalks, result in storage of personal belongings in public areas, and increased solid waste and litter.

As noted above, a proposed alternative approach to the draft ordinance would not distinguish between shelters and other commercial lodging, nor group meal service and other types of restaurants, and therefore shelters would be allowed wherever commercial lodging is allowed, and group meal service would be allowed wherever other eating and drinking establishments are allowed. Additionally, no performance standards would apply under the alternative approach.

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Proposed measures to avoid or reduce shoreline and land use impacts are:

Due to the potential impacts noted above, the draft ordinance would provide for an increased amount of public notification and input into the proposed siting of shelters, day centers, and group meal service facilities through a conditional use permit process, and would also require that such facilities adhere to a number of performance standards such as implementing a litter control plan, providing an indoor waiting area for clients, prohibiting outdoor storage, requiring sufficient restroom facilities to serve the expected number of clients, etc.

The alternative language indicated in the draft ordinance would treat shelters exactly the same as other commercial lodging; that is, if a hotel or motel is allowed outright or by conditional use permit in a zoning district, then the same rules would apply to a shelter. Similarly, if eating and drinking establishments are allowed outright in a zoning district, group meal service would also be allowed outright. While no specific performance standards would apply to such uses in the alternative approach, impacts would be need to be handled on a complaint-basis with the City working with individual property owners and service providers to address identified issues.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No changes are anticipated to demands for transportation or public services or utilities; the proposed removal of the minimum spacing requirements between new human service agencies will make it easier to site such uses nearer to public transit lines.

Proposed measures to reduce or respond to such demand(s) are:

NA

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal does not conflict with local, state, or federal laws or requirements for the

City Fact Sheet



August 28, 2018

Human Services Facilities Siting Ordinance Changes

Problem Statement

In order to address a recent ruling from the federal court system (9th Cir. Court of Appeals), the City Council has determined that the Human Services Facilities (HSF) Siting Ordinance - which establishes mandatory dispersal and operational requirements for uses which serve the poor (e.g. shelters, food pantries, day centers, group meal service, etc.) – should be repealed and replaced in order to bring it into compliance with applicable laws that prohibit discrimination against people based on their familial status or disabilities.

Ordinance History

In 1991, in response to neighbor concerns regarding a perceived overconcentration of shelters, soup kitchens and related services in the downtown and their negative effects, the City Council convened a task force consisting of neighborhood representatives, service providers, and business owners to discuss options for dispersing such services to other parts of the city. The City Council subsequently adopted the task force recommended changes to the City's Land Use and Development Code (VMC Title 20) to require new human services uses to be spaced from 1,320 feet to as much as one mile from other similar uses, and that such uses meet a number of performance standards such as providing a litter control plan, sufficient restroom facilities, an indoor waiting area for clients, etc. Since 1991, approximately 32 service-related uses have been approved or exempted under the ordinance. Recent crime statistics from Vancouver Police Department indicate that there is no significant correlation between human services and an increase in crime.

What are Human Services Facilities?

City code defines Human Service Facilities as *“(a)ny office, store, assembly place or facility, the general purpose of which is to provide human need services directly and at no or reduced cost to individuals who do not have the means, ability or opportunity to obtain such services themselves. Offices or clinics where medical, dental, psychological or other such essential human services are provided shall not be considered human service facilities unless low or no cost services are provided to more than 50% of patients or clients. Human Service Facilities that*

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provide on-site food, shelter and/or sleeping accommodations or beds are contained in 20.160.020(A)(3) VMC Transitional Housing.” Typical HSF uses include: Shelters, group meal service, homeless day centers, food banks, food and clothing pantries, counseling offices, and medical and dental clinics.

How does the Human Services Facilities Siting Ordinance work?

New human service facilities that are proposed (or existing ones plan to expand) must be approved by the City's Hearing Examiner at a public hearing, and must meet certain minimum spacing requirements and adhere to a set of performance standards. HSF uses are classified into Class 1 facilities (shelters and drug/alcohol treatment centers); Class 2 (other HSF uses serving 75 or more clients on average per day); Class 3 (other HSF uses serving between 20 and 74 clients on average per day); and Exempt (HSF uses serving 19 or fewer clients on average per day). Class 1 facilities may not locate within one mile of another Class 1 facility or within 1,320 feet from any Class 2 or 3 facility. Class 2 facilities may not locate within 1,320 feet of another Class 1, 2 or 3 facility. No more than four Class 3 facilities may locate within 2,000 feet of each other. Additionally, all HSF uses must adhere to performance standards that include: 1) following a litter control plan; 2) ensuring sufficient parking and restrooms to serve the intended number of clients at peak periods; 3) all activities shall be conducted inside a building; 4) following a building and property maintenance plan; and 5) outdoor waiting areas may be restricted.

Why is the City proposing to repeal and replace the HSF Ordinance?

In short, the ordinance makes it more difficult to site or expand uses which serve people who cannot afford to pay for such services, and therefore treats them more restrictively than other similar commercial uses where clients or customers do pay for services; additionally, the ordinance was based on perceived stereotyped behaviors of clients who might access such services (versus data that supports the spacing requirements), as acknowledged by the Task Force's report in 1991. For example, the only operational difference between a food or clothing pantry and a grocery store/retail clothing store is that one set of customers is paying for their goods whereas the other is not. Without data to support that there is a material difference in impacts, this disparate treatment under the law is prohibited and susceptible to a legal challenge under recent findings by the Federal 9th Circuit Court of Appeals (*Cnty. House Inc. v. City of Boise*, 490 F.3d 104), 2007. In order to regulate HSF uses in a way that is legally defensible, they have to be treated the same as other similar commercial uses, unless specific operational differences (not related to the clientele or ability to pay for services) can be identified.

What are the key aspects of the draft replacement ordinance?

In 2016, City Council directed staff to propose changes to the City's Land Use and Development Code (VMC

Title 20) that would address the legal concerns with how HSF uses are regulated and – to the extent possible – propose development standards that would respond to potential neighborhood impacts.

Proposed Changes:

1. The current minimum spacing requirements between HSF uses would be eliminated.
2. Current HSF uses would be incorporated into their most similar commercial use classification, as follows:

Current HSF Use	Similar Commercial Use
Shelter	Commercial Lodging
Group Meal Service	Eating & Drinking Establishment
Day Center	Community Center (new category)
Food/Clothing Pantry	Retail – Sales Oriented
Free Medical Clinic	Medical Office
Counseling (Job, Psychological, etc.)	General Office
Food Bank	Warehouse & Distribution
Job/Skills Training	Retail – Personal Services

3. HSF uses would be allowed in zoning districts wherever their assigned similar commercial uses are allowed, and according to any special review process (such as a conditional use permit which requires a public hearing) and associated development standards.
4. Of the HSF uses, only shelters and group meal service have been identified as having operational differences from their similar commercial uses due to all clients only being allowed to access the facility at meal times or at a defined check-in time, which may result in secondary impacts (e.g. blocking of sidewalks, litter, surge in restroom facility use, etc.). As such, specific development standards would apply to such uses and not the similar commercial use, and in some zoning districts, uses which serve meals at a certain time only or require check-in at one time, would require additional review for site-specific impacts through a conditional use permit process.
5. At a May workshop with City Council, staff was asked to consider an alternative approach to a replacement ordinance that would make it easier for social service providers to locate in the City and, therefore the draft ordinance contains alternative language to the Planning Commission's version (shown in red type), in order to allow the public to review and comment on both possible approaches.

What are the practical implications of this to my business or neighborhood?

Human service facilities such as shelters, group meal service, day centers, etc. would be allowed wherever other similar commercial uses are allowed. Human service uses would continue to be prohibited in single family residential districts. Because commercial uses are only allowed in multi-family residential zoning districts under

very limited circumstances (e.g. small retail stores in planned developments or in approved mixed use buildings), there will be very few changes to residential neighborhoods, if any. Most of the uses (except for food banks) would be allowed in commercial districts. In the Planning Commission's draft version, shelters and group meal service would require a conditional use permit in commercial districts with public notice and a public hearing to consider potential impacts to nearby properties, and conditions attached to such uses may be strictly enforced even years after the approval is granted.

What are the practical implications to service providers?

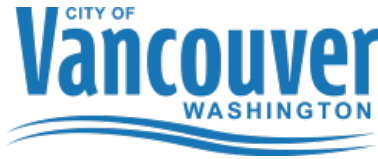
There will no longer be a separate application process just for human services facilities, nor will there be any minimum spacing requirements between other service providers. Existing providers that need to expand their facilities but currently cannot because another facility is "too close" could do so. Service providers would be able to locate their facility in any zoning district that allows its similar commercial use which would make it easier for them to find a property that meets their needs. One exception to this is that food banks, which are currently allowed in commercial districts, would only be allowed in certain industrial districts as a "warehouse and distribution" use, but existing food banks in commercial districts would be allowed to remain. Community Centers would be a new use classification created by pulling out certain uses from the "Community Recreation" classification and would incorporate homeless day center as a use. Although community centers are currently allowed in Single Family Residential Districts as "Community Recreation," the new "Community Center" use would be prohibited in single family districts. A proposed use table which shows where the HSF uses (when combined with their similar commercial use) would be allowed under the draft ordinance may be viewed at <https://www.cityofvancouver.us/ced/page/human-services-facilities-siting-ordinance-changes>.

What has been the public process so far, and will there be opportunities for public comment?

As of August 28, there have been six public workshops with the City Planning Commission and five public workshops with the City Council, where staff has described the reasons for the proposed changes, possible approaches to bring the ordinance into compliance, and received feedback and direction. A draft ordinance is now available for public review and comment (see address below to mail comments). Following a public comment period and environmental analysis, the Planning Commission will hold a public hearing on the draft ordinance (scheduled for September 25th at 6:30pm, City Hall) and will make their recommendation to the City Council, which will hold a separate public hearing on the final ordinance. Public comments (written or verbal testimony) will be considered at their respective hearings by the Planning Commission and City Council.

For More Information

Please visit <https://www.cityofvancouver.us/ced/page/human-services-facilities-siting-ordinance-changes> or contact Chad Eiken, Community and Economic Development Director at chad.eiken@cityofvancouver.us.



PLANNING COMMISSION MEETING MINUTES

Vancouver City Hall – Council Chambers – 415 W. Sixth Street
PO Box 1995 – Vancouver, Washington 98668-1995

www.cityofvancouver.us

Erik Paulsen • Marjorie Ledell • John S. Lee • Steve Schulte • Jack Harroun • Audrey Mattoon • Jim Atkins

Sept. 25, 2018

REGULAR MEETING

Vancouver City Hall - 415 W. Sixth Street, Vancouver WA

CALL TO ORDER AND ROLL CALL

The Sept. 25, 2018 meeting of the Planning Commission was called to order at 4:00 p.m. by Vice Chair Ledell in the Council Chambers of City Hall, 415 W. Sixth Street, Vancouver, Washington.

Present: Marjorie Ledell, Steve Schulte, Jack Harroun and Audrey Mattoon, John Lee, Jim Atkins
Absent: Erik Paulsen

EXCUSAL OF ABSENCE

Motion by Commissioner Harroun, **seconded** by Commissioner Mattoon, and **carried unanimously** to excuse the absence of Chair Paulsen.

APPROVAL OF MINUTES

Motion by Commissioner Schulte, **seconded** by Commissioner Lee, and **carried unanimously** to approve the minutes from Sept. 11, 2018 with the amendment of a typo on page two, the third line of the Housing Options Workshop summary, changing "sq. tf." to "sq. ft."

WORKSHOPS

4 P.M. DOWNTOWN PARKING POLICY DISCUSSION

Chad Eiken, Community and Economic Development Director, City and Rick Williams, President of Rick Williams Consulting

Summary

Staff presented an overview of the City's Downtown Parking Investment Policy, with Rick Williams, President of Rick Williams Consulting. They presented options for a potential update of City Council's policy around participating in public parking structures. Williams provided background on Vancouver's parking policy history, City Council's current parking policies, the goals of the downtown parking program, and analysis of other cities and their policies and decision making guidelines related to investment in public parking. Eiken presented parking initiatives that are currently underway and next steps for developing or refreshing the City's policy on parking.

Eiken stated that they will present four options for a revision of the City's parking investment policy at a future City Council workshop. The revision aims to reaffirm who the priority customer is for the potential investment of the City and clarify the City's changing role in providing parking downtown. Following

second workshop, a resolution will be drafted to formalize City Council's policy regarding investment in public parking.

PUBLIC HEARING – PART I

ITEM 1A: PROPOSED SITE-SPECIFIC COMPREHENSIVE PLAN AND ZONE MAP CHANGES FOR FOUR SEASONS RESIDENTIAL

Item Summary and Related Discussion

Rebecca Kennedy, Long Range Planning Manager, introduced the hearing item. This item was brought before the Planning Commission for a workshop on August 28th. It was originally presented as part of a larger package of Comprehensive Plan and zoning map and text changes, but the Commission requested a separate hearing on the proposal. The Planning Commission does not typically review development agreements; however this one accompanies a request for a Comprehensive Plan and zoning map change.

Bryan Snodgrass, Principal Planner, presented the staff recommendation. The proposed privately-submitted map change, the Four Seasons residential development, was noticed through the SEPA process and publication in The Columbian newspaper. The site was posted and hardcopy mailings went out to properties within 500 feet of the site. No public comments were received.

The site is bordered by NE 28th Street to the north, and is east of NE 112th Avenue. There are two areas for proposed rezoning. The main portion is zoned Community Commercial (CC) and the applicant has proposed higher density residential (R-22). The second area is zoned Mixed Use (MX) and is proposed to change to higher density residential (R-18).

Staff stated that the area is well served in terms of commercial and public facilities adjacent and nearby. The site is within the northern area of the 112th Avenue Corridor Subarea Plan. The subarea plan envisions a mix of housing types and uses of this on the site, and on the smaller secondary parcel proposed for rezone, the plan encourages the preservation of some trees on that site. Additionally, design guidelines that accompany the subarea plan would apply development in this area though they primarily apply to commercial and multifamily development.

Staff stated that the applicant submitted extensive materials in support of their request. The economic analysis argued that the site is not likely to develop for office or other large scale commercial and employment uses and that high density single family development will improve housing affordability by providing entry level homeownership opportunities at relatively low prices. The applicant has provided a traffic study indicating that the proposed rezone would result in fewer trips than would be likely under its current commercial zone. The rezone would generate approximately 11 students to attend Cascade Middle School, which is currently over capacity. Additionally, the applicant has agreed to a development agreement to ensure compliance with applicable standards and the policies of the 112th Avenue Subarea Plan.

Staff recommended approval of the proposal and adoption of the associated development agreement based on these findings.

Applicant Testimony

Phil Wuest, 7223 NE Hazel Dell Avenue, represented the applicant Ginn Development. Wuest stated that the intent of the proposal was to better implement the City's Comprehensive Plan, 112th Avenue Corridor Subarea plan, and housing goals. He stated that the smaller lot detached housing would be a good fit for this area due to the mix of housing options around it, and summarized the characteristics of the neighboring developments.

Public Testimony

Vice Chair Ledell opened Public Testimony.

James Morgan, 11306 NE 25th Street, stated that he and his neighbors were concerned about the potential traffic impact if 25th Street is extended to the proposed housing development. He also expressed his appreciation for the nearby trees and was glad to hear that the plans include preserving some of the trees. He expressed his concerns about the safety of the residents of the neighboring senior living facility. He stated that he was concerned that increased traffic in the area would lessen their ability to travel safely through the neighborhood. Finally, he noted an increase in congestion in neighborhood streets from the houses that have been built in the last few years. He concluded by reiterating that he did not want 25th Street to be extended into the development.

Rosalie Hedin, 11301 NE 25th street, stated that she bought her home understanding that the trees would be preserved and that the road would continue to be a dead end. She expressed her concerns regarding impacts to traffic in the neighborhood and impacts to the quality of the education if the school was further overcrowded.

Ratana Keo, 11221 NE 25th Street, stated that she was opposed to the road being extended because many children use the area for recreation and she has concerns for their safety.

Receiving no further testimony, Vice Chair Ledell closed Public Testimony.

Commission Deliberation

Staff replied to the concerns presented, stating that the fate of the dead end road would be considered as part of the submittal of a plan development, which would involve an additional public hearing. He also stated that the City has made a practice of considering school impact fees as part of the analysis, and in this case the impact fees would be about \$930,000 from the development of the full site as currently envisioned if developed this year.

Commissioner Atkins asked for clarification regarding the impacts of the current zoning. It was agreed that there would be significantly more traffic if the site was developed under its current designation as commercial than the proposed residential designation. Additionally, no impact fees would be paid to the school district for commercial development. Staff pointed out that the school district has raised concerns about the reliance on impact fees, as they must be spent within 6 years which does create limitations.

Vice Chair Ledell asked for further information about the effort to preserve the trees in the smaller portion of the site. Wuest stated that the conceptual site development plan for the smaller area

(currently zoned mixed use) would include 18 single family lots but 18-22% of the lot, in the area with the most dense tree cover, would be retained.

Commissioner Mattoon asked if the cul-de-sac shown in the design of the site plan for the smaller lot that would be the end of 25th Street is still planned, or if they are considering connecting 25th to the traffic circle on Angelo Drive. Wuest stated that there is a significant grade drop between the proposed cul-de-sac and the traffic circle and between that and the desire limit through traffic on 25th Street, a connection would be unlikely.

Commissioners Atkins and Harroun encouraged Ginn Development to include a pedestrian connection from the end of the cul-de-sac to Angelo Drive so that residents could easily walk to the commercial areas and park nearby.

Motion by Commissioner Atkins, **seconded** by Commissioner Harroun, and **carried unanimously** to recommend to Vancouver City Council the approval of the proposed Comprehensive Plan and zone change from Community Commercial and Mixed Use to Urban High Density R-18 and R-22, as well as the adoption of the associated development agreement with the caveat that staff include a pedestrian connection to the cul-de-sac to NE Angelo drive as indicated and based on the findings within the staff report.

ITEM 1B: ADDITIONAL PROPOSED SITE-SPECIFIC ZONE MAP CHANGES

Item Summary

Bryan Snodgrass, Principal Planner, presented the staff recommendation. 35 park sites were proposed to change to one of the various park designations or zones. Additionally, there was one change to a city owned public facilities property.

Snodgrass noted that one site at Marine Park was proposed for a split designation, but simpler than current. Columbia Way bisects the property. Buildings north of Columbia Way are proposed to retain Public Facility and IL Plan and zoning designations, while undeveloped land south of Columbia Way is proposed to be have Open Space and Park designations

Additionally, there is one private home site that has requested a map correction. It currently has a split zone, where the two thirds of the property that fronts Carlson Road is zoned R-9 single family , and the rear of the property including portions of outbuildings is zoned R-18. The proposal is to have the whole property zoned R-9.

The proposed Comprehensive Plan and zoning map corrections of these the park sites and the single home site all align with their current and intended future uses. They do not expand allowances for additional development. In doing so, the proposed changes further implement the comprehensive plan, and modestly increase transparency and accuracy of inventorying. The suggested motion would be to recommend approval of the 37 proposed Comprehensive Plan and zoning map designation changes citywide as indicated and based on the findings in the staff report.

Public Testimony

Vice Chair Ledell opened Public Testimony and hearing none, closed public testimony .

Related Discussion

No comments or questions posed by the commissioners.

Motion by Commissioner Schulte, **seconded** by Commissioner Atkins, and **carried unanimously** to forward a recommendation to Vancouver City Council to approve the 37 proposed Comprehensive Plan and zoning map designations as stated in the Staff Report.

ITEM 2: THRESHOLD LOW INCOME HOUSING PROJECTS IN COMMERCIAL ZONES ON TRANSIT LINES

Item Summary

Bryan Snodgrass, Principal Planner presented the staff recommended proposed VMC 20.430 zoning code text change to allow affordable housing developments in most commercial zoning districts and provided that at least 40 percent of the units are affordable to households earning 60 percent of area median income and are located within 1000 ft. of high capacity transit corridors.

This item was presented at Planning Commission work sessions on August 28 and September 11. It will be presented at a City Council work session October 1st as a part of general housing option issues and addressed in more detail at a work session on November 5th, with all of the proposed Comprehensive Plan and zoning map and text changes. The City Council public hearing on the matter is scheduled for December 3rd. This item was noticed as a standard code change, including SEPA circulation and publication in The Columbian newspaper. No comments were received.

Commercial zones already allow either affordable or market rate housing as part of mixed use developments that include a non-residential use typically on the first floor. Staff stated that there is a specific recommendation from the Vancouver Affordable Housing Task Force to waive the ground floor requirement for affordable housing in commercial zones. This would be consistent with the Fourth Plain Subarea policy direction, which predates the affordable housing crisis but nonetheless encourages flexibility in the commercial zone for housing. Currently there is a little over 500 acres of vacant or utilized commercial land citywide according to the County's inventory. After subtracting the amount needed roads, critical areas, etc. this would be reduced to 350 acres. Since 1990 there have been about 35 affordable housing projects citywide that would meet the proposed threshold here for affordable housing.

Staff summarized their recommendation, stating that in their view the proposal strikes a reasonable balance between providing allowances for affordable housing in areas with appropriate services, particularly transit. The proposed restrictions, however, should limit impacts to overall citywide commercial land supplies.

Public Testimony

Vice Chair Ledell opened Public Testimony and hearing none, closed public testimony .

Related Discussion

Commissioner Schulte asked why 1000 ft. was chosen for the high capacity transit boundary. Staff stated that the typical assumption for the walking distance in which transit is reasonably likely to be used is a quarter mile. 1000 ft. is chosen by rounding a quarter of a mile down to the nearest boundary length used elsewhere within City Code.

Commissioner Harroun asked what analysis has been done on the potential effect to the buildable lands inventory. Staff stated that the numbers presented in the Staff Report and public hearing presentation were derived from the Buildable Lands Inventory and that they show a relatively slow rate of consumption of commercial lands citywide, but it would depend on how much development occurs. Harroun elaborated by asking if staff had determined a forecast of how much commercial land will be used for residential purposes over time and how that may effect changes to the Urban Growth Boundary. Staff stated that the rate of attrition had not been calculated, but that existing options in city code allowing for noncommercial uses in commercial zones, such as a mixed use buildings, have been in place for several years and have not resulted in any legal challenges to the adequacy of the Vacant Lands Analysis.

Commissioner Atkins stated that he would prefer to add to the motion a requirement for staff to return to the Planning Commission with a review of any results of the code change so it may be revised as needed.

Commissioner Schulte asked the other commissioners if they were comfortable with the shift from the first proposal, 20 of the housing units be available to those making 80% of the area median income, to the revised proposal of 40% of housing units much be available to those making 60% of area median income. Commissioner Atkins stated that he was concerned that this may make the projects more difficult to finance but that he thought the restriction in general was a step in the right direction and that this proposal is a worthy experiment.

Motion by Commissioner Atkins, **seconded** by Commissioner Schulte, and **carried unanimously** to forward a recommendation to City Council to approve the zoning code change to allow affordable housing projects in commercial zones as recommended and based on findings and the staff report, except with the words ‘at least’ inserted before ‘40%’ in proposed footnote 8 to table 20.430.030-1 with the caveat that staff return to the commission three years from the date of adoption should it pass City Council.

THE COMMISSION ADJOURNED FOR BREAK AT 5:30 PM.

PUBLIC HEARING – PART II

THE COMMISSION RECONVENED AT 6:45 PM.

ITEM 3: HUMAN SERVICES FACILITIES SITING ORDINANCE REPEAL AND RELATED AMENDMENTS TO TITLE 20

Item Summary and Related Discussion

Rebecca Kennedy, Long Range Planning Manager, announced that written testimony had been submitted by the public as late as that afternoon, and that all testimony received was submitted to the official record and distributed to the Planning Commission at the meeting, if not before.

Chad Eiken, Community and Economic Development Director, and Jonathan Young, Assistant City Attorney, presented on the legal need for the Human Services Facilities (“HSF”) Siting Ordinance repeal and related amendments to Title 20, prior work done by the Planning Commission and Vancouver City Council, and the recommendation from staff.

The existing HSF siting ordinance was written in 1991 following an extensive public process to address a perceived overconcentration of shelters, group meal services, and related services in downtown Vancouver and west of I-5, and the corresponding negative effects on neighbors. Upon recommendations from a task force commissioned by the City Council, the City adopted a set of zoning laws, VMC 20.870, that resulted in the mandatory dispersal of, and operational requirements for new human service facilities. Human services facilities were defined as uses that serve the poor such as shelters, food pantries, day centers, group meal service, counseling, etc. for people who do not have the means to pay for the services themselves.

The siting restrictions of VMC 20.870 have made it increasingly difficult for service providers to find a suitable location for their use. Additionally, the City Attorney's office advised City Council in 2016 that the existing HSF siting ordinance is susceptible to legal challenge. The risks of the current HSF siting ordinance arise out of the Fair Housing Act which provides that it's unlawful to make unavailable a dwelling to any person because of race, color, religion, sex, familial status, national origin, or handicap. The word familial status is called out within the HSF siting ordinance in transitional housing which is defined as, "including public or non-profit living facilities for groups of unrelated individuals." Therefore on the face of the HSF siting ordinance is a provision that treats unrelated individuals differently and poses increased burdens on them. Within the context of the City Attorney's Office liability analysis, this creates a situation where there is facially different treatment of people based on protected status rather than specified land impacts.

Additionally, there are concerns of disparate impact. The HSF siting ordinance restricts the availability of care provided for lower income citizens. While income is not a protected class, it is frequently seen that disproportionate numbers of individuals with protected status are also included in the low income population. This creates a concern of susceptibility to legal challenge based on the possibility that the City treats somebody differently, though facially neutral, as a result of their race or other protected status.

In 2007, in *Community House vs. City of Boise* (Ninth Circuit), the court ruled that it is the municipality's burden to demonstrate that a restriction on a protected class either benefits the protected class or that the restriction responds to legitimate safety concerns that are raised by the individuals who are affected rather than stereotypes. It was found that the restrictions did not benefit the protected class. The inclination prior to the restriction was to locate human service facilities west of I-5 where transit was more available and property values and prices were lower. Additionally, the City Attorney's office found that the restriction was not in response to legitimate safety concerns raised by those affected, but rather, as the Final Report of the Social Services Siting Task Force summarizes, "fears may be based on undocumented perceptions."

Staff was directed to come forward with an ordinance that would repeal the HSF ordinance and replace it with something that would be consistent with the legal rulings. They also directed staff to come back with an ordinance that minimizes impacts on existing businesses, addresses neighbors' concerns, and treats HSF uses the same as other similar uses, to the extent possible. To accomplish this, there have been six Planning Commission workshops and four City Council workshops on the matter since May 2016. Outreach on this issue has included presentations at neighborhood groups, downtown

stakeholder groups, service providers, and homeless ideas groups, and email notifications of the SEPA determination and the draft ordinance.

Staff presented two options, labeled A or B, for the draft ordinance (and additionally allowed for their combining, if desired by the Planning Commission). Key similarities between the two versions included:

- Both ordinances would serve to insulate Title 20 from a legal challenge.
- Both would eliminate the spacing requirements for most of HSF uses
- Both would incorporate most HSF uses into the most similar use classification, and treat them the same as other uses within that classification
- Both would have the most substantial impact on Commercial zones, as the HSF uses are closely aligned with other commercial uses.
- Both would create minimal impact to residential districts

The differences between the two options include:

Option A

- Most of the human service facility uses to be allowed outright except for shelters, day centers, and group meals. Those uses would be allowed by conditional use permit ("CUP") and additional performance standards would apply.
- Shelters would be allowed outright in Light Industrial (IL) districts; allowed by a CUP in all commercial districts, except Neighborhood Commercial (CN) district where they are prohibited; and allowed in the Employment Mixed Use (ECX) zoning district
- Group meal service would be allowed by CUP in all commercial districts; all other eating/drinking establishments would be allowed outright
- Community centers would require a CUP in all commercial districts except Neighborhood Commercial districts (CN) where they are prohibited
- Performance standards apply to shelters, day centers, and group meal service only

Option B

- All lodging would be allowed outright in CX, CG, RGX and ECX districts; Allowed by CUP in CC, WX, MX districts; and prohibited in CN and IL districts
- All eating and drinking establishments allowed outright in all commercial districts
- Community centers allowed outright in all commercial districts except Neighborhood Commercial (CN) where they are prohibited.
- No performance standards would apply

THE COMMISSION ADJOURNED FOR A BRIEF BREAK AT 6:41 PM AND RECONVENED AT 6:48 PM.

Public Testimony

Vice Chair Ledell opened Public Testimony.

Kate Budd, Executive Director of Council for the Homeless, 2500 Main Street, encouraged the Planning Commission to repeal the HSF Siting Ordinance on the grounds that the ordinance disproportionately

affects people who are experiencing homelessness and in Clark County people who are experiencing homelessness are disproportionately people of color and also people who identify as lesbian, gay, bisexual and transgender. She expressed a need for a behavioral health clinic and other social services in downtown Vancouver and throughout the city. Additionally she expressed concerns about the ability of nonprofits to pay the proposed \$7,500 Conditional Use Permit fee and cover the costs of the required infrastructure requirements. She requested that the Planning Commission recommend Option B, or at least reduce the permit cost and infrastructure requirements if they choose to recommend Option A.

Eric Lambert, 3200 U Street, encouraged the Planning Commission to retain the HSF Siting Ordinance on the grounds that the spacing requirements prevent clustering of services. He stated that the clustering of facilities can lead to factors that have a psychological impact on neighborhoods including the erosion of trust neighbors have for one another and a degradation of the cohesion that communities strive for.

Eric Hovee, 2408 Main Street, stated that he had submitted written testimony which has been included in the record and that his testimony is his own and does not represent the views of any of the organizations he is affiliated with. He spoke in favor of retaining the HSF Siting Ordinance on the grounds that the ordinance has served the city well in the past by allowing service facilities to locate without opposition from neighbors and to encourage the availability of services throughout the county to address a county-wide need. He added that he was not convinced that the legal need for the repeal articulated by the City required the repeal and replacement of this ordinance and questioned the applicability of the decisions presented to non-housing services. He expressed his appreciation for the Planning Commission's consideration of the potential negative impacts of public services but suggested they return to the community for a more complete understanding of their needs and impacts to the community, as was done by the task force convened in 1991. He concluded by expressing his support for Option A, stating that it would be the least onerous to both residential livability and business interests that have been heavily impacted by the social services that are now in downtown Vancouver.

Receiving no further testimony, Vice Chair Ledell closed Public Testimony.

Related Discussion

Commissioner Mattoon asked what leeway the Planning Commission has in reducing the Conditional Use Permit fees and how the volume of permits would increase if option A was adopted. Eiken stated that the fees are based on a cost of service model that includes the time reviewers spend on particular cases. City Council has set a goal for the department to cover 60% of the costs with fees. The City does subsidize some fees, including for existing HSFs. He stated that 34 HSF uses have gone through the permitting process over 20 years.

Commissioner Schulte asked about the cost to the City to monitor the performance standards if they were to be set forth. Eiken stated that the system would be complaint based and it would be handled through existing code compliance processes.

Commissioned Lee announced that he needed to be excused and left the meeting at 8:01 pm.

THE COMMISSION ADJOURNED FOR A BRIEF BREAK TO REVIEW THEIR NOTES AT 6:41 PM. THE COMMISSION RECONVENED AT 6:48 PM. NO DISCUSSION ENSUED OVER BREAK.

Motion by Commissioner Atkins, **seconded** by Commissioner Schulte, recommend to city council the approval of the draft ordinance repealing VMC 20.870 Human Service Facility Siting and associated amendments to VMC Title 20 land use and development code in the form of Option A.

Commissioner Mattoon spoke in opposition to the motion on the floor stating that the intent of the Conditional Use Permit was to give the community an ability to be a part of the conversation on the siting of these services, not to make their siting prohibitively expensive. Vice Chair Ledell expressed her support for Mattoon's view.

Motion by Commissioner Harroun and **seconded** by Commissioner Mattoon to modify the motion on the floor to reduce the CUP fee to \$500.

Commissioners Atkins and Schulte expressed their hesitancy to recommend a specific amount.

Motion by Commissioner Harroun, **seconded** by Commissioner Mattoon and **carried unanimously** to modify the modified motion to reduce the CUP fee to an amount determined by City Council.

Commissioner Atkin's motion, as modified by Commissioner Harroun, **carried unanimously** by a separate roll call vote.

ADJOURNMENT

8:34 P.M.

Erik Paulsen, Chair

Meetings of the Planning Commission are electronically recorded on audio. The audio tapes are kept on file in the office of the City Clerk for a period of six years.

To request other formats, contact: Kirsten Hull, Community and Economic Development Department | 360-487-7813
WA Relay: 711 | kirsten.hull@cityofvancouver.us

Public Comments
HSF Ordinance Repeal and Replacement

Eiken, Chad

From: Steve Rusk <steve.rusk@usw.salvationarmy.org>
Sent: Friday, October 19, 2018 4:33 PM
To: Eiken, Chad
Cc: Michael Nute; Sheehan, Peggy
Subject: Human Services Siting Ordinance Changes

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Chad,

I'd like to register my feedback in the way of written comment on the Siting Ordinance Changes. Sorry it's taken me this long to get back with you.

I appreciate the good work you and your team have done on this difficult and sometimes controversial issue. I think the community process, workshops with Council, and otherwise thoughtful dialogue have been useful. You did a good job of summarizing the process and presenting the changes at the September 21 meeting.

On a personal note, as someone who was around and involved in the dispute and community process in 1991, I believe we've come a long way in working together in understanding and accepting differences. Many agencies who once were downtown are no longer there and that's not all bad. The Salvation Army is one of them. While it began on 5th and Main Streets in 1890, it left the downtown area when its lease ran out in March 1998 because there wasn't space available under the siting ordinance restrictions. The Army knows that people throughout the City need services and it strives to meet them.

Overall, I believe the proposed changes are good for everyone. I like the idea of combining service providers into "similar commercial use" categories. The one new category of "community center" for a Day Center is problematic simply because of the "permit fee" assessed to the applicant. This seems punitive and somewhat discriminatory for those who wish to serve individuals on a drop-in basis. I understand there are costs associated with processing an application for Day Center use but to put that expense on the back on a nonprofit who is challenged with finding revenue to fund services, seems unfair. If the City could find some other way to pay for the expense that would reduce the burden, it would be helpful and supportive to those seeking to advance services to low income citizens. Perhaps the regulatory requirements for Day Center applicants could be adjusted to not be so extensive and expensive.

Thank you for allowing me to weigh in with comment on the process!

Steve.

Steve Rusk | Community Relations & Development Director

The Salvation Army | Clark County

Direct: (360) 448-2875

Cell: (360) 953-1872

www.Vancouver.SalvationArmyNW.org



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Feedback Regarding the Two Proposed City of Vancouver Actions

Human Services Citing Ordinance

- The Human Services Citing Ordinance repeal is applauded and supported. Similar ordinances have been found by the court to be discriminatory and based on stereotypes rather than facts.

Proposed Commercial Zoning Changes

- Do not adopt the proposed footnotes 13-15. These footnotes unfairly target agencies serving people without homes and create a double standard among like entities providing the same services (e.g.; restaurants vs. meal programs or hotels vs. shelters). Like entities should be held to the same standards and should not be singled out due to perceived guest behavior or stereotypes.
- Footnote 13.1: Requiring an indoor or screened outdoor area for guests to gather in creates an unfair burden on these facilities to provide a far larger footprint than necessary. Restaurants have people gather on the sidewalk as they wait to be seated. Meal programs should be held to the same standard and not be required to provide space for people to gather while they wait a reasonable amount of time to enter the building.
- Footnote 13.3: Requiring facilities to offer indoor temporary secure storage of belongings is an unfair burden being placed upon agencies that serve people who are homeless. Due to the trauma of homelessness, personal belongings often accompany people when they seek services. Asking agencies to provide indoor storage creates large space requirements, and presents challenges around the management of storage and mitigation of security that may ensue. At the very least, offering temporary secure storage should be optional, particularly with storage being available at the day center.
- Footnote 13.4: Accessible, working restrooms should be a requirement consistent among all commercial facilities. Restroom facilities should be accessible to all guests during operating hours in order to meet basic human needs and should not only be a requirement of specific social service facilities.
- Zoning Classification language is outdated and should be updated to encompass currently accepted terminology.
 - Transient Lodging: Emergency Shelter
 - Soup Kitchen: Meal Programs



Healthy Living Collaborative of Southwest Washington

Working together, to make living better - for everyone.

April 23, 2018

Dear Chad Eiken,

The Healthy Living Collaborative (HLC) is a community-driven coalition that works together on upstream initiatives that promote health equity and strengthen communities. The HLC works with over 50 organizations in our southwest Washington region. One of our pillars of work is focused on policy and systems change. We have been watching the development of the repeal of the Human Services Citing Ordinance and want to applaud you for taking a step to prevent potential discrimination. We have provided some suggestions below on the proposed commercial zoning changes.

- Do not adopt the proposed footnotes 13-15. These footnotes unfairly target agencies serving people without homes and create a double standard among like entities providing the same services (e.g.; restaurants vs. meal programs or hotels vs. shelters). Like entities should be held to the same standards and should not be singled out due to perceived guest behavior or stereotypes.
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- Zoning Classification language is outdated and should be updated to encompass currently accepted terminology.
 - Transient Lodging: Emergency Shelter
 - Soup Kitchen: Meal Programs

Thank you for your time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kachina Inman', followed by a horizontal flourish.

Kachina Inman, MPH
Healthy Living Collaborative of Southwest Washington
Kachina@hlcsww.org
541-520-9382

Eiken, Chad

From: Steve Rusk <steve.rusk@usw.salvationarmy.org>
Sent: Friday, October 19, 2018 4:33 PM
To: Eiken, Chad
Cc: Michael Nute; Sheehan, Peggy
Subject: Human Services Siting Ordinance Changes

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Eiken, Chad

Subject: FW: Public Hearing Scheduled to Consider Changes to Human Services Facilities Siting Ordinance

From: Shelly Gaylor [<mailto:shellygaylor@yahoo.com>]

Sent: Tuesday, September 4, 2018 1:38 PM

To: Eiken, Chad

Subject: Fwd: Public Hearing Scheduled to Consider Changes to Human Services Facilities Siting Ordinance

Chad,

Thank you for the information.

When are the two information dates?

I'm having shoulder surgery 9/11 but want to try to get to them.

Would this effect public food service?

In August Free Hot Soup served 3,730 people and in July 2,717.

We support The Perch, St Luke's Women's Shelter's daily and a meal once or twice a week in various areas and the Daycenter sandwiches when we have the resources.

Thank you,
Shelly Gaylor.

Sent from my iPhone

Begin forwarded message:

From: "Eiken, Chad" <Chad.Eiken@cityofvancouver.us>

Date: September 4, 2018 at 11:41:06 AM PDT

Subject: Public Hearing Scheduled to Consider Changes to Human Services Facilities Siting Ordinance

Good morning,

The City of Vancouver Planning Commission will be considering proposed changes to the City's Human Services Facilities Siting Ordinance (VMC 20.870) at a public hearing on Tuesday, September 25, 2018 at 5:30 pm, and you are invited to comment on the proposed amendments. The meeting will be held in the City Council Chambers, second floor of City Hall, 415 W 6th Street, Vancouver, WA. Please note that there are two public hearing items before this one on the September 25th agenda.

Background

In 1991, the City adopted an ordinance which requires certain human service uses (such as homeless shelters, group meal service, food pantries, homeless day centers, etc.) that mandated such uses be dispersed from other similar uses, in some cases by up to one mile, and that such uses meet a number of performance standards such as providing a litter control plan, maintaining sufficient restroom facilities for the clients, providing an indoor waiting area, etc., among other restrictions.

In 2016, in response to legal concerns raised with respect to disparate treatment of such uses and their clients under the code, Vancouver City Council directed staff to propose changes to the ordinance to

Eiken, Chad

Subject: FW: comments re possible Changes to Human Services Facilities Siting Ordinance

From: Steve Cook [<mailto:SCook@columbialandtrust.org>]

Sent: Tuesday, September 4, 2018 1:14 PM

To: Eiken, Chad

Subject: comments re possible Changes to Human Services Facilities Siting Ordinance

Hello Chad:

I'm a Portland resident who works here in Vancouver on Officers' Row. I'm providing some comments purely in my personal capacity, not on behalf of my employer.

I don't understand the proposed changes well enough to understand what they really mean. But here are some thoughts.

- I feel deep sympathy for those who are homeless, addicted, or otherwise in need of human services, and I want to see them get the services they need.
- At the same time, I've seen first-hand the harmful impacts that can result when a population in need, particularly a homeless population, becomes concentrated in one area. I worked in downtown Portland for 30 years, and over those years the downtown area in Portland became less and less pleasant for ordinary citizens. I would walk two blocks for a coffee break, and would be approached by panhandlers multiple times. I sometimes encountered people who were belligerent or threatening, or simply "out of it" with mental illness or intoxication. Many people, particularly women and older people, no longer felt safe in the downtown area. Public amenities, such as parks, became essentially off limits to ordinary citizens, because they were occupied by homeless people and their belongings.

Given that, I very much want to see the government and non-profit agencies that serve homeless people and those in need supported in the work they do, and those in need of services supported in obtaining those services. At the same time, I'm worried about homeless people potentially eroding the safety and pleasantness of the area I work in here in Vancouver. For the last week or so we've had 1 or 2 homeless men sleeping on our porch at night. We're working on resolving that in as humane a manner as we can. But it is a concern, and I hope not the start of a growing problem.

Steve Cook

treat human service facilities in the same manner as other similar commercial uses and eliminate the dispersal requirement. For the past two years at a series of six public workshops with the Planning Commission and five public workshops with the City Council, staff has received a substantial amount of input in regard to the proposal to: a) repeal VMC 20.870 in its entirety, and b) replace it with new text throughout VMC Chapter 20, entitled the Land Use and Development Code. A final draft is now available for public viewing and comments.

The following documents are attached for your information:

- Draft Ordinance dated August 2018
- Matrix which summarizes proposed changes
- SEPA Environmental Checklist
- SEPA Environmental Determination of Non-Significance

Please note that the draft ordinance indicates deletion of existing text shown in ~~strikeout~~ format, and new text shown as underlined. Additionally, the draft ordinance contains possible "alternative language" with text indicated in ***bold red italics*** which reflects direction given to staff by City Council to further remove barriers in the draft to the siting of human services facilities. Such alternative language, which differs from the language suggested by the Planning Commission, is included in order to enable a full discussion of both options at the Planning Commission hearing.

Please direct any comments **no later than Noon on September 25, 2018** to Chad Eiken, Director of Community and Economic Development by email at chad.eiken@cityofvancouver.us, regular mail at PO Box 1995, Vancouver, WA 98668-1995, or submit online comments using the online form available at the below webpage.

For more information, please visit the web page at the below link:

<https://www.cityofvancouver.us/ced/page/human-services-facilities-siting-ordinance-changes>

Sincerely,

Chad Eiken, AICP | Director

<image002.png>

CITY OF VANCOUVER, WASHINGTON

Community and Economic Development Department

P: (360) 487-7882

www.cityofvancouver.us | www.cityofvancouver.us/socialmedia

<image004.jpg>

<Draft HSF Repeal Ordinance 16Aug2018.doc>

<HSF Matrix of Proposed Changes 16Aug2018.xlsx>

<SEPA Checklist HSF Ord 30Aug2018(2).pdf>

<SEPA DNS HSF Ord 30Aug2018.pdf>

Subject:

FW: Planning Comission-City of Vancouver, Washington

----- Original message -----

From: Ceci Smith <ceciryansmith@gmail.com>

Date: 1/25/18 1:44 PM (GMT-08:00)

To: Beth Hovee <bhovee@edhovee.com>

Subject: Fwd: Planning Comission-City of Vancouver, Washington

Please forward.....to Marjorie Ledall

Begin forwarded message:

From: Ceci Smith <ceciryansmith@gmail.com>

Subject: Planning Comission-City of Vancouver, Washington

Date: January 25, 2018 at 1:43:39 PM PST

MEMO TO: City of Vancouver Planning Commission

FROM: Ceci Ryan Smith, Community Volunteer

DATE: January 25, 2018

I am writing to you concerning the Repeal and Rewrite of the City of Vancouver's Human Facilities Ordinance, also known as the 1991 Social Service Siting Ordinance. The Planning Commission has been placed, in a very difficult position.. A position that has too many variables-i.e. moving targets, a concern that belongs to the county and the region and has not been handled, as an evidence based problem, by the City Council or the Vancouver's city staff.

I have worked, as a volunteer, for the City of Vancouver and community non-profits addressing human needs, for those who have barriers to social services, housing, health and education, for 30 years. My most recent leadership positions are: immediate past Chair of the Vancouver Housing Authority and the Community Foundations, Vancouver Women's Foundation. I was a member of the countywide task force for homeless services and a co-author of the 1991 Human Service Siting Ordinance.

The Social Service Siting Task Force met for one year. Topaz Faulkner/Conrad Group wrote the final report. The group included 27 participants, representative of faith based, neighborhoods, public schools, small county cities, Clark County Rental Association, planning commissions, etc. 2 participants , from Clark County Staff and 2 from Vancouver City Staff.

The Social Service Siting Ordinance was unanimously passed by the Vancouver

City Council, summer of 1991. All, of the living council members and the former city manager, are resident's of Vancouver, Washington and are willing to speak to the issue. Several did at the public forum held at the Kiggins Theatre, on November 4, 2017. Two of the key players are deceased, Rose Besserman, Council Woman and Jerry King, City Attorney.

I am a resident of the Hough Neighborhood, therefore I understand the community and social impacts of social service concentration. Hough is the only neighborhood, in Clark County that houses the county's only homeless meal service-3 meals a day, the only men's shelter, the jail, the largest family shelter, the most concentrated subsidized housing complexes, in the county and many other social service providers. Our neighborhood is more highly impacted, by people in need of mental health, housing, food, healthcare, correction services, than any other neighborhood, in Clark County. Zip Code 98660 statistically has the highest numbers of homeless, upon leaving the Clark County jail, if you do not have a release address-one is classified as homeless, in 98660.

This number bodes well, for social service providers asking for state and federal funding.

The following are valid concerns, I and others would like you to consider, as you go through this process:

- *May 2, 2016: Chad Eiken, Community Development Director and Karen L. Reed, Assistant City Attorney presented the staff's request to City Council to Repeal and Replace the HSF

- *several statements, in their presentation were false:

- 1-Legal and Social Context for Ordinance:

- *Blamed the purpose of Ordinance M 2930 on over-concentration of human service facilities, but no evidence of support.....evidence included in final report of Topaz Faulkner/Conrad Group Report

- *Substantial public controversy existed in 1991 for re-regulation of users, dispersal requirement and review processes; pp. 2&3 pf final report:

- *"Quoting, from the Faulkner Report, which was not shared, with city council: report represents the work of the Task Force as well as its recommendations. The first section includes a succinct statement of the problem, followed by policies and guidelines that are recommended to all of the jurisdictions for consideration and adoption. Guidelines that were not reviews and accepted by the Task Force, due to time constraints, have been placed in a separate section

In some cases, the absence of a definition for "social services" acted as a constraint upon the Task Force recommendations, since it could not require actions of an undefined agency or provider. The definition contained within Ordinance M-2930 was not acceptable to many members of the Task Force. Several of them noted that impacts from a human service are the same whether the services are being provided to "socially disadvantaged people" or a

reduced fee, or to this community residents who are able to pay the full cost.

The Task Force decided to separate human service facilities into three groups — residential, office and community (i.e. churches) — and to focus on the characteristics functions of these facilities to create a definition for each type. Although the group spent a significant amount of time discussing these facilities, and the impacts of each, it was unable to complete the effort of developing definitions. It should be noted that no other jurisdiction contacted during this study has a definition for the term ‘social services’ either. The Task Force discussion did, however, provide an excellent foundation for drafting guidelines intended to address specific impacts.

During their final meeting, the Task Force voted to replace the term ‘social services’ with ‘human services’, and this change has been reflected in the recommendations. The remainder of the report provides data generated by the social service agency questionnaire and information gathered by the Task Force Subcommittees. Some of the issues raised are tangential to the primary purpose of siting social services; however, the issues are important and it is the wish of the Task Force to emphasize their value by including them in the report.”

****2016-City Staff did not give City Council evidence based material, for repeal**

2-City claims (2016) Human Service Facilities were not defined, in Ordinance M-2930 or its work up-FALSE 2016 city says:

“Human Service Facilities-not defined, probably facilities providing ‘basic shelter, food, job training and other health and social services’ to needy-statement FALSE

3-City claims Ordinance 2013 addresses Transitional Housing.....city claims ordinance addresses group homes, which it does not. Group Homes are protected under the Fair Housing Act. City’s cannot speak to that.....Fair Housing is Federal law.

4-Ordinance M 2930 does not speak to Household Defined, as stated in the city’s 2016 report

5-Vancouver City Attorney, Bronson Potter claims Ordinance M 2930 can be legally tested for ‘facial neutrality’ against a 20+ year old Bellevue case dealing with Group Homes. Ordinance M 2930 does not address" group homes, therefore it does not address: successful mainstreaming of disabled, freedom of choice in disabled housing, as the city claims FALSE

6-Attorney Potter claims Ordinance M2030 is ‘void for vagueness’; City fails to present social evidence: those with barriers to services have any problem, finding services, in their neighborhoods—how dispersal of social services exist throughout the City of Vancouver, i.e. feeding places, shelters, etc..

7-Ordinance M 2930 is based on user status not land use impacts; Ordinance M 2930 is based on equality of user needs: not status or land use impacts. Discriminatory barriers and social service concentration is proven to

exist in the City of Vancouver.

8-purpose of Ordinance M 2930 is to integrate services not concentrate and discriminate which is the current practice

9-Attorney Potter says there may be state law challenges.....so far there have been NO legal challenges to Ordinance M2930. There have been numerous city's who have used this ordinance or parts of it, to avoid social service concentration(integration of social services), in their communities

10-Many successes of Ordinance M 2930 are to be found: Expansion of population and uses:

Salvation Army, Children's Center, VPS Family Resource Centers, Shelter Dispersal by the Vancouver Housing Authority and others

In conclusion, Ordinance 2930 Repeal and Rewrite is not evidence based. So far the Vancouver City's Attorney Office has not given ANY comparable cases to base their claim upon; they have not presented how other communities, of equal size address, how they equitably address social service/human service placement for those with human and financial barriers.

Zoning is not going to solve the problem. The problem is to ensure DISPERSAL and INTEGRATION, of services, to those citizen's who are challenged, in finding opportunities to housing and services because of income, disability or special needs in an environment that allows for personal dignity, in a manner that ensures public trust.

Ceci Ryan Smith
2001 Daniels Street
98660

360-693-0974

Eiken, Chad

Subject: FW: Form submission from: Human Services Facilities Public Comment Form

-----Original Message-----

From: City of Vancouver Washington [<mailto:webresponse@cityofvancouver.us>]

Sent: Tuesday, September 25, 2018 11:45 AM

To: Eiken, Chad

Subject: Form submission from: Human Services Facilities Public Comment Form

Submitted on Tuesday, September 25, 2018 - 11:45am Submitted by anonymous user: 152.132.10.73 Submitted values are:

Name: Carmen Caraballo

Address: 701 Columbia St

Email: esthershort.na@gmail.com

Phone Number: 9702170279

Do you represent a group? N/A

Please provide any comments you may have on the project:

Two major concerns about the proposed Human Service Facilities Siting Ordinance changes below.

One of the concerns is the elimination of the dispersal requirement which means disproportionate availability of services. Previous documentation shown at a Vancouver Neighborhood Alliance meeting revealed that the City Center was one of very few areas where services would be permitted. If one looks at the map, it is easy to see the Westside of Vancouver already has a large number of entities that provide services. There are residents all across the city that need services and low income residents may not have the time or financial means to travel across the city for services. I have previously recommended and continue to request that the City provide an avenue for all the stakeholders involved (I believe 31 originally in 1991) to reconvene to openly discuss the needs and desires and work TOGETHER on a revision vs appearing to railroad a city agenda.

The second major concern is no performance standards. It has already been evidenced in the Esther Short Neighborhood what negative impacts can happen. Part of this may be due to clientele, part may be due to how the organization is run or volunteers doing what they believe are good deeds, but at the end of the day, no neighborhood should be subjected to the trash, health and sanitation concerns, and indecent behavior that occurs- often times unchecked.

The City of Vancouver has already developed a reputation across the country of being an "easy" place. Let's not let "easy" continue to result in degradation. Performance standards create reasonable expectations for all involved and are very much needed, among all facilities. Thank you.

The results of this submission may be viewed at:

<https://www.cityofvancouver.us/node/37600/submission/173396>

September 25, 2018

Vancouver Planning Commission
c/o Chad Eiken – Director of Community and Economic Development
City of Vancouver – P. O. Box 1995
Vancouver, WA 98668-1995

Subject: Proposed Amendments to the Human Services Facilities Siting Ordinance (VMC 20.870)

I am writing to submit this letter and attachment for the public record with the September 25 public hearing – to address the following concerns with the draft HSF repeal ordinance:

1. Why remove an ordinance that has served this community well for 27 years? In the years since, human service providers have proven able to locate new and improved facilities integrated within rather than isolated from the rest of the community. Better to fine-tune than replace what works.

2. Legal rationales do not appear to require the sweeping changes that have been proposed. City staff have not shown that Fair Housing Act (FHA) court cases apply to human service related land uses that do not involve housing. And there is not federal court agreement even about how the FHA should be applied to circumstances that are directly housing related. I would encourage reading of the attached article in the Golden Gate University Law Review titled: "Justifying Discrimination: How the 9th Circuit circumvented the Intent of the Fair Housing Act." In this case, the result of the Court's decision was to limit rather than facilitate new homeless housing in Boise.

3. The SEPA checklist unduly gives short shrift to increased need for public services. There is evidence that human service related facilities require more public services than other similar commercial uses. If this was not the case, why are there regular City sweeps to address recurring public safety and health hazards? And why has the Planning Commission thoughtfully considered special conditions and performance standards to address these negative public service impacts?

4. The community would be better served by a broader conversation involving the full range of stakeholders before proceeding to revise land use codes. The current planning process is incomplete by: a) focusing on land use only and not the full range of human service issues that have become more pervasive in recent years; and b) not facilitating a discussion that includes but extends beyond land use. A re-start can improve the opportunity for broader community buy-in.

5. If the Planning Commission does opt to recommend a repeal ordinance to City Council, the language proposed by the Planning Commission (rather than the alternative) would be the least onerous to both residential and business livability. The new performance standards proposed likely will place an added burden on business. The discussion about whether to impose these standards is clear evidence that human-service uses can be associated with impacts different than those of other commercial businesses. However, if the existing ordinance is to be repealed, adoption of standards is the lesser burden – offering better protection and enhancement for Vancouver neighborhoods and businesses that helps offset the added requirements imposed.

Sincerely,



Eric Hovee - P. O. Box 225
Vancouver WA 98666

September 25, 2018

Vancouver Planning Commission Hearing on the Human Service Facilities Ordinance

Section 20.870.010 Purpose.

~~Community benefits. Facilitating the provision of basic shelter, food, job training and other health and social services to those City residents in need is an important function of the community. At the same time, it is important that these be regulated in a way that minimizes any adverse off-site impacts, particularly in established neighborhoods where such facilities tend to be located. There is a particular concern that no area bear a disproportionate burden in the provision of these services. The purpose of this Chapter is to identify the procedures and criteria by which such Human Service Facilities will be reviewed.~~

~~(M 3643, Added, 01/26/2004)~~

To Members of the Planning Commission,

The above *Purpose* statement is taken from the opening of the Human Service Facilities Ordinance, which you are being asked to repeal and to accept the code definitions that incorporate high impact social services. The current HSF ordinance has been changed over the years. However, it has never included housing as defined by the Fair Housing Act in the ordinance. The ordinance does include “shelters” which, by the Washington State Administrative Code, is call “transient accommodations” i.e. where stays are 30 days or less.

The problem with putting social service facilities into codes, is that it does not address the problem of how social service providers tend to locate their facilities in areas where neighborhoods already “...bear a disproportionate burden in the provision of these services”.

Attempting to categorize various social service facility types into their closest commercial counterparts will be problematic because the impacts of social service and commercial uses can be quite different. This categorization also disregards an important objective of the current HSF which is to avoid the disproportional burden to a small set of neighborhoods in which these facilities would prefer to locate. This is not beneficial for the needs to better mainstream their clients and is detrimental to the vitality of the neighborhoods in which the service providers concentrate. Strategically locating facilities in a dispersed manner better serves those receiving the services and the vitality of all neighborhoods across our community.

Therefore, the proposed repeal and replacement of the current ordinance with codes and no conditional use provisions will not protect neighborhoods from becoming over concentrated by the high impact social services.

I would like to see the Planning Commission and the City Council reconvene a siting task force with all stakeholders (including neighbors) to come up with a fair and equitable plan for services to be placed in underserved areas of the city and county.

Thank you.

Beth Hovee



2408 Main Street, Vancouver, WA 98660