

July 12, 2021 - Vancouver City Council Meeting Minutes

WORKSHOPS

Workshops were conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS, or listen via the GoToMeeting conference call.

4:00-5:00 p.m. Vancouver Parks, Recreation & Cultural Services Comprehensive Plan 2022-2032 Update

Julie Hannon, Parks and Recreation Director, 360-487-8309; Monica Tubberville, Senior Planner, 360-487-8353; Laura Hoggatt, Planner

Summary

Staff provided Council with an overview of the purpose, requirements and upcoming process for the 2022-2032 update to the Parks, Recreation and Cultural Services Comprehensive Plan.

5:00-6:00 p.m. Vancouver Innovation Center Plan / Zone Change, Master Plan, and Development Agreement

Chad Eiken, Community and Economic Development Director, 360-487-7882; Bryan Snodgrass, Principal Planner, 360-487-7946; Ryan Lopossa, Streets and Transportation Manager, 360-487-7706; Julie Hannon, Parks and Recreation Director, 360-487-8309

Summary

Staff provided Council with an update on the Vancouver Innovation Center and an overview of the proposed zone change, master plan and development agreement associated with the project.

REGULAR COUNCIL MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda and Public Hearing items were also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnery-Ogle. This meeting was conducted remotely over video conference.

Present: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnery-Ogle

Absent: None

Also present on the call were the following: Eric Holmes, City Manager; Brian Carlson, Deputy City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Brennan Blue, Vancouver Fire Chief; Lisa Brandl, Deputy Finance Director; Tim Buck, Operations Manager; Pete Capell, Facilities Capital Projects Manager; Scott Cooley, IT Application Services Manager; Chad Eiken, Community and Economic Development Director; Patrick Gilbride, IT Director; Katherine Kelly, Senior Policy Advisor; Rebecca Kennedy, Long Range Planning Manager; Aaron Lande, Policy and Program Manager; Carrie Lewellen, City Treasurer; Ryan Lopossa, Streets and Transportation Manager; James McElvain, Vancouver Police Chief; Rich McKee, IT Systems Analyst; Jeff Mori, Assistant Police Chief; Jason Nortz, Development Review Manager; Natasha Ramras, Chief Financial Officer; Cara Rene, Communications Director; Rebecca Rude, Assistant City Attorney; Terry Snyder, Senior Park Developer; Monica Tubberville, Senior Planner; Dan Zenger, Equipment Services Manager; and members of the public.

Approval of Minutes

Minutes - June 14, 2021

Motion by Councilmember Fox, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of June 14, 2021.

Minutes - June 21, 2021

Motion by Councilmember Glover, seconded by Councilmember Paulsen, and carried unanimously to approve the meeting minutes of June 21, 2021.

Community Communication (Items 1-10)

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

- Don Steinke, Vancouver, spoke regarding Item 1 and requested fleet vehicles comply with the California Advanced Clean Truck Rule; he also spoke regarding Item 3 and urged the City to utilize green building standards in renovating the new police headquarters and training building.
- Glen Yung, Vancouver, spoke in support of Item 8.

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

Consent Agenda (Items 1-10)

Council requested Item 3 be pulled for separate discussion as summarized below.

Councilmember Fox asked for clarification of the design costs for the police headquarters and training facility. Pete Capell, Facilities Capital Project Manager, explained a significant piece of the work is related to seismic upgrades to the facility to bring the building up to the essential building status.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and carried unanimously to approve the Consent Agenda.

1. Approval of an Extension and Increase to an Existing Contract with Gordon TruckCenters #00814

Staff Report 095-21

Summary

The City uses State of Washington contract #00814 with Gordon Truck Centers for purchase of walk-in vans, parts, and accessories for various replacements. This contract awarded to Gordon Truck Centers includes many of the City's uniform unit platforms. In keeping with Fleet Service's

effort to streamline the City's fleet, staff is requesting the ability to purchase from this contract and take advantage of the contract pricing.

Request: Authorize the City Manager or his designee to approve purchases under Washington State Contract #01513 for the life of the contract with Gordon Truck Centers, up to the current authorized budget.

Dan Zenger, Equipment Services Manager, 360-487-8205

Motion approved the request.

2. Approval of spending increase to an existing contract with OSW Equipment & Repair, LLC, by way of City of Seattle Contract #0000003205

Staff Report 096-21

Summary

The City purchases various custom bodies and miscellaneous auxiliary equipment utilizing the City of Seattle contract.

Staff is requesting authorization to use this contract to purchase up to the Council approved annual budgeted amount for these commodities through the end of the contract, which is November 30, 2021, and into any extended period negotiated by City of Seattle.

Request: Authorize the City Manager or his designee to approve purchases under piggyback contract #0000003205 with City of Seattle for the life of the contract, up to the current authorized budget.

Dan Zenger, Equipment Services Manager, 360-487-8205

Motion approved the request.

3. Amendment to Professional Services Agreement with Scott Edwards Architecture LLC for design of the Vancouver Police Department Headquarters and Training Facility

Staff Report 097-21

Summary

The Vancouver Police Department Headquarters is undersized and does not meet the needs for growth of the department. The Police Department

currently lacks training facilities to serve the current needs and expectations of the community. The Fire Marshal's Office currently does not have adequate space in other City locations.

Scott Edwards and Associates have been under a professional services contract since 2020 (RFQ 9-20) for the master planning that has been done for this project. The RFQ scope allowed for the amendment of the contract for added design services at the sole discretion of the City.

Request: Authorize the City Manager or his designee to execute a Service Agreement Amendment No. 4 to provide professional architectural services for the Vancouver Police Department Headquarters and Training Facility design in an amount not to exceed \$645,000, and authorize the City Manager or his designee to amend the agreement as needed and amend the value up to 10% of the not-to-exceed value stated here-in.

Pete Capell, Facilities Capital Project Manager, 360-487-7792

Motion approved the request.

4. **Designation of TV ETC and CVTV respectively as the education and government access providers on the Comcast cable system**
Staff Report 091A-21

A RESOLUTION relating to cable television and to the designation of the Vancouver Educational Telecommunications Consortium ("TV ETC") as the educational access provider on the Comcast cable system for Vancouver and Clark County.

A RESOLUTION relating to cable television and to the designation of Clark Vancouver Television ("CVTV") as the governmental access provider on the Comcast cable system for Vancouver and Clark County.

Summary

The City and County have a cable television franchise agreement with Comcast of Washington, V LLC that was effective on July 1, 2013. Under the terms of this agreement, Comcast provides channels for Public, Education and Government (PEG) programming and it is the responsibility of the City and County to designate authorized entities to provide programming on those channels.

Organizations that are designated as access providers have authorization to broadcast programs over assigned channels on the Comcast cable

system. They are also able to apply for annual PEG grants, administered by the City, for equipment and other capital expenses associated with producing and broadcasting programming.

TV ETC is a consortium of K-20 educational institutions operated by Educational Service District 112 and is the current educational access provider for Vancouver and Clark County. CVTV, operated by the City/County Cable Television Office, is the current government access provider for Vancouver and Clark County.

The City/County Telecommunications Commission ("Commission") recommends organizations to serve as access providers to the City Council, per VMC 5.19.320(7). The Commission met on June 2, 2021, to review designation applications and annual reports and to receive presentations from the applicants. Based on their review, the Commission is recommending re-designation of TV ETC and CVTV, respectively, as the education and government access providers for Vancouver and Clark County.

Request: Adopt resolutions approving The Vancouver Educational Telecommunications Consortium (TV ETC) as the designated educational access provider and Clark Vancouver Television (CVTV) as the designated government access provider for Vancouver and Clark County on the Comcast and CenturyLink cable systems.

Aaron Lande, Policy and Program Manager, 360-487-8612

Motion approved Resolutions M-4134 and M-4135 to approve the request.

5. Merchant Services Agreement with Paymentus Corporation

Staff Report 098-21

Summary

The City's current banking and merchant services contract with Bank of America expires on December 31, 2021. On December 1, 2020, the City issued a Banking Services and Merchant Services Request for Proposals (RFP). Proposals were due January 27, 2021. Six financial institutions responded to the RFP: Bank of America; US Bank; Wells Fargo; Key Bank; JP Morgan Chase Bank, NA; and Columbia Bank. In addition, the City received two responses to provide merchant services (credit card processing) from Paymentus and Forte. Most of the banks also included merchant services as part of their response. The proposers had the option to only propose on banking services, or merchant services, or both.

The City Procurement Department published the RFP, received responses, and monitored compliance with the solicitation process. The RFP was sent to most of the local banks and/or merchant processing companies and published on the City's Procurement website at Procureware.com, and in the Columbian newspaper.

In order to respond to the RFP, the merchant services provider had to have a minimum of three (3) years of experience processing credit/debit card records transmitted for processing and settlement from major credit/debit processing networks; a payment card industry (PCI)-compliant financial system; have all required licenses, facilities, equipment, and trained personnel necessary to perform the work; provide daily automated clearing house (ACH) electronic funds settlement to a City-designated depository account; provide daily and monthly electronic reports and City access to their software system to research transactions; and provide on-line details related to any chargeback processed for returns. In addition, the City was interested in providing additional on-line payment options such as PayPal, PayPal Credit, Apple Pay, Venmo, Amazon Pay, etc. As new technology is developed, Paymentus is dedicated to improving its platform to meet consumer expectations.

The evaluation committee scored the response from Paymentus for merchant services the highest. The functionality within Paymentus' platform and their partnership with Selectron will improve the payment processing functions for customers, expand and simplify payment options. Currently credit/debit card payments are accepted on-line and/or over the counter at Utilities, CED, Parking, Fire Inspections, Police Alarms, Parks and Recreation, and City Hall/Finance. In 2019, the City processed more than \$57 million in annual sales by credit/debit cards.

Staff recommends that Council approve award of the merchant services agreement to Paymentus from July 26, 2021, through July 25, 2026. The estimated cost over the life of the five-year contract is \$9,000,000. This includes interchange fees charged by the various credit/debit card providers such as Visa, MasterCard, Discover, AmEx, etc. Interchange fees are pass-through fees. In 2019 Interchange fees represented approximately 81% of the merchant services fee paid. The individual transaction fee of \$0.38 paid to Paymentus will be higher than what was paid to Bank of America at \$0.10 per transaction; however, the improved payment options for City customers and the improvements of the customer interface, achieved through integration with Selectron for utility and permit payments, partially offset the additional cost. It is estimated that the City will pay approximately \$200,000 more per year than what is currently being paid for merchant services, without the actual interchange fees. These fees are incorporated into the rates established for each supported service area.

Request: On Monday, July 12, 2021, approve the contract with

Paymentus authorize the City Manager or his designee to sign merchant services agreements with Paymentus Corporation.

Carrie Lewellen, City Treasurer, 360-487-8482

6. **Banking Services Agreements with JP Morgan Chase, N.A.**

Staff Report 099-21

AN ORDINANCE authorizing the City Manager or designee to execute Agreements with JPMorgan Chase Bank, N.A., (hereinafter “JPMorgan”), for the provision of banking and related services; providing required Terms that such Agreements be for an initial term of not more than five (5) years; providing authorization to enter into a separate Pcard agreement which may be extended in annual increments after the fifth year of the City's Agreement with JPMorgan; providing for severability; and setting an effective date.

Summary

The City's current banking services contract with Bank of America expires on December 31, 2021. On December 1, 2020, the City issued a Banking Services and Merchant Services Request for Proposals (RFP). In addition, financial institutions were able to provide responses for optional services they provide such as Pcard and Health Savings Accounts, as well as other services.

Proposals were due January 27, 2021. Six financial institutions responded to the RFP: Bank of America; US Bank; Wells Fargo; Key Bank; JP Morgan Chase Bank, NA; and Columbia Bank. In addition, the City received two responses to provide merchant services (credit card processing) from Paymentus and Forte. Most of the banks also included merchant services as part of their response. The RFP was issued to identify the banking institution that could offer the highest quality service, create efficiencies, and take advantage of new applicable technologies at the best overall value. The proposers had the option to only propose on banking services, or merchant services, or both.

The City Procurement Department was responsible for publishing the RFP, receiving responses, and the general responsibilities associated with monitoring compliance with the solicitation process. The RFP was sent to most of the local banks and/or merchant processing companies and published on the City's Procurement website at Procureware.com, and in the Columbian newspaper.

In order to respond to the RFP, the banking institution had to be a “full service” bank, which meets the statutory requirement of a qualified Washington State public depository throughout the term of the contract (as required by RCW 39.58). This Washington State law requires that banks

that hold public funds fully collateralize an equal amount of funds with their depository's trustee. Because of this requirement, many smaller institutions have made a business decision to use their collateral for other business purposes and to not respond to RFPs of this type.

The responding Financial Institution had to meet the following mandatory requirements during the contract period: 1) Branch banking facilities located within the State of Washington; 2) Approval by the Washington State Public Deposit Protection Commission as a qualified public depository; and 3) Branch banking facilities located within the City and the County.

The evaluation committee scored the response from JP Morgan Chase the highest for general banking services, and Paymentus for merchant services. Award of the merchant services agreement with Paymentus is proposed under a separate action.

Staff recommends that Council approve award of these banking services agreements to JP Morgan Chase Bank from July 1, 2021, through December 31, 2026. The contract is slightly longer than five-years because the bank wanted to provide the greatest flexibility for Pcard services if the City transitioned to another provider at the end of the five-year period. The estimated cost over the life of the five-year contract is \$500,000. This does not include fees associated with processing credit/debit card transactions.

Request: Approve ordinance on first reading, setting date of second reading and public hearing for Monday, July 19, 2021.

Carrie Lewellen, City Treasurer, 360-487-8482

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

Motion approved the request.

7. Contract with Selectron Technologies to Upgrade Utility Billing Payment and Building Permit Inspection Portals to Cloud-Hosted Platform

Staff Report 100-21

AN ORDINANCE authorizing the City Manager or designee to execute an Agreement with Selectron Technologies, Inc., an Oregon corporation (hereinafter "Contractor"), for the provision of software and materials, identified more particularly in the Agreement (collectively "Licensed Software") for the benefit of providing the City of Vancouver, Washington ("City") with upgraded utility billing and building permit payment portals; requiring Terms that such Agreement be for an initial term of five (5) years with successive one (1) year

terms thereafter until terminated by either of the parties; providing for severability; and setting an effective date.

Summary

The City implemented the current generation of the Selectron software in 2007. The system is outdated and is not efficient for our customers or staff. Although the system works, it lacks many of the modern features and the user experience that you would find in today's e-commerce sites. For our customers to initiate or change credit card recurring payments, they must contact City staff for manual setup. There is no modern username/password capability, so customers must rely on outdated techniques to login to the system.

The Selectron upgrade will allow our customers to establish and maintain their own user accounts for accessing City Utility and building permit inspection information. This will allow our customers to setup and maintain how they pay for City services – a capability that customers have repeatedly requested. Not only will the upgrade provide many efficiencies, it will also enhance security for sensitive credit card information. In addition to Utility payments and Permits, the Selectron platform has the potential to be used in the future as a common portal for making payments to other systems that allow payment integrations.

Request: On Monday, July 12, 2021, approve ordinance on first reading, setting date of second reading and public hearing for Monday, July 19, 2021.

Patrick Gilbride, IT Director, 360-487-7650

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

Motion approved the request.

8. Impact Fee Vesting Amendments

Staff Report 101-21

AN ORDINANCE of the City of Vancouver relating to Title 20, Land Use and Development, of the Vancouver Municipal Code (VMC), amending Chapter 20.915 titled "Impact Fees" to prospectively remove the vesting of impact fees, calculate impact fees at the time of building permit application, collect impact fees at the time of building permit issuance, and allow impact fee reduction requests to be reviewed at staff level based on specified criteria; provide for severability; and provide for an effective date.

Summary

In the context of the budget adoption last fall and more recently related to multiple requests from developers to adjust school impact fees (SIF), City Council has expressed interest in considering an ordinance that would eliminate the vesting of all impact fees in order to collect the most current fees at the time a building permit is issued.

On November 16, 2020, the City Council approved an ordinance relating specifically to park impact fee adjustments, amending Vancouver Municipal Code Sections 20.915.050 and 20.915.100, and changing the method and timing of fee adjustments. In addition to the approved amendments City staff proposed amending other sections of VMC 20.915 including:

- VMC 20.915.020: the timing of when impact fees are calculated and due and payable; and*
- VMC 20.915.070: the removal of the impact fee determination provision that currently vests project impact fees for 1 year upon applicant request.*

The above noted code sections were not included as part of the overall park impact fee adjustments considered by Council in the recent biennial budget process, in order to provide for additional stakeholder outreach.

Additionally, within the last year the City has received three separate requests from multi-family developments to adjust the Evergreen School District school impact fee (SIF) rate. The primary reason for the requests was the SIF for multi-family development decreased by approximately 50% per multi-family unit as part of the update to the 2019-2015 Evergreen Public School Capital Facilities Plan (CAP).

City Council approved all three requests but directed staff to review the City's municipal code regarding the timing of calculating and collecting impact fees. The City also received feedback from Evergreen School District and the proponents of the SIF reduction requests that they would support a code change to bring the timing of the impact fee assessment and collection closer together for development projects.

This item went before the Planning Commission as a workshop item on February 23, 2021, and as a public hearing item on May 11, 2021. At the workshop on February 23 there was consensus among the Planning Commission that calculating impact fees at preliminary plat or site plan approval and allowing the impact fees to vest for three years is not conducive to accurately collecting the true cost of facility improvements at the time the building permit is issued. Several Planning Commissioners encouraged staff to explore calculating impact fees at the time of building permit application instead of building permit issuance.

Based on the feedback received from the Planning Commission, the

Building Industry Association, the Southwest Washington Contractor's Association, school districts and City Parks, Transportation and Development Review staff, the timing of calculating the impact fees has been adjusted from building permit issuance to building permit application. Based on staff's review of permit activity from 2020 approximately 90% of all building permit applicants subject to payment of impact fees were issued their building permit within the same calendar year. Given the high percentage of building permits issued within one year of application, staff is supportive of calculating impact fees at building permit application. Calculating fees at this point in the process would be a fair representation of the true cost of facility improvements. It also provides the applicant with a high level of certainty as to what the actual permit costs will be by the time the building permit is ready for issuance. Impact fee estimates can still be provided to applicants at site plan and plat plan approval with the caveat that these are merely estimates based on the current fee amounts and the actual impact fees will be calculated at building permit application.

The proposed amendment would be applicable to school, transportation and park impact fees. Representatives of the PIF, TIF and SIF programs are equally supportive of removing the vesting of impact fees in order to keep fees as current as possible to meet the intent of state legislation to serve future development. The proposed removal of impact fee vesting would not be retroactive, and therefore, would not apply to projects currently vested in the project review process by Preliminary Plat or Site Plan approval. Projects that are vested under current code provisions of Preliminary Plat and Site Plan Review approval would remain vested for three-years from their approval date, after which the impact fees that are in effect at the time of building permit issuance shall apply.

VMC 20.915.070.C Calculation of Impact Fee allows the development approval authority setting the impact fee, upon application by the developer supported by studies and data, to reduce or eliminate such fee. The City Council is the authority that sets the impact fees. The City is not proposing amending this section in its entirety but is proposing minor revisions to 20.915.070 that include:

- Requiring reduction requests be reviewed at staff level (i.e.; CED Director, Parks Director, or Public Works Director) therefore not requiring a public hearing. This is consistent with other jurisdictions regionally.*
- More specificity on what is required to be provided by the developer to demonstrate the adopted formulas or methodologies do not accurately reflect the cost of the system improvements generated by their proposed development*

The proposed amendments to VMC 20.915 would direct impact fees to be calculated at building permit application based on the rates in effect at that

time. The impact fees would be due and payable at building permit issuance. All impact fees would be required to be recalculated for building permit applications that have not been issued within one year of application.

This policy is consistent with multiple jurisdictions surveyed, including Camas and Washougal and others throughout the state – none of which have shown any decline in growth as a result.

On May 11, 2021, the Planning Commission unanimously approved staff's recommendation to approve the proposed text changes to VMC 20.915.

Review Criteria and Findings

Vancouver Municipal Code 20.285.070 provides the approval criteria for comprehensive plan or zoning code text amendments:

A. Text amendments to the comprehensive plan or VMC 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.*

Applicable Vancouver Comprehensive Plan Policies

CD-9 Compatible uses: Facilitate development that minimizes adverse impacts to adjacent areas, particularly neighborhoods.

PFS-3 Impact fees: Establish and maintain policies and regulations, including traffic, park and school impact fees, to ensure new development pay for a proportionate share. Impact fees should be reduced or eliminated for low-income housing developments.

PFS-33 Parks coordination: Plan for parks, trails, open spaces and recreational services in coordination with other local and regional public agencies and private entities. Facilitate provision of lands and/or impact fees for parks as part of the development review process.

Staff Findings

The proposed amendments to VMC 20.915 Impact Fees are consistent with the Vancouver Strategic Plan, Vancouver Comprehensive Plan and other applicable laws, and the public interest. The proposed amendments further Comprehensive Plan policy PFS-3 by ensuring new development

pay for a proportionate share of the cost of facility improvements that most accurately reflect the cost of the improvement. Additionally, ensuring new developments pay a proportionate share will help enable the City to develop high quality parks and trail systems that help improve our community's livability and prosperity which align with Strategic Plan Goals 1, 4 and 10.

Request: On Monday, July 12, 2021, approve the ordinance on first reading, setting date of second reading and public hearing for Monday, July 19, 2021.

Jason Nortz, Development Review Manager, 360-487-7844

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

Motion approved the request.

9. Appointment to the Parks and Recreation Advisory Commission

The Parks and Recreation Advisory Commission (PRAC) is a 10-member volunteer community group made up of seven city residents, two school district representatives and a liaison from the Parks Foundation of Clark County. The commission advises Vancouver City Council and city staff on needs, plans and programs necessary to provide a stellar system of parks, open space, playgrounds and recreation services to the residents of Vancouver.

The Mayor recently interviewed four candidates for two full-term positions and recommends the reappointment of Matthew Kuntz and the appointment of Angilo Fletcher, with a terms beginning July 31, 2021 and expiring July 31, 2024.

Request: Reappoint Matthew Kuntz and appoint Angilo Fletcher to the Parks and Recreation Advisory Commission, terms beginning July 31, 2021, and expiring July 31, 2024.

Mayor McEnemy-Ogle

Motion approved the request.

10. Approval of Claim Vouchers

Request: Approve claim vouchers for July 12, 2021.

Motion approved claim vouchers in the amount of \$10,846,086.81.

Public Hearings (Item 11)

11. Public Hearing Continued - Renaissance Boardwalk Development Agreement

Staff Report 083A-21

A RESOLUTION approving a development agreement with Kirkland Development, LLC for an approximately two-acre parcel located east of Interstate 5 and south of SE Columbia fronting along the Columbia River.

Summary

Kirkland Development has an option to purchase a 2.03-acre parcel on the Columbia Waterfront immediately east of the I-5 Bridge and is proposing to redevelop the property for a high density mixed use project.

The subject property is located south of SE Columbia Way and existing improvements include two restaurant buildings (Who Song and Larry's and former Joe's Crab Shack) and two surface parking lots with two driveways onto SE Columbia Way. The property has approximately 430 feet of frontage along the Columbia River and a tall concrete bulkhead wall extends along most of the shoreline frontage.

The City owns a wooden "fishing pier" structure along the west 130 feet of property but this structure has fallen into disrepair and has been fenced off by the City due to safety concerns. A narrow pedestrian path exists along the top of the shoreline wall south of the restaurants but access to the pathway has been restricted from the west due to the closure of the pier structure. The City's Waterfront Renaissance Trail is located north of the property along Columbia Way. A pedestrian crossing exists at the northeast corner of the property to the Old Apple Tree Park. The property to the east of the project site is owned by the National Park Service and has a small surface parking lot, pedestrian pathways, and lawn area.

Kirkland intends to redevelop the site following removal of the two restaurant buildings for a large mixed use project, with an 8-story residential tower above four retail and restaurant buildings, with underground parking and outdoor eating areas and reconstruction of a 15-foot wide public pedestrian boardwalk from along the top of the existing shoreline wall.

The proposed development agreement provides certainty to the Developer that certain development standards will apply to the project, certain system development charge credits and transportation impact fee credits will be made available to the project. The development agreement provides the City with certainty that the project will be constructed as proposed, the

public walkway along the shoreline will be reconstructed, the wooden fishing pier, which has been closed, will be removed by the Developer, and sustainable design features will be incorporated.

At the June 7 City Council public hearing to consider the development agreement, Council continued the public hearing to allow for additional development of the sustainability features of the project. Subsequent to this public hearing, City staff and the Kirkland team discussed what additional measures could be taken to increase sustainability levels, and Kirkland has agreed to modify the language of the development agreement to meet no less than LEED Gold energy efficiency and sustainability standards. Kirkland has also indicated they would accept a requirement in the development agreement to use only electric power for the residential units, with no natural gas use except for possibly a gas-burning fire pit on the common patio. Additional details regarding the negotiations pertaining to the sustainability features and the related revisions within the development agreement are outlined in the attached memorandum.

City Council has been briefed on the project at two previous workshops, and recently extended the boundaries of the City's Multi-Family Tax Exemption Program to include the subject property. The Developer intends to utilize the 8-year Market Rate Tax Exemption option under a separate request, and subject to a requirement to provide one or more substantial public benefits.

The City Center Redevelopment Authority reviewed the proposed development agreement on April 15, 2021, and unanimously recommended that City Council approve the agreement as drafted.

Request: Subject to public hearing, adopt a resolution approving the development agreement between the City and Kirkland Development LLC for the Renaissance Boardwalk project.

*Chad Eiken, Community and Economic Development
Director, 360-487-7882*

Chad Eiken, Community and Economic Development Director, reviewed the Council's previous consideration of this development agreement (DA) on June 7 and their direction at that time. He summarized the discussions staff has had with the applicant since then and reviewed proposed changes to the DA since that hearing. Mr. Eiken explained that the applicant was also willing to increase the number of electrical charging infrastructure stations to a minimum of one hundred, if Council so desired.

Mr. Eiken noted the issue of requiring a separation of restaurant seating from the public right-of-way with a physical barrier is a requirement of state law for facilities serving alcohol.

Councilmember Stober asked that this issue be placed on the City's state legislative agenda.

Mr. Eiken explained the applicant had requested a wording change to Section 4.2.1 in the development agreement to add that the development of the project site shall be constructed in a single phase subject to commercially reasonable construction scheduling for permitting, demolition, laydown and staging.

Mayor McEnerny-Ogle expressed concerns about impacts to local traffic through the area in the event development of the site lingers for several years and asked what a reasonable timeframe is. Mr. Eiken stated that is evaluated on a case-by-case basis and the DA includes a project construction schedule. If the developer breaches that schedule, it triggers the enforceability measures outlined in the DA. He clarified that the developer intends to build the entire project in one phase, but there could be unforeseen circumstances that cause delays.

Mayor McEnerny-Ogle noted that some of the projects being built on the western end of the Waterfront have been moving more quickly than others, and the area near the Renaissance Trail is a delicate area where extended impacts from construction should be avoided. She stated she did not see a need to add the requested language when the project schedule includes some flexibility already.

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

- Peter Fels, Vancouver, thanked the Council for sending the DA back for further development on the sustainability features of the project. He referred to written comments he had submitted (attached) and urged the Council to require or implement further measures to address sustainability.
- Cathryn Chudy, Vancouver, thanked the Council for sending the DA back for further development on the sustainability features of the project. She referred to written comments she had submitted (attached) and encouraged the City to work towards reducing energy use and carbon emissions in the built environment.
- Dana Gardner, representing the applicant, stated she was available to answer any questions.

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

Councilmember Stober asked how the project will be certified to LEED Gold standards and who would be doing the certification. Mr. Eiken stated the City would most likely bring in a third party to verify for the City that the proposals

meet LEED Gold standards, as the City currently does not have the expertise in-house to complete this work.

Councilmember Paulsen stated that because the schedule targets in the DA are flexible, he shares the Mayor's concerns about a prolonged build timeline.

Council reviewed Exhibit G to the DA and spoke at length regarding the project schedule targets, the timeline and phasing possibilities.

Mr. Eiken noted there is a secondary timeline that would become applicable if the applicant applies and is approved for a Multi-Family Tax Exemption (MFTE) agreement for the project. That benefit requires residential units be ready for occupancy within three years of the MFTE agreement approval.

Councilmember Paulsen stated he would like to take the applicant up on their offer to increase the number of electrical vehicle charging infrastructure or stations to a minimum of one hundred.

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to amend section 4.3.2 (c) of the development agreement to read “minimum of one hundred (100)” electric vehicle charging infrastructure or charging stations within the parking garage or in surface parking area.

Council further reviewed the construction timeline outlined in the development agreement.

Brian Fleener, project architect, explained several of the buildings are designed to connect with an external corridor system and so will need to be built simultaneously, and the project has been designed to be built at one time.

City Manager Eric Holmes stated the intent of the applicant is for the project to be developed all together due to the building interdependency. He noted it may be beneficial for Council to add clarity to the construction timing, such as an umbrella timeline.

City Attorney Jonathan Young stated Council could make a motion to add such a timeline in Section 4.2.1 of the DA.

Councilmember Fox stated she is most concerned about the impacts to public access to the trail in the area during construction, regardless of the overall construction timeframe. Mr. Eiken stated the Renaissance Trail will remain open during construction.

Motion by Councilmember Paulsen, to amend Section 4.2.1 to read “Development of the Project Site shall be constructed in a single phase, not to exceed thirty-six months from time of final permit, consisting of the construction of retail and residential units on the northern portion of the Project Site, construction of restaurant, office, residential, and retail space on the southern portion of the Project Site,

construction of underground parking beneath portions of the Project Site, and the construction of the Renaissance Boardwalk. A Project schedule, with target dates for land use and building permit submittals, permit approvals, start of construction, and anticipated completion, is attached hereto as Exhibit G (“Project Schedule”).”

Mayor McEnerny-Ogle asked if construction permits will need to come in sequentially, or all together. Mr. Eiken stated they could come in together and they will need to be reviewed at the same time. He stated right now the applicant would have 24 months from the final permit issuance to complete construction. He asked Councilmember Paulsen if he intended to require completion within 36 months from the time of the first permit issuance.

Councilmember Paulsen confirmed that was his intent and the concern is both maintaining public access in the area as well as ensuring that construction moves forward. Mayor McEnerny-Ogle asked Councilmember Paulsen to clarify his motion.

Motion by Councilmember Paulsen, seconded by Councilmembers Fox to amend Section 4.2.1 to read “Development of the Project Site shall be constructed in a single phase, not to exceed thirty-six months from time of final permit, consisting of the construction of retail and residential units on the northern portion of the Project Site, construction of restaurant, office, residential, and retail space on the southern portion of the Project Site, construction of underground parking beneath portions of the Project Site, and the construction of the Renaissance Boardwalk. A Project schedule, with target dates for land use and building permit submittals, permit approvals, start of construction, and anticipated completion, is attached hereto as Exhibit G (“Project Schedule”),” and to add the language “During construction, the currently available Renaissance Trail abutting Columbia Way shall remain available for use.”

Councilmember Stober expressed concerns about the City’s ability to enforce this provision. He stated even if the City brought litigation against the developer in the event of non-compliance, it would take months to get to a ruling from a court on top of the 36 months that would have already lapsed, and a court ruling would simply require the applicant to finish construction, which they may no longer have the funding to complete. At that point, the outcome is less desirable than a delay in construction. He stated he does not understand what adding this timeline requirement accomplishes.

Motion to amend Section 4.2.1 as stated above carried 6-1. Councilmember Stober voted No.

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to approve Resolution M-4136 approved the Renaissance Boardwalk Development Agreement as amended.

Communications

A. From the Council

B. From the Mayor

a. Board and Commission Recognitions

Mayor McEnerny-Ogle recognized the service of John Caton and Joan Caley, long-time members of Vancouver advisory boards and commissions. Dr. Alan Melnick, Clark County Public Health Director, spoke regarding Ms. Caley's service on the Public Health Advisory Board.

C. From the City Manager

a. I-5 Bridge Replacement Program - Vancouver's Desired Outcomes

Councilmember Lebowsky stated she is an employee of the Washington State Department of Transportation and as such would be recusing herself from this discussion. She left the meeting at 8:17 p.m.

Katherine Kelly, Senior Policy Advisor, presented Council with a draft resolution outlining Vancouver's desired outcomes pertaining to the Interstate 5 Bridge Replacement Program. Council provided feedback regarding edits to the draft resolution, which will be considered for final action at a future Council meeting.

Adjournment

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

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

From: [Don Steinke](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Agenda items #1 and #3 for July 12, 2021
Date: Monday, July 12, 2021 11:49:08 AM

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.

From Don Steinke

Hello, I'm Don Steinke, Regarding Agenda Item #1 the contract with Gordon Trucking.

I didn't see any of the details about this contract on your website, so my comments might be rather general.

I believe that at a minimum, all trucks should have the latest emissions control technology installed and working properly, and urge all truck services to gear up to comply with the new California Advanced Clean Truck Rule. This is from the California Air Resources Board Webpage

- Manufacturers who certify trucks with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.

Today, electric drivetrains are well suited to operating in congested urban areas for stop-and-go driving where conventional engines are least efficient. Battery-electric and fuel-cell electric trucks, buses, and vans already are being used by fleets that operate locally and have predictable daily use where the trucks return to base to be charged or fueled.

California estimates that removing diesel trucks from the roads would deliver at least \$9 billion in public health benefits. The Governors of Oregon, Washington, and Colorado have signed Memoranda of Understanding that they will seek similar authority.

<https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet>

Clark PUD has incentives for this.

All of my remarks regarding agenda Item 1 could apply to agenda item 2 but I don't know the details of either.

In conclusion, urge all truck services to gear up to comply with the new California Advanced Clean Truck Rule.

Regarding Agenda item #3 The new police station.

Consider learning from the PAE. The PAE Building in Portland is intended to be a showcase of sustainable design. As I understand it, that building is LEED Platinum, plus net zero energy, plus Living Building Certified.

That building is the world's largest and first developer-driven Living Building. It is a five-story, mixed-use building that demonstrates replicable and cost-effective solutions for sustainable design and removing barriers to entry for highly sustainable projects while revitalizing the community.

I have provided the link in my written comments.

<https://www.pae-engineers.com/projects/pae-portland-living-building>

Also consider learning from the New Buildings Institute. Based on what I learned from them I make the following suggestions for the new police station.

Maybe lay water tubing in trenches around the police station or under the parking lot for ground source heat pumps.

For sure install conduit for EV charging plugs in the ground for each squad car before pavement is poured in new parking lots.

Design the roof to be solar ready and install wiring for solar before sheet rock is installed.

The story about the condo collapse in Florida has lessons for us. The Condo Board was warned but didn't have the courage to do what needed to be done. The consequences were more costly than prevention would have been.

We've been warned about global warming for 50 years and the evidence is piling up all around us every day. The drought near Klamath Falls has made the Bootleg Fire, the most extreme ever known.

I urge you to lead by example. Consider installing carports in full public view with solar panels on top and charging plugs below including a sign saying cars fueled by sunshine.

The Hill reported this weekend that we need to remove heat-trapping carbon dioxide we've already put into the air.

This morning I attended a meeting with Senate Energy Committee Chairman Joe Manchin (D-W.Va.) and former Secretary Monize. There I learned of a \$3.5 billion funding proposal for large regional direct air capture pilot projects for Carbon capture use and sequestration.

The bill is due to be heard this week. One thing should be clear. It will be a lot cheaper for our children if we put less CO2 into the air beginning today. All of this applies to the Kirkland Development as well.

[Direct air capture is a crucial bipartisan climate policy \(msn.com\)](#)

Peter Fels
5121 NW Franklin Street
Vancouver WA 98663
TELEPHONE: (360) 737-3154 • plfels@gmail.com

July 12, 2021

RE: Renaissance Boardwalk Development Agreement

Thank you for your initial denial of this DA and sending it back to develop better sustainability standards. As you and the developer have noted, there is uncertainty until the City has adopted a climate plan. I hope you will move more quickly to do so.

The urgency of climate action is more and more apparent. The collapse of the condos in Surfside FL can be attributed to failure of the condo association board's failure to heed engineers' warnings about the danger. Similarly, the collapse of the Pacific NW environment can be attributed to decades of delay in adopting stronger environmental regulations. Two days ago, all the buildings on my friend's ranch in Southern Oregon, some of which I helped build 50 years ago, burned to the ground in the Bootleg fire, despite his continuing efforts to reduce fire hazards on the property. I have children and grandchildren who may have to live in a world of constant fire hazard, drought and other extreme conditions. Locally and individually we all have parts to play in reducing our climate impact. It is urgent and personal.

The proposed DA provides for 10 year vesting in Section 6 but excludes "environmental laws or development requirements" at Section 6.6. It is unclear to me whether this means electrical and other building codes in effect now or at the time of permitting will be applied. The VIC proposed DA specifically spells out that the codes in effect at time of permit application will be applied. I ask that the same language be added here.

I appreciate the developer has agreed to meet LEED Gold standards. However, some issues remain. Only a minimum of 4 EV charging stations are proposed. This hardly provides for sufficient charging for all residents and commercial and restaurant visitors. At the very least, the developer should be required to place cable and outlets before completion of the parking areas so that additional charging stations can be installed later without great expense.

The draft LEED checklist allows 5 points for access to quality transit. I was unable to find on the C-Tran route maps any C-Tran bus route that passes the development, although I think I have seen buses on Columbia Way. I have previously urged you to develop an electric tram or bus service circulating around the Waterfront, downtown and Uptown, similar to the RYD service but open to the public. It looks to me as though there will be insufficient public parking at the Renaissance Boardwalk development and insufficient public transit to and from there. Transit options need to be expanded, possibly including electric scooters, and I hope the City, C-Tran and Kirkland will work on this.

The DA agrees to supply electricity only to the residential units. This is good, but does not address the retail and commercial spaces. Heat pump HVAC systems are a bit more costly to

install but far more efficient and environmentally friendly. I hope Kirkland will not be using gas-fired heating units in any of the structures.

Also the proposed DA requires City planning staff to evaluate LEED Gold equivalence, rather than the developer providing independent certification. I wonder if City staff is trained to do this. We do need a process to do energy audits of existing and proposed buildings in order to meet whatever climate goals you adopt. This proposal brings that need to your attention. If you don't want staff to be burdened with certifying permit applications, then the developer should be required to provide an independent certification.

Finally I want to remind you that Kirkland is claiming a public benefit by rebuilding the old pier walkway and extending the waterfront trail in front of their buildings. While there will be a public benefit, the connection is going to greatly benefit them, avoid potential liability and enhance visibility of the retail and restaurant spaces. They would probably be doing these things anyway, so whether it entitles them to significant MFTE tax credits is debatable.

s/Peter Fels

To: Vancouver City Council and Staff
Public Hearing Renaissance Boardwalk Development Agreement/July 12, 2021/Cathryn Chudy

I appreciate City Council for the decision you made on June 7th to send Kirkland Development back to the drawing board in order to secure a stronger energy efficiency standard in exchange for the substantial benefits the city will provide to Kirkland in return.

Buildings represent the second largest source of greenhouse gas emissions in Washington. Your own public survey for the Climate Action Plan to reduce emissions showed a majority want you to be “much more ambitious” in taking action on sustainability and climate action. It makes sense then that every development agreement that comes before you should be carefully scrutinized and held to the highest and most ambitious energy efficiency standards possible.

The Washington Clean Buildings Act that went into effect in 2019 noted that “Energy efficiency investments that reduce energy use in buildings bring cobenefits that directly impact Washingtonians' quality of life. These benefits include improved indoor air quality, more comfortable homes and workplaces, and lower tenant energy bills.”

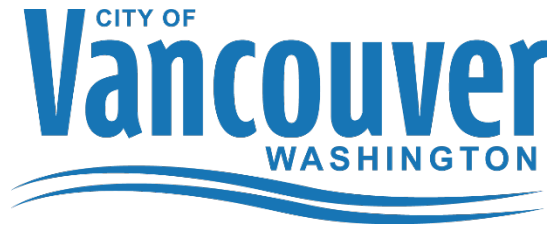
Expecting the highest possible energy efficiency standards in new buildings going forward means a win for those who will live, work, or spend time in those buildings for decades to come, and for a cleaner and more sustainable Vancouver in the face of the increasingly visible signs that catastrophic climate change will continue to exact a heavier toll on our region, and especially those among us who are most vulnerable.

Already we know from the recently updated Washington Health Disparities Map (prepared by the University of Washington in cooperation with the Washington State Department of Health) that Vancouver has some of the worst air pollution levels that impose health burdens on our most vulnerable citizens. The Map shows most of Vancouver classified as a 9 or 10, with 10 having the greatest health disparity based on exposure to health harming pollution and ability to afford healthcare. We are behind the curve when it comes to taking action to protect our citizens, and the guiding principle for Council decisions on new development should be, quite simply, no more polluting buildings.

In order to get to “no more polluting buildings” on the road to a carbon neutral future, which is the ultimate “win” for Vancouver, we need to be serious about reducing the energy use and carbon emissions from the built environment, which means implementing a progressive code and policy approach as advocated by the New Buildings Institute, which is a leading resource on energy codes and standards for efficient and carbon neutral buildings.

<https://newbuildings.org/hubs/codes-policy/>

From a purely business sense, developers will seek development agreements pushing for “what’s in it for them” in the short run, while you as our elected representatives have an obligation to see the larger picture and to pursue “what’s in it for all of us, present and future”, and we ask that you keep that overarching obligation in mind when you make these crucial decisions.



City of Vancouver • P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

DATE: August 2, 2021
TO: Eric Holmes, City Manager
FROM: Jonathan Young, City Attorney 
RE: Supportive Campsite Pilot Program – Legal Considerations

Supportive Campsites Pilot Program: Legal Considerations

The prospect of establishing a City-sanctioned Supportive Campsite Pilot Program raises the following legal considerations, which are addressed in greater detail below:

- Recommended changes to VMC 8.22 Camping;
- Administrative Authority to Establish Supportive Campsites; and
- Constitutional scrutiny on themed campsites.

Recommended Changes to VMC 8.22 Camping

To establish City-approved Supportive Campsites (even on a pilot basis), certain minimum changes will be required to the Vancouver Municipal Code. Specifically, VMC 8.22.040 “Unlawful Camping” and VMC 8.22.050 “Unlawful Storage of Personal Property in Public Spaces” must be amended to provide an exception to allow camping 24-hours daily at City-approved locations. In consultation with the City’s Homeless Response Coordinator, the following additional changes (though not technically required to establish supportive campsites) are also recommended:

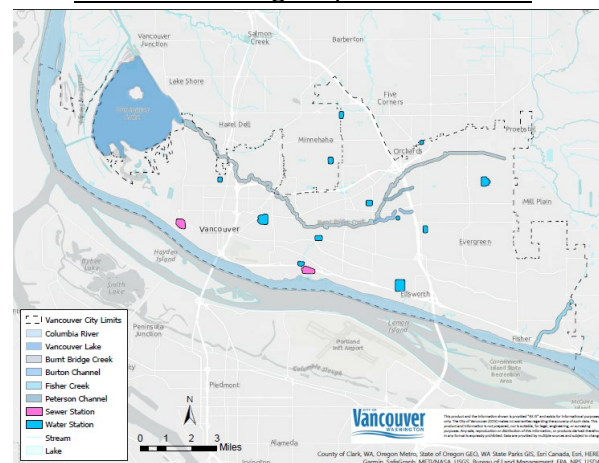
- Nighttime Employment: Staff recommends adding an exemption to the 6:30am-9:30pm prohibition on camping and storage of personal property for individuals who present satisfactory evidence of nighttime employment to the City Manager or designee.
- Camping Impact Areas: Staff recommends establishing ‘camping impact areas’ in which camping should be prohibited 24-hours daily (a) within 1000 feet of city-approved supportive campsites, and (b) within 200 feet of designated sensitive ecological areas.

1000-Foot Supportive Campsite Buffer: Staff's recommendation to prohibit camping within 1000 feet of city-approved supportive campsites is designed to avoid adverse secondary impacts of unlawful camping in the immediate vicinity of a city-approved Supportive Campsite. A 1000-foot buffer area is congruent with other dispersal requirements found elsewhere in the Vancouver Municipal Code¹ and is supported by the experience gleaned from the City's recent operation of the 2018 Grand Boulevard Navigation Center.

200-Foot Ecologically Sensitive Area Buffer: Staff recommends prohibiting camping within 200 feet of designated sensitive ecological areas. This recommendation is consistent with the policy underpinnings of [VMC 20.740](#) Critical Areas Protection, [VMC 20.760](#) Shoreline Management as well as this City Council's 2021-2022 biennial budget policy directive to further our community's environmental resilience. The selection of a recommended 200-foot buffer is designed to strike a delicate balance: on one hand being no larger than necessary (leaving ample public land available for camping between the hours of 9:30pm-6:30am) while on the other hand being sufficiently restrictive to achieve consistency with national environmental health standards. Notably, the [Leave No Trace Center](#) provides guidance for backcountry hikers indicating that disposal of human waste should never occur closer than 200' or 70 paces from water sources. A prohibition on camping within 200-feet of water sources is consistent with such guidance. The City's environmental health specialists have advised that specific locations that may be appropriate for designation as ecologically sensitive areas include: the Columbia River, Vancouver Lake, Burton Channel, Burnt Bridge Creek, Peterson Channel, Fisher's Creek as well as properties associated with the City's wastewater, water station and stormwater facilities:

Exhibit A – Ecologically Sensitive Areas

A full-size image of Staff-proposed ecologically sensitive areas accompanies this memorandum as Exhibit A.



In addition to prohibiting camping within 1000 feet of City-approved supportive campsites and within 200 feet of designated environmentally sensitive areas, City Staff also recommends expanding the Talkin' Trash and related litter removal services to provide services in these areas.

¹ See e.g., VMC 20.884.020 requiring 1000-foot disbursement of recreational marijuana facilities from specified locations.

Administrative Authority to Establish Supportive Campsites

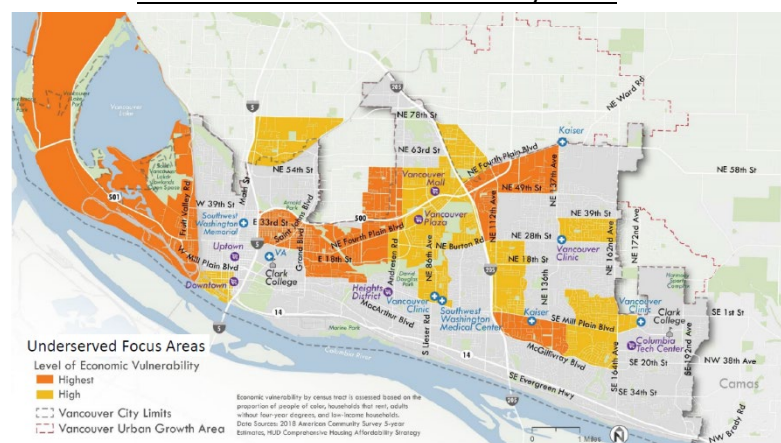
Supportive Campsites are not intended to remain in any single location permanently. Therefore, City Staff recommends that the Supportive Campsites be located at administratively selected sites in accordance with Council-approved placement guidelines. Allowing City Staff (i.e., the City Manager or designee) to select the specific locations of Supportive Campsites will increase flexibility and avoid legislative delays associated with the original placement, and subsequent relocation, of all City-approved Supportive Campsites. Meanwhile, the establishment of City Council-approved placement guidelines will provide policy-level direction as to appropriate criteria that should be considered when selecting locations for Supportive Campsites.

Policy Direction on appropriate locations: Staff proposes City Council's final approved placement guidelines might include criteria such as:

City Council-approved placement guidelines: (Proposed)
• Disperse Supportive Campsites equitably throughout the City • Avoid areas with heightened economic vulnerability * (See Exhibit B) • Ensure ADA accessibility to and within Supportive Campsites • Give preference to sites within 0.5 miles of public transit • Comply with all SEPA requirements

* Exhibit B – Economic Vulnerability Areas

A full-sized image of a map containing areas with a documented history of heightened Economic Vulnerability accompanies this memorandum as Exhibit B.



Administrative Authority: Once Council-approved guidelines have been established providing policy-level direction on the appropriate locations of City-approved Supportive Campsites, City Staff may initiate the process of setting up a Supportive Campsite using one of two processes that already exist within the Vancouver Municipal Code: (1) Right-of-way use permits issued under VMC 11.60.060 on City-owned rights-of-way; or (2) Temporary Use Permits issued under VMC 20.885 when Supportive Campsites are to be located outside of the public right-of-way.

Right-of-Way Use Permits: Chapter [11.60 VMC](#), the Right-of-Way Use Code, provides an existing mechanism that allows the City (or any member of the community) to submit an application to use the public right-of-way. Types of permitted uses include limited-term construction activities, longer-term activities such as the establishment of sidewalk cafés, bus stop shelters, street vending machines, and material encroachment permits for uses such as placement of billboards or cellular towers. In consultation with the Public Works Department, City Staff have determined that most applications for Supportive Campsites will likely be processed as a Type D Permit Application (similar to sidewalk cafés or bus stop shelters), since supportive campsites will include amenities such as:

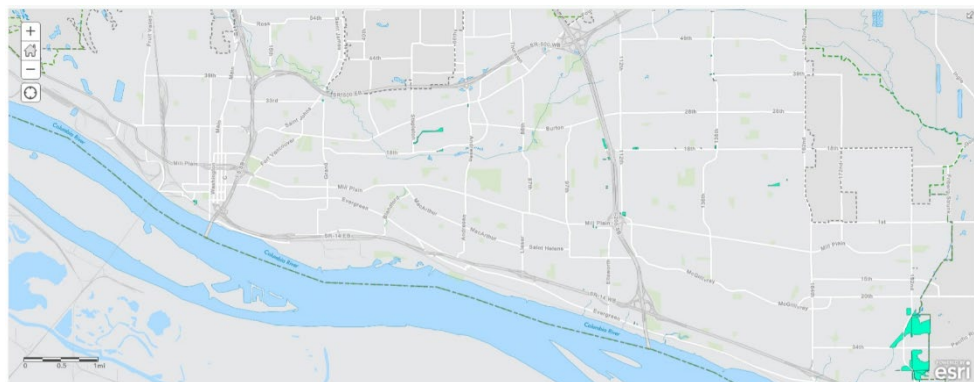
- Restrooms and sanitation stations;
- A camp host and community meeting structure;
- Perimeter fencing.

While there are (literally) miles of public right-of-way located within the City of Vancouver (e.g., all sidewalks), many people are surprised to learn that a considerable amount of the public right-of-way is not actually owned outright by the City. Instead, it is essentially an easement for public travel and other secondary purposes with legal ownership lying with the abutting property owners. (This is why streets, when vacated, generally become the property of the abutting property owner to the centerline of the right-of-way. More information on this topic can be found online courtesy of [MRSC](#).)

Notably, City Staff intends to only pursue right-of-way use permits for Supportive Campsites on land that is either leased, or owned outright, by the City of Vancouver – Staff is not proposing to use land owned by others for Supportive Campsites. As a result of this distinction, there are relatively few public rights-of-way that may be used for Supportive Campsites:

Exhibit C – City-owned rights-of-way

A full-sized image of a map containing City-owned rights-of-way accompanies this memorandum as Exhibit C.



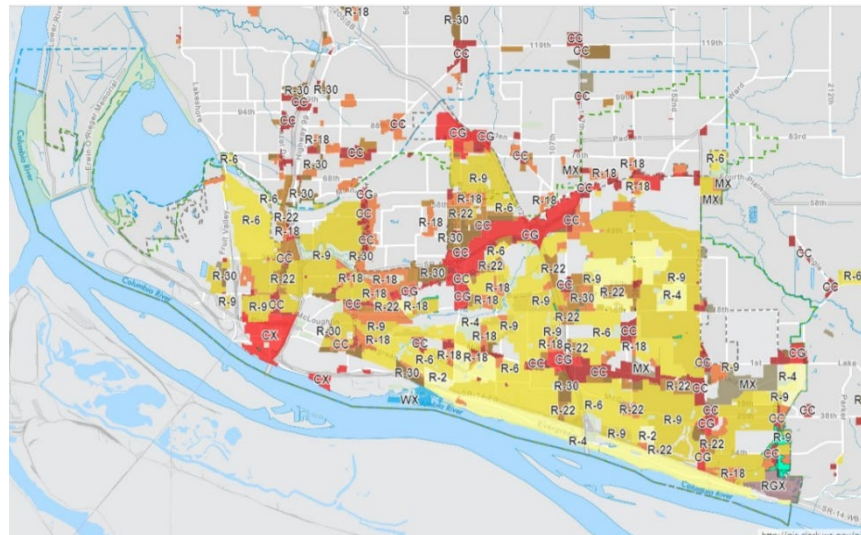
The application and review process for all administratively selected sites within the public right-of-way will necessarily include a review of potential environmental impacts under the State Environmental Policy Act (SEPA).

Temporary Use Permits: Given the relative scarcity of right-of-way land owned by the City, in some instances, Staff may choose to pursue a permit to establish a Supportive Campsite on land located outside of the public right-of-way. This is allowed under the City's existing land use and development code by virtue of a Temporary Use Permit.

To obtain a Temporary Use Permit, the City would submit an application to the City Planning Director and follow the process outlined in [Chapter 20.885 VMC](#). In general, temporary uses are generally allowed in higher-density residential and mixed-use commercial zones: R-2, R-4, R-6, R-9, R-18, R-22, R-30, R-35, CC, CG, CX, WX, MX, RGX:

Exhibit D – Zones where Temporary Uses Allowed

A full-sized image of a map containing areas zoned R-2, R-4, R-6, R-9, R-18, R-22, R-30, R-35, CC, CG, CX, WX, MX, RGX accompanies this memorandum as Exhibit D.



In pursuing a Temporary Use Permit the City would, again, comply with all applicable requirements of the State Environmental Policy Act (SEPA).

Constitutional Scrutiny on Themed Campsites

At the City's May 24, 2021 Workshop on Vancouver's Plan to Mitigate the Impacts of Unsheltered Homeless, City Council expressed interest in establishing 'themed campsites' such as camps dedicated to serving the needs of members of the LGBTQ community experiencing unsheltered homelessness. In response, Staff has explored three options for themed campsites:

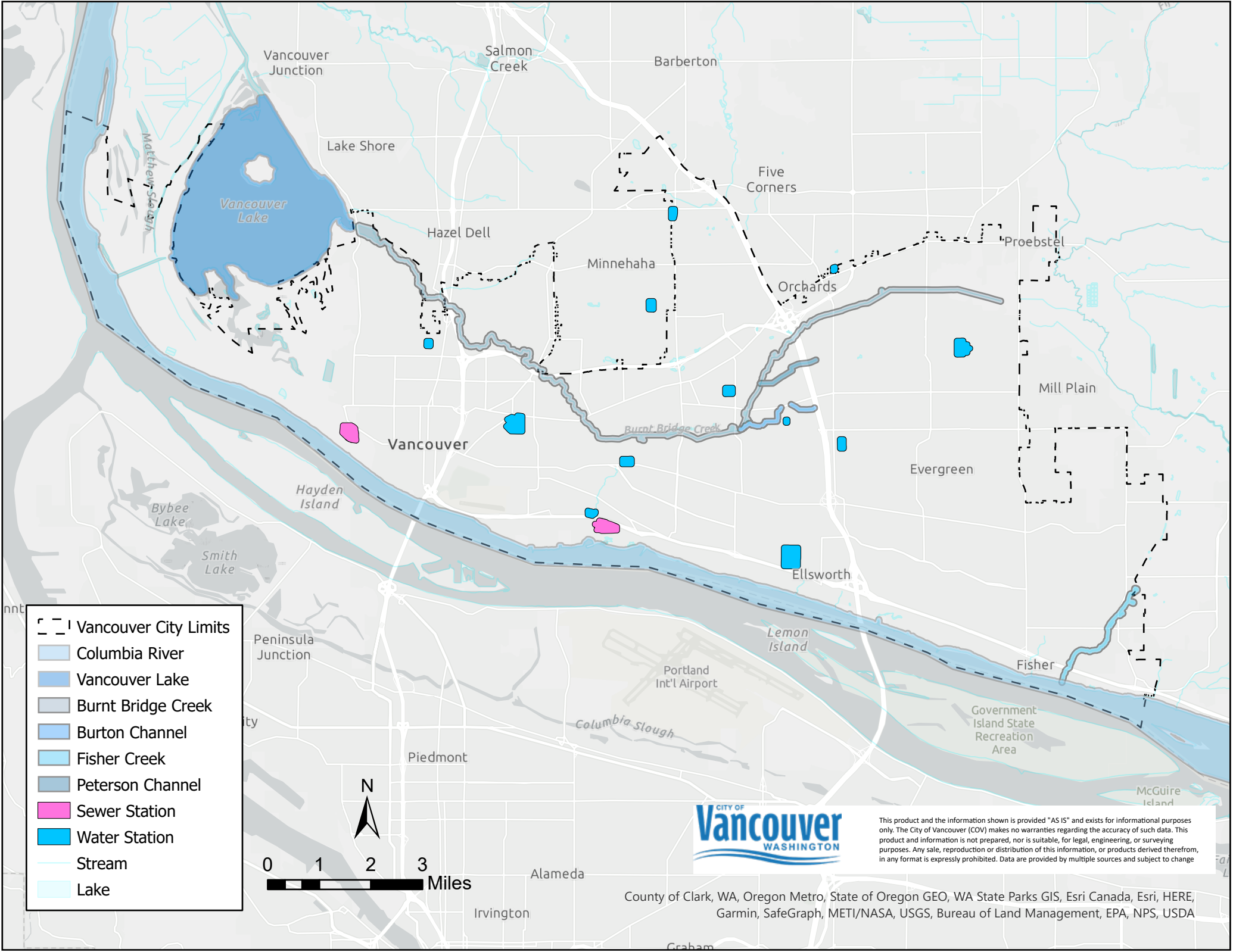
- ☐ Families with Children;
- ☐ Single-occupant female;
- ☐ Members of the LGBTQ community.

Legally, when public programs or services are made available to different people on the basis of sex, or family status,² those differentiations must be accomplished for a purpose, and in a manner, that passes Constitutional scrutiny. The United States Constitution requires that sex-based distinctions: (1) be drawn in response to an exceedingly persuasive purpose coupled with statistical (rather than anecdotal) information; (2) serve an important government objective; and (3) be substantially related to achieving those objectives.

² Differentiations made on the basis of familial status raise a slightly lower level of Constitutional scrutiny.

The Vancouver Police Department (VPD) has been asked to undertake an analysis of crime trends among community members experiencing unsheltered homelessness to assist in preparing for Council's discussion of themed campsites. As will be discussed in greater detail at Council's August 2, 2021 Workshop, while VPD is able to analyze data concerning crimes against females experiencing homelessness versus crimes against males experiencing homelessness, there is a shortage of meaningful data regarding crimes against members of the LGBTQ community who are experiencing homelessness. This may be caused in part by underreporting, as well as the fact that for most crimes VPD does not distinguish victims by sexual orientation. City staff is considering whether there is available data on a regional or national level that would support themed campsites. City staff is also gathering input from our community members experiencing homelessness to determine which themed camps are most appropriate for our community. Accompanying these materials is a memorandum dated July 26, 2021, from VPD Crime Analysts J. Elliot and T. Michelson containing information that may assist Council in preparing for the August 2, 2021 workshop.

Exhibit A – Ecologically Sensitive Areas



- [- - -] Vancouver City Limits
- [Light Blue Box] Columbia River
- [Dark Blue Box] Vancouver Lake
- [Grey Box] Burnt Bridge Creek
- [Medium Blue Box] Burton Channel
- [Light Blue Box] Fisher Creek
- [Dark Blue Box] Peterson Channel
- [Pink Box] Sewer Station
- [Blue Box] Water Station
- [Thin Blue Line] Stream
- [Light Blue Box] Lake



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County of Clark, WA, Oregon Metro, State of Oregon GEO, WA State Parks GIS, Esri Canada, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

Exhibit B – Economic Vulnerability Areas

Exhibit C – City-owned rights-of-way

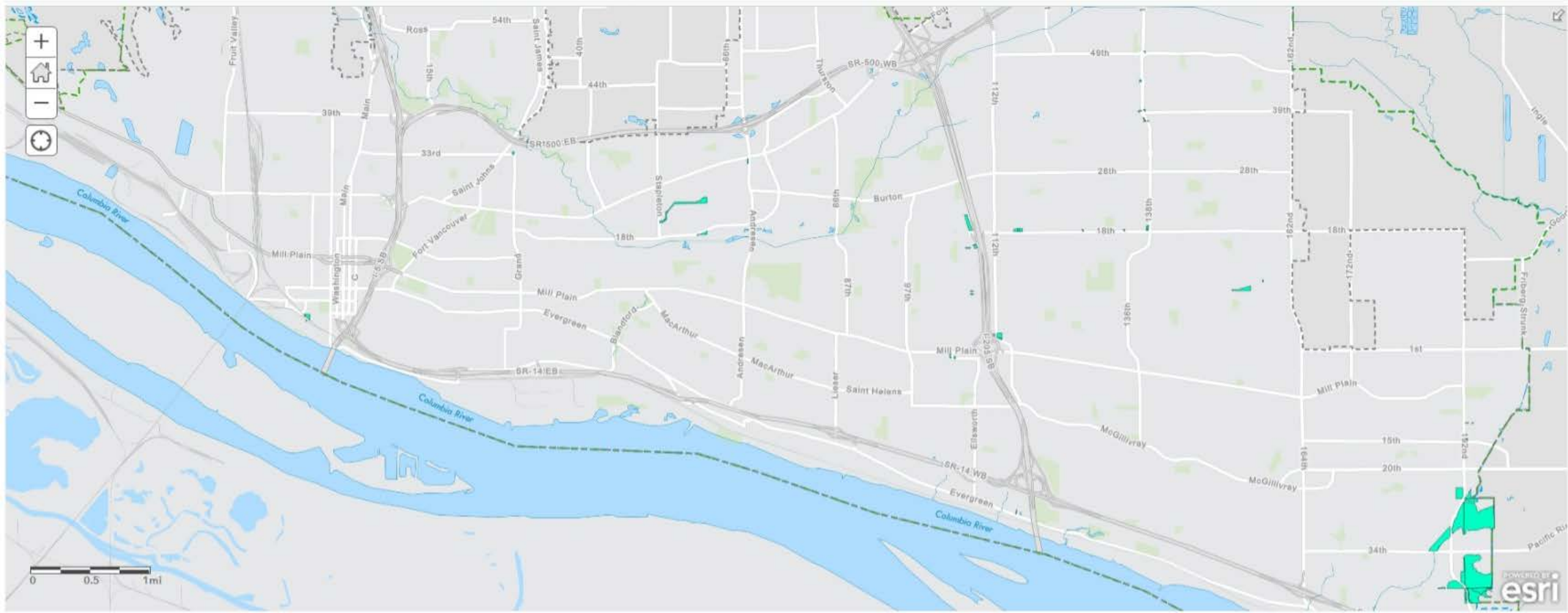
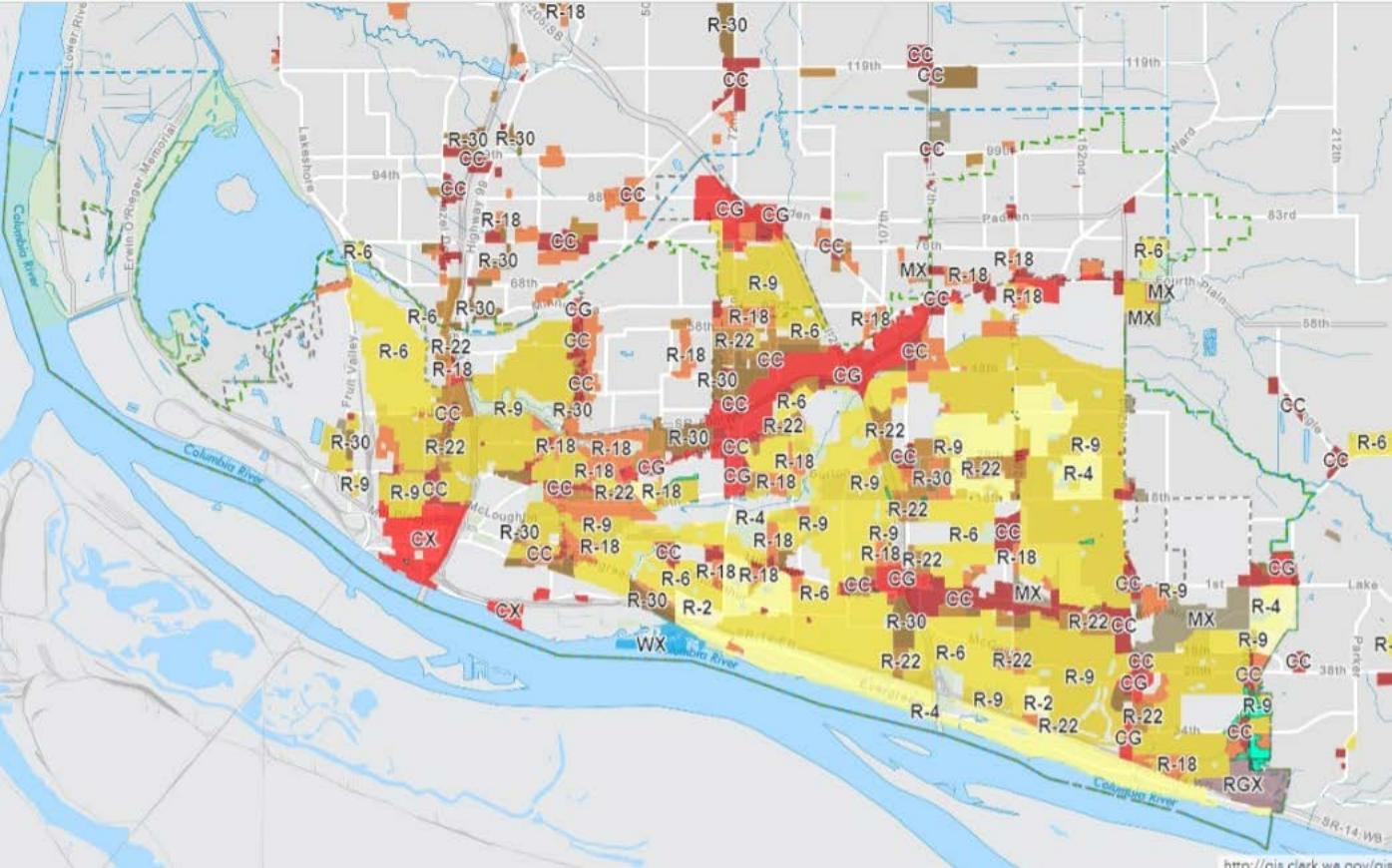


Exhibit D – Zones where Temporary Uses Allowed



Vancouver Homelessness Plan

Establishment of Supportive Campsites

VANCOUVER
CITY HALL



August 2, 2021

Vancouver City Council Workshop

Jamie Spinelli, Homeless Response Coordinator

Sara Baynard-Cooke, Assistant City Attorney

Jonathan Young, City Attorney

Presentation Overview

- Review goals and prior policy direction
- Update on outreach, operator and equipment options
- Council action needed to establish Supportive Campsites
- Location criteria
- Occupant themed camps
- Next steps / questions / discussion

Target Workshop Outcomes

- Council discussion and direction regarding:
 - Campsite placement guidelines and administrative methods of permitting and
 - Approach to amending unlawful camping regulations
 - Themed campsites

Supportive Campsite Goals and Direction

Supportive Campsites needed to address urgent safety, livability, ecological, social justice, and public health concerns, including:

- Increase in adverse mental/behavioral/physical health symptoms among those living unsheltered including average 25 deaths per year
- Increased solid waste, biohazardous material, and illegal dumping at unsanctioned encampments

Supportive Campsite Goals and Direction

May 24, 2021 Workshop

- Broad community engagement is essential
- Supportive Campsites are a temporary pilot as the City and County work with community partners to increase the supply of shelter and housing
- Locations should be modest, well-managed, used as means to connect occupants with needed services
- Structures needed onsite to facilitate connection to services

Tonight: Outline details and Council action needed for implementation

Community Feedback on Supportive Campsites

- Feedback from multiple platforms
- Majority supportive
 - Significant desire for creation of low-barrier employment opportunities, healthcare services, and community building opportunities on-site
 - Several requests/suggestions for showers, restrooms, laundry
 - In favor of camp concept, but outside of town
- Not Supportive
 - Prefer enforcement
 - Taxpayers should not be responsible for
 - Will draw more homelessness in
 - In favor of camp concept, but outside of town

Potential Operators

- RFP released in June w/ July 14 deadline
- RFP deadline extended to August 11
- Widely representative RFP Review Committee to include:
 - Lived experience with homelessness
 - Law enforcement
 - Neighborhood representative (Vancouver Neighborhood Alliance)
 - Youth
 - BIPOC

Supportive Campsite Overview

- Approx. 20 individual camps per site, depending on location (20-40 people)
- Fenced for privacy and safety needs of residents
- Supported by nonprofit mgmt., sanitation/hygiene services, Talkin' Trash, HART, outreach and other service providers
- Trailer on site for meeting/appointment space and storage
- Nonprofit to employ camp resident to assist with daily operations and mgmt.
- Number of camps needed is a moving target

Supportive Campsite Equipment Options

- Open with tents
- Touring/reviewing multiple alternative shelter options
 - “Tiny home”/small temporary structures
 - Shipping container units
- Shower/restroom and laundry trailers
- Camp kitchen options
- Trailer/other structure for office/appointment space

Council action to allow Supportive Campsites

Amend Vancouver Municipal Code Chapter 8.22 to:

- Allow camping and storage of personal property 24 hours daily in designated locations.
- Prohibit camping outright within narrowly drawn 'camping impact areas' in the immediate vicinity of Supportive Campsites and other ecologically sensitive areas.
- Affirm Constitutional justification for themed camps.

Supportive Campsite Location Criteria

Staff proposes that Supportive Campsites be dispersed throughout the City at administratively selected sites in accordance with Council-approved placement guidelines. Administrative approval by either:

- Right-of-way use permits issued under VMC 11.60.060 on City-owned rights-of-way, or
- Temporary Use Permits issued under VMC 20.885 when outside of the public right-of-way.

Supportive Campsite Location Criteria

Right-of-way use permits issued under VMC 11.60.060 on City-owned rights-of-way:

- Are administratively reviewed by Public Works
- Require SEPA review and compliance
- Supportive Campsites with anticipated duration of 1 – 3 years would require a Type D (longer term use) right-of-way permit

Supportive Campsite Location Criteria

Temporary Use Permits issued under VMC 20.885 allow for uses on land situated outside of the public right-of-way:

- Administratively approved by Planning Official
- Require SEPA review and compliance
- Generally permitted in higher-density residential and mixed-use commercial zones: R-2, R-4, R-6, R-9, R-18, R-22, R-30, R-35, CC, CG, CX, WX, MX, RGX

Supportive Campsite Location Criteria

(Recommended) Council-approved placement guidelines:

- Disperse Supportive Campsites equitably throughout the City
- Avoid areas with heightened economic vulnerability
- Ensure ADA accessibility to and within Supportive Campsites
- Give preference to sites within 0.5 miles of public transit
- Comply with all applicable SEPA requirements

Council Discussion / Feedback

Administrative staff approval of specific sites through either of the following:	Council-approved placement guidelines:
Right-of-way use permits issued under VMC 11.60.060 on City-owned rights-of-way	Disperse equitably throughout the City
	Avoid areas of economic vulnerability
	Ensure ADA accessibility to / within camps
Temporary Use Permits issued under VMC 20.885 when outside of the public right-of-way	Locate within 0.5 miles of public transit
	Comply with all applicable SEPA requirements

Camping Impact Areas

Cities cannot prohibit camping in all public places at all times unless there is adequate access to temporary shelter.



(Martin v. City of Boise)

“Naturally, our holding does not cover individuals who *do* have access to temporary shelter, whether because they have the means to pay for it or because it is realistically available to them for free, but who choose not to use it. Nor do we suggest that a jurisdiction with insufficient shelter can *never* criminalize the act of sleeping outside...at particular times or in particular locations...”

Camping Impact Areas

Staff Recommends adding 24-hour prohibitions against unlawful camping “in particular locations” near City-approved Supportive Campsites and areas that are most ecologically sensitive:



- Within 1000 feet of Supportive Campsites
- On all wastewater, water station and stormwater facility properties; and
- Within 200 feet of the Columbia River, Vancouver Lake, Burton Channel, Burnt Bridge Creek, Peterson Channel, Fisher's Creek.

Camping Impact Areas

Staff Recommendations for 24-hour sensitive ecological areas:



- Camping Impact Areas to be posted with signage.
- 200-foot buffers are consistent with environmental health standards and provide adequate alternative public land accessible for camping between 9:30pm-6:30am.*

(*Also, exemption process for nighttime workers to be added.)

Council Discussion / Feedback

Addition of Camping Impact Areas	Proposed Location of Camping Impact Areas
<u>Question:</u> Generally agree with approach from policymaker standpoint?	1000' feet of City-approved Supportive Campsites
<u>Question:</u> Calculated to reduced impacts to appropriate designated areas?	Wastewater, water station and stormwater facility properties
<u>Reminder:</u> Must not be overly broad or no viable options will remain for those without means to adequate shelter.	200' of Columbia River, Vancouver Lake Burton Channel, Peterson Channel, Fisher's Creek, Burnt Bridge Creek

Themed Supportive Campsites



When programs or services made available to different people on the basis of sex, or family status those differentiations must be accomplished for a purpose, and in a manner, that passes Constitutional scrutiny:

The U.S. Constitution requires that sex-based distinctions:

1. Be drawn in response to an exceedingly persuasive purpose coupled with statistical (rather than anecdotal) information;
2. Serve an important government objective; and
3. Be substantially related to achieving those objectives.

Themed Supportive Campsites

Possible themes for consideration:

- Single-occupant female
- Families with children
- LGBTQ

Council Discussion / Feedback

Themed Camps
Single-occupant female
Families with children
LGTBQ

Immediate Next Steps

- **Ordinance changes** establishing Supported Campsites and prohibiting camping in designated areas
 - September 13, 2021: First Reading
 - September 20, 2021: Public Hearing
 - Ordinance effective date 30 days after adoption
- **Supportive Campsite** operator and equipment contracts
- **Community Court** program
- **Follow-up Workshop** to discuss bridge shelter options

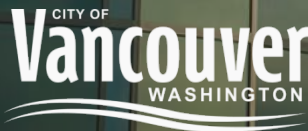
Questions and Discussion

VANCOUVER
CITY HALL

Jamie Spinelli, Homeless Response Coordinator

Jamie.Spinelli@cityofvancouver.us

(360) 487-8610



Supportive Campsites - 24



MEMORANDUM

DATE: August 2, 2021

TO: Mayor and Council

FROM: Eric Holmes, City Manager

RE: **Fossil Fuel Facilities code updates**

This memorandum summarizes staff research and initial recommendations for the adoption of updated standards for large-scale fossil fuel facilities that would allow for lifting of the temporary moratorium for such facilities, which was enacted by City Council in June of last year.

Background

On June 8, 2020, the City Council adopted Ordinance M-4295 establishing an emergency six-month moratorium prohibiting the establishment of new, or expansion of existing, large-scale fossil fuel facilities. This decision stemmed from Council recognition that the storage, transfer, processing, and handling of other fossil fuels within the City pose risks to community safety, health, and livability. The moratorium was enacted to allow time to update the appropriate code standards given the numerous planning efforts currently underway that will establish direction for future development, such as the Vancouver Strategic Plan update, Climate Action Plan, and other Title 20 code amendments.

The moratorium includes definitions of both “fossil fuels” and “large-scale fossil fuel facilities”. It also clarifies that the fossil fuel definition doesn’t include by-products such as asphalt, plastics, fertilizers, paints, or denatured ethanol. Facilities that provide direct sales or distribution to customers (i.e. gas stations), create energy from landfill gas, railyards, and fuel storage for airports or marine servicing facilities are also not included in the moratorium. Lastly, the moratorium provides exemptions for permits required for upkeep, repair, or maintenance of existing buildings or properties, or work mandated to maintain public health and safety.

The moratorium was extended an additional six months in December 2020 and May 2021 and is now scheduled to expire December 8, 2021.

The Vancouver City Council has previously acted to encourage agencies to deny permits for facilities that increase the transportation of Bakken crude oil through Clark County (June 2014, Resolution M-3821), restricted the expansion of crude petroleum facilities by way of a moratorium (Sept. 2014, Resolution M-4090), and made corresponding revisions to the City land use code (Title 20.150 VMC).

Current Situation

Staff has identified five facilities within city limits that meet the definition of a large-scale fossil fuel facility under the moratorium, based on available data. Generally, these consist primarily of facilities that process, store, or transport different types of bulk fossil fuels such as propane, natural gas, and petroleum products. The identified facilities that fall under the umbrella of the moratorium are primarily located around the Port of Vancouver and include both private operations and a public utilities natural gas facility.

Seismic Risk

Of the different types of natural hazards that can impact an area, the 2016 Clark County Natural Hazard Mitigation Plan identifies earthquakes as the second highest risk for both probability and impact to Clark County (p. 7-10 Volume II)¹. The City of Vancouver and greater Pacific Northwest are vulnerable to seismic events ranging in size and intensity generally, and more specifically to powerful subduction zone earthquakes. Geologic research indicates that we may be overdue for a Cascadia subduction zone event, with the likelihood of a magnitude 9.0 earthquake occurring to be about 10% in the next 50 years (p 9-8)².

The risk assessment conducted as part of the County's hazard mitigation planning effort concluded that any seismic activity of 6.0 or greater on faults within the region would have significant impacts throughout the County, and an earthquake in the Cascadia subduction zone would have disastrous consequences for the entire state and region.

All five facilities are located in moderate to high liquefaction susceptibility, which is a phenomenon in which strong earthquake shaking causes a soil to rapidly lose its strength and behave like quicksand. When soil strength is lost during liquefaction, the consequences can be catastrophic as it can cause pipelines to rupture, move bridge abutments and road and railway alignments, and pull apart the foundations and walls of buildings.

The Clark County Hazard Mitigation Plan notes that structures located with the Port of Vancouver facilities and containing hazardous materials are particularly susceptible to liquefaction and flowing into the Columbia, impacting down river wetlands (pg. 9-22)³. Many of the buildings and critical infrastructure, such as hazardous materials and energy facilities, transportation systems, and water and sanitation systems, located within Vancouver were built before the city's seismic exposure was widely understood. Susceptibility to damage from earthquakes and/or liquification is not unique to fossil fuel facilities, though the impacts of that damage on the community could be more far-reaching.

Public Health Impacts

All land within city limits is designated as a critical aquifer recharge area, which is a type of critical area regulated by the state to prevent pollution and maintain supply in order to protect a community's drinking water. Vancouver's drinking water, which is about 26 million gallons per day, is made up of entirely groundwater resources, and has an increased susceptibility to

1 Microsoft Word - ClarkCoHazMitPlan_Volume1_AgencyReview_2016-09-16_FinalDraft.docx (cresa911.org)

2 IBID

3 IBID

contamination from leaks and spills from facilities that store or process hazardous materials in the event of a powerful earthquake.

In addition to risk of contaminating drinking water sources and even without a seismic event, large-scale fossil fuel facilities still create significant risks to public health, including air pollution, noise pollution, and exposure to heavy metals.

Stakeholder Outreach

Staff conducted an initial round of stakeholder interviews with interested parties concerning the moratorium on new and expanded large-scale fossil fuel infrastructure in the City of Vancouver. Every organization that provided comment during the public hearing on July 20, 2020 was invited to participate. Staff met with the following groups:

- Port of Vancouver and NuStar (Port tenant)
- Physicians for Social Responsibility
- SW Washington Beyond Fossil Fuel task force
- Columbia Riverkeeper
- NW Natural
- Washington Environmental Council
- Friends of the Gorge
- Western States Petroleum Association
- Tidewater

These conversations were framed to the participants as a first touch and chance for them to explain to staff their perspectives concerning the proposed changes to code to address fossil fuel infrastructure in the City of Vancouver. Participants were assured there would be additional opportunities to provide feedback during the code language drafting phase.

Additional feedback was provided at the July 20, 2020, December 7, 2020, and May 17, 2021 public hearings.

In general, feedback from the environmental community was supportive of the intent and language of the moratorium. Community support referenced protection of critical water resources and infrastructure, addressing environmental justice challenges, and the preservation of the health and safety of Vancouver residents. Industry representatives made the point that this action would make Vancouver less appealing as a hub for fossil fuel transmission and could result in loss of business, especially to the Port. Feedback also included concerns about the ability to perform maintenance, including seismic retrofits, on existing facilities, potential limitations on the construction of tanks to provide additional mixing capacity for transitional fuels, and a desire to consider thresholds for transition to renewable fuels for existing facilities.

Examples from Other Washington Jurisdictions

Whatcom County and the City of Tacoma are relevant case studies to look at as their goals and challenges are similar—addressing climate, health, and safety impacts of new and expanding infrastructure with significant industrial land with existing infrastructure, including refineries and bulk storage facilities.

Whatcom County

The County has had a temporary moratorium since 2016 on new and expanded fossil fuel facilities and are currently in the late stages of developing their revised code language. Their Planning Commission approved code recommendations in 2020 and the County Council is currently considering revisions.

The current draft language bans new fossil fuel refineries and transshipment facilities, and related infrastructure such as docks. The language also requires that facilities expanding their refining capacity or transshipment capacity go through a conditional use permit process each time these expansions pass a volumetric threshold. This approach results in no established hard cap on expansion but provides opportunities for regular public oversight⁴.

City of Tacoma

There has been a temporary moratorium since 2017 and the Planning Commission is currently in an industrial code development process to approve recommendations for their City Council to consider and vote in 2021.

The proposed language bans all new fossil fuel facilities and petrochemical facilities, prohibits new or expanded infrastructure at existing facilities such as storage tanks, docks, and rail sidings, and includes a conditional use permit requirement for replacements or conversions of existing infrastructure like storage tanks and refining equipment. The language also includes a new conditional use permit requirement for new renewable fuel facilities or conversions of existing facilities to renewable fuel facilities. The proposed code revisions also include expanded conditional use criteria specific to energy facilities, in addition to Tacoma's standard conditional use criteria⁵.

One difference between the two jurisdictions' approaches is Whatcom's language covers transshipment activity, while Tacoma is pursuing a more direct ban on new infrastructure at existing facilities. By limiting the scope of their language, Tacoma leaves open the possibility of existing infrastructure being converted to transshipment use.

Preliminary Recommendation

Staff is proposing code amendments in Title 20 of the Vancouver Municipal Code to prohibit new and expansion of existing large-scale fossil fuel facilities in all zoning designations. This code amendment would carry forward the definitions of fossil fuel and large-scale fossil fuel facilities used in the existing moratorium. This is the same approach that was taken in 2014 to restrict the expansion of crude oil facilities.

Next Steps

Staff have conducted two workshops with the Planning Commission on this topic, in May and July of 2021. The next step will be to conduct a SEPA review of the proposed code amendments prior to public hearings with the Planning Commission and City Council later in 2021.

⁴ Cherry Point Amendments | Whatcom County, WA - Official Website

⁵ Planning Commission Findings of Fact and Recommendations Report April 7, 2021.pdf (cityoftacoma.org)

Fossil Fuel Facilities code updates

August 2, 2021

Aaron Lande, Policy & Program Manager



Presentation Overview

- Prior Council Action
- Background
- Present Situation
- Stakeholder Outreach and Feedback
- Initial Staff Recommendation
- Next Steps

Workshop Outcomes

- Provide update on staff work
 - Impact of liquefaction in Vancouver
 - Examples from other communities
- Direction on staff's initial recommendation
- Review of proposed next steps

Prior Council Action

- June 8, 2020: City Council adopted Ordinance M-4295 enacting a six-month moratorium prohibiting the establishment of new or expansion of existing large-scale fossil fuel facilities
- July 22, 2020: Public hearing on Ordinance M-4295 and adoption of Resolution M-4082, making findings of fact in support of the moratorium
- November 23, 2020: Ordinance M-4323 extending the temporary moratorium enacted by Ordinance M-4295 by an additional six months
- December 7, 2020: Public hearing on Ordinance M-4323
- May 17, 2020: Ordinance M-4335 enacted extending the temporary moratorium by an additional six months

Moratorium Definitions

- **“Fossil fuels”**: Petroleum and petroleum products, coal, and natural gasses, including without limitation methane, propane and butane, derived from prehistoric organic matter and used to generate energy.
- **“Large-scale fossil fuel facilities”**: Facilities engaged in the wholesale distribution, extraction, refinement, or processing of fossil fuels; terminals engaged in bulk movement of fossil fuels; bulk coal storage; coal power plants; natural gas processing, storage, and handling; and bulk storage of one or a combination of multiple types of fossil fuels in excess of two million gallons

Moratorium Exclusions

- Fossil fuels definition does not include by-products such as asphalt, plastics, fertilizers, paints, or denatured ethanol
- “Large-scale fossil fuel facilities” do not include the following:
 - Facilities that provide direct sales or distribution to customers i.e. gas stations
 - Facilities that create energy from landfill gas
 - Railyards
 - Fuel storage for airports or marine servicing facilities

Moratorium Rationale

- Concern that the development of new or expanded large-scale fossil fuel facilities is contrary to the health, safety, and welfare of Vancouver's citizens
- Supports adopted goals of the City's Strategic and Comprehensive Plans to:
 - Ensure a safe, environmentally responsible, and well-maintained built environment
 - Manage development in geologically hazardous areas to protect public health and safety
 - Promote and facilitate alternative energy sources and generation
 - Ensure safe and adequate drinking water supplies

Historic Context

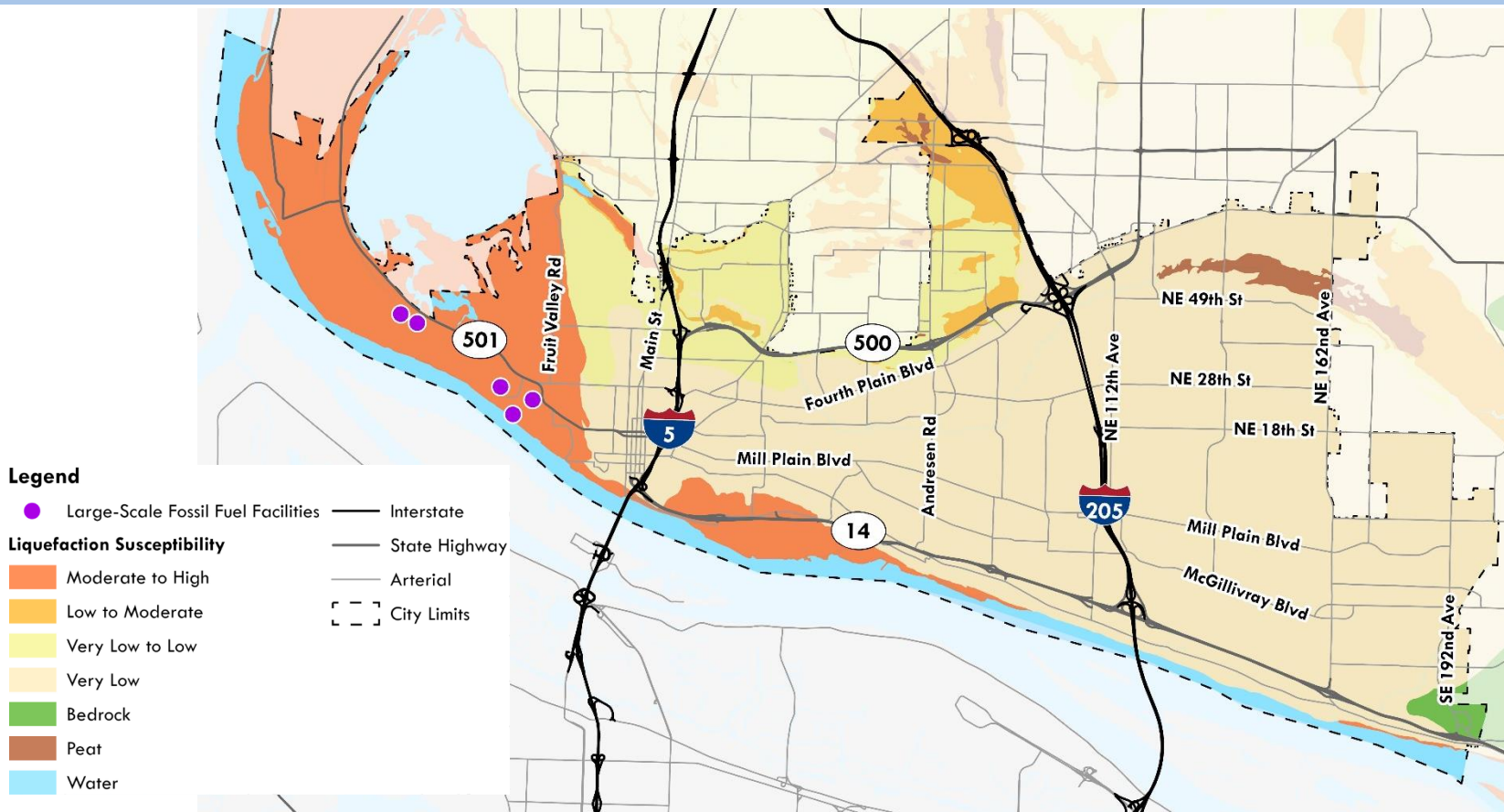
- City Council has taken related action in the past:
 - Resolution M-3821 – Encouraged agencies to deny permits for facilities that increase the transportation of Bakken crude oil through Clark County (June 2014)
 - Resolution M-4090 – Restricted the expansion of crude petroleum facilities by way of a moratorium (September 2014) and made corresponding amendments to the Title 20 land use code

Present Situation: Seismic Risk

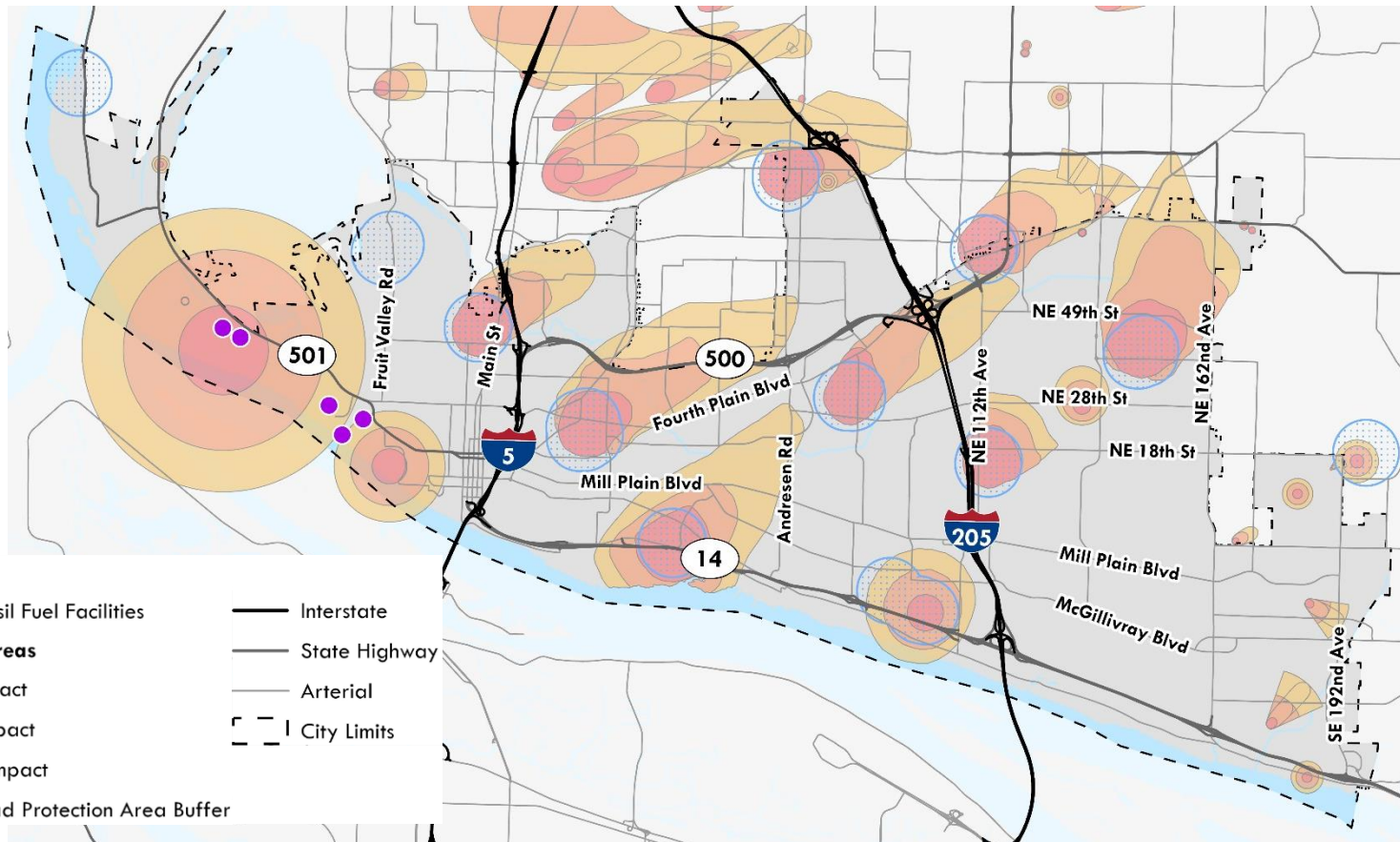
Table 7-8. Hazard Risk Ranking

Rank	Hazard Type	Risk Rating Score (Probability x Impact)	Category
1	Severe Weather	33	High
2	Earthquake	32	High
3	Flood	9	Low
4	Landslide	6	Low
5	Dam Failure	4	Low
6	Volcano	3	Low
7	Wildfire	3	Low
8	Drought	0	Low

Present Situation: Liquefaction Susceptibility



Present Situation: Public Health Impacts



Stakeholder Outreach

Staff conducted an initial round of stakeholder interviews with interested parties concerning the moratorium:

- Port of Vancouver and NuStar (tenant)
- Physicians for Social Responsibility
- SW Washington Beyond Fossil Fuel task force
- Columbia Riverkeeper
- NW Natural
- Washington Environmental Council
- Friends of the Columbia Gorge
- Western States Petroleum Association
- Tidewater Transportation & Terminals

Stakeholder Feedback

- Support for the moratorium referenced protection of critical water resources and infrastructure, addressing environmental justice challenges, and the preservation of the health and safety of Vancouver residents
- Opposition to the moratorium included concerns about the ability to perform maintenance, including seismic retrofits, on existing facilities and the need for additional mixing capacity for transitional fuels
- Testimony at public hearings was overwhelming in favor of the moratorium

Examples from Other WA Jurisdictions

- **Whatcom County:** Developing ban on new fossil fuel refineries and transshipment facilities. Also requires that facilities expanding their refining capacity or transshipment capacity go through a conditional use permit process each time these expansions pass a volumetric threshold. No hard cap on expansions
- **Tacoma:** Developing ban on all new fossil fuel facilities and petrochemical facilities, ban on new or expanded infrastructure at existing facilities. CU permit requirement for replacements or conversions of existing infrastructure like storage tanks and refining equipment or new renewable fuel facilities or conversions of existing facilities to renewable fuel facilities

Staff Initial Recommendation

- Per Council's previous direction, amend the Title 20 land use code to prohibit new and expanded large-scale fossil fuel facilities in all zoning designations
 - Provide definitions for fossil fuels and large-scale facilities consistent with moratorium
 - Prohibit expansion of existing large-scale fossil fuel facilities
- Same approach as was used in 2014 to restrict the expansion of crude petroleum facilities

Next Steps

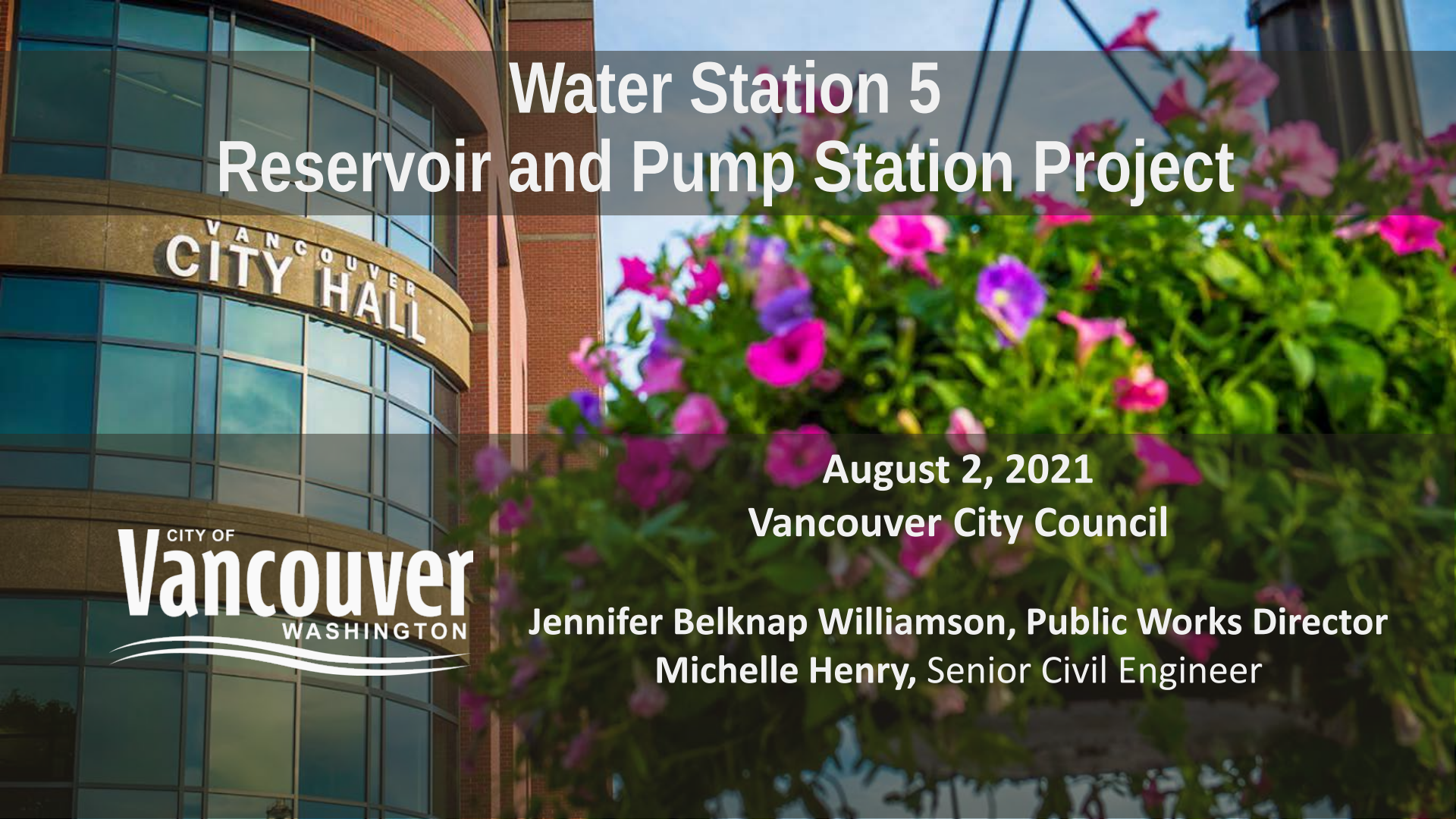
- SEPA process
- Planning Commission public hearing anticipated in early fall 2021

Questions and Discussion

Aaron Lande, Policy and Program Manager
aaron.lande@cityofvancouver.us



Fossil Fuel Facilities code updates - 17



Water Station 5 Reservoir and Pump Station Project

August 2, 2021

Vancouver City Council

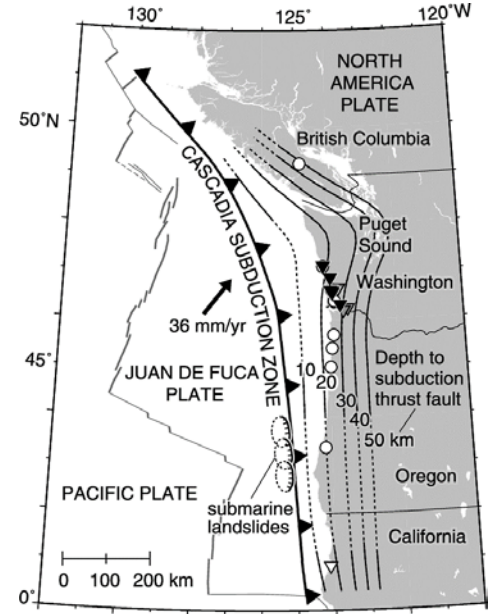


Jennifer Belknap Williamson, Public Works Director
Michelle Henry, Senior Civil Engineer

Water System Overview

- 3rd largest water utility in Washington State
- 72-square-mile service area
- 260,000+ customers
- Over 1,000 miles of distribution pipe
- 40 wells at nine water stations
- 9.5 billion gallons pumped in 2020

Water Station 5 Location – Needs for Seismic Resiliency



City of Vancouver Water Service Area

There are 8,010 residents served solely from Water Station 5



Water transferred through Water Station 5 supplements service to another 213,792 residents.

Project Overview

- Two 4 Million Gallon Reservoirs
- New Pump Station
- Backup Power
- Control System Upgrades
- Site Security Improvements
- Enhanced Frontages



Project Cost & Funding

- Estimated Construction Cost - \$28 million
- Water Capital Budget - Federal funding applied for two years in a row has been unsuccessful.
- Advertise for Bids – August 2021
- Council Action – October 2021
- Construction Start – December 2021
- Completion – December 2023



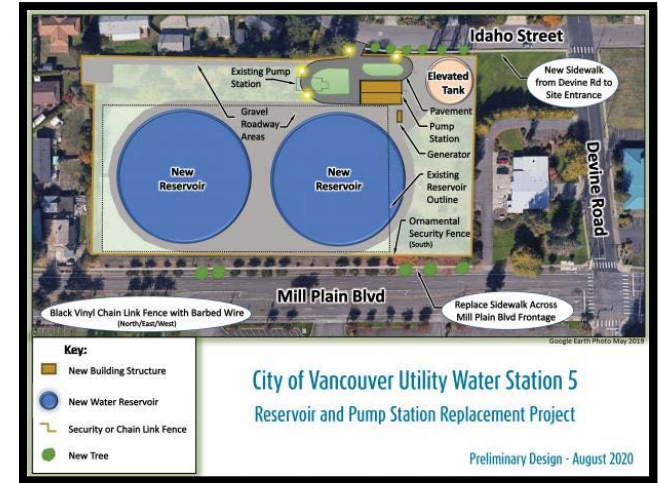
Safety/Sustainability/Equity

- Safety – Earthquake resiliency ensures continuous water supply, generators added to ensure continuous pumping.
- Sustainability – Timbers to be reused and salvaged. Energy efficient design with high efficiency pumps and large transmission main. Control system improvements to monitor power consumption. LED lighting and natural lighting elements utilized.
- Equity – Site services the majority of our population including vulnerable areas.

Ongoing Communications

- Neighborhood Association involvement in 2021
- Heights Planning District Involvement
- Outreach to adjacent neighbors.
- Web and Water Report updates

<https://www.cityofvancouver.us/publicworks/page/water-station-5-improvements-projects>



Questions and Discussion

- Tyler Clary, Water Engineering Program Manager
(360) 487-7169 | tyler.clary@cityofvancouver.us
- Michelle Henry, Senior Civil Engineer
(360) 487-7155 | michelle.henry@cityofvancouver.us



Staff Report 113-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/2/2021

SUBJECT Construction Acceptance - Central Vancouver North Phase 2 Sewer Improvements

Key Points

- This project is a continuation of the ongoing Sewer Connection Incentive Program (SCIP) which creates opportunities for homeowners to connect to public sewer systems and eliminate private septic systems.
- The project installed over 2,308 linear feet of gravity sewer.
- Public sanitary sewer is now available to 37 parcels
- Staff proposes awarding construction acceptance.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained.

Present Situation

Advanced Excavating Specialists of Longview, Washington, has completed construction of the Central Vancouver North PH2 Sewer Connection Incentive Program (SCIP) project. The project provided reliable sewer service to 37 parcels by installing 2,308 linear feet of 8-inch gravity sewer mains in the following roadways: NE 70th St, NE 63rd Ave, NE 62nd Ave and NE 58th Ave. The work was completed satisfactorily in accordance with the plans and specifications. Contract costs are summarized below:

TOTAL CONTRACT COSTS	
Labor, Equipment and Material	\$479,468.09
Sales Tax	\$40,754.79
Total	\$520,222.88
Retainage	Bond

The original contract amount, including sales tax, was \$488,333.33. The final project cost was \$520,222.88, which was \$31,889.55 (approx. 7%) more than the original contracted amount. The difference between original contract amount and final contract amount can be attributed to additional quantities of backfill material needed to replace native material that would not meet compaction requirements, in addition to typical variances in unit prices and/or quantities commonly encountered during construction.

The original contract amount fell under the \$500,000 threshold that would require an apprenticeship utilization.

Advantage(s)

1. Provides reliable sanitary sewer service to residents.
2. Subsequent decommissioning of septic systems will protect the community's ground water supply.
3. Completes the City's contractual and statutory process for accepting the project.
4. Formal project acceptance allows for closure on third-party bond claims and facilitates release of the Contractor's retainage bond.

Disadvantage(s)

None.

Budget Impact

Funds for this project were appropriated in the Sewer Construction Fund, in the 2021-2022 Budget.

Prior Council Review

- Approval of the 2021-2022 Capital Improvement Budget
- Award of contract at the April 5, 2021, Vancouver City Council Meeting

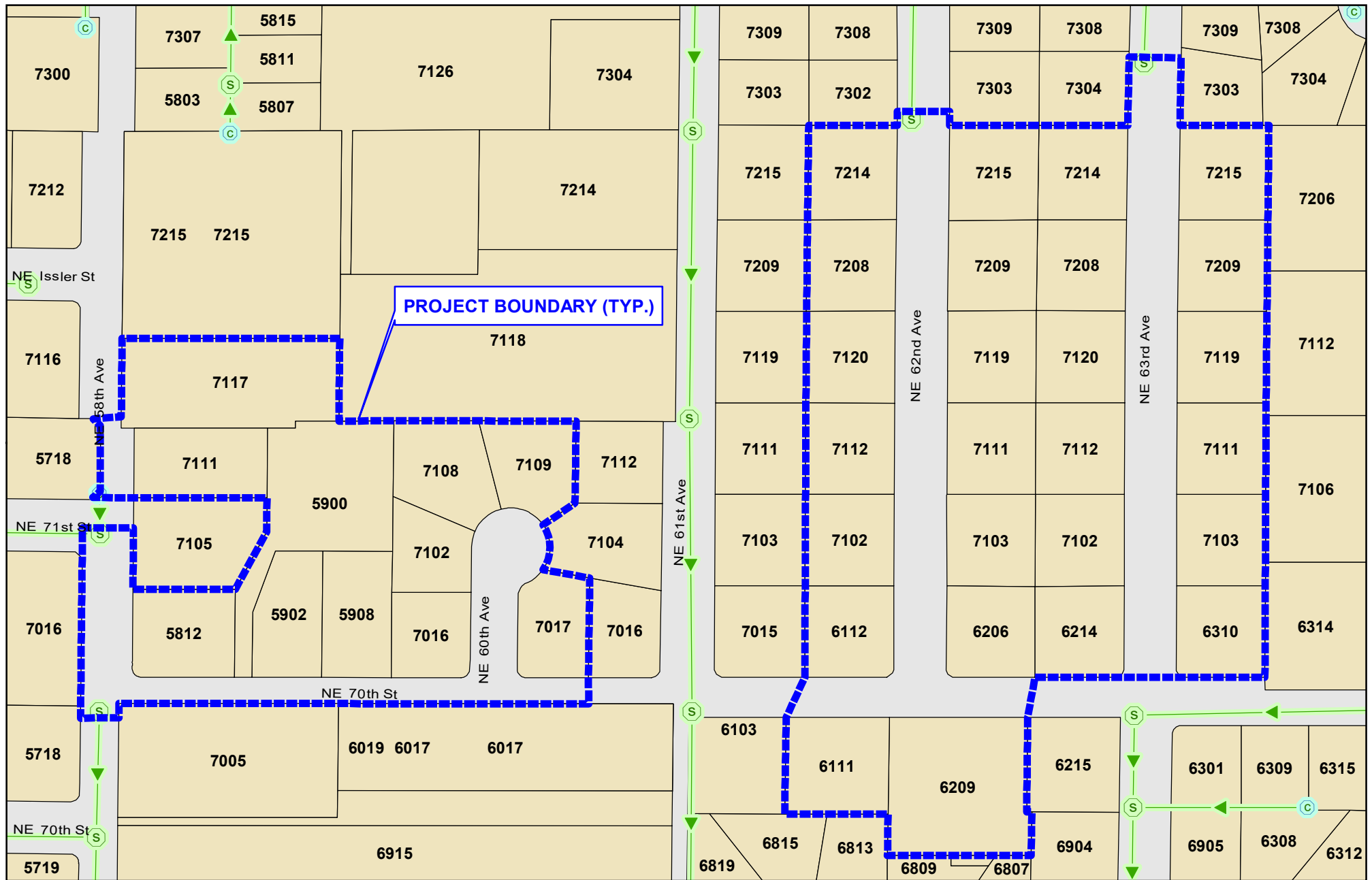
Action Requested

On August 2, 2021, accept the facilities as constructed by Advanced Excavating Specialists of Longview, Washington, and authorize release of the retainage bond subject to receipt of all documentation required by law.

Sheryl Hale, Senior Engineering Manager, 360-487-7151

ATTACHMENTS:

- Project Boundary Map - Central Vancouver North PH2





Staff Report 114-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/2/2021

SUBJECT Interstate 5 Bridge Replacement Program – Intergovernmental Agreement

Key Points

- In 2019, the states of Oregon and Washington approved funding to restart work on replacing the Interstate Bridge across the Columbia River, and directed ODOT and WSDOT to open a bi-state program office to lead this work.
- The Interstate Bridge Replacement Program (IBRP) is engaging agencies within the Portland-Vancouver metro region to develop design options for a bridge replacement and associated enhancements to meet the Program's Purpose and Need.
- As one of these core agency partners for the IBRP, the City of Vancouver is and will continue to engage in discussions related to planning, engagement, design and engineering of a replacement bridge solution.
- The attached Agreement outlines City of Vancouver agency commitments and responsibilities related to this work for purposes of reimbursement by the IBRP.

Strategic Plan Alignment

Goal 1: Ensure our built urban environment is one of the safest, most environmentally responsible and well maintained in the Pacific Northwest.

Goal 6: Facilitate the creation of neighborhoods where residents can walk or bike to essential amenities and services "20-minute neighborhoods."

Present Situation

The IBRP has begun the process to develop design options for replacement of an Interstate Bridge and associated elements. City of Vancouver staff are participating in this process through regularly scheduled staff level group meetings and support for community and executive leadership meetings. Additionally, staff is participating in communication efforts, transportation planning, environmental review as defined through federal processes, transit planning/engineering, and design engineering. These efforts in addition to administration of staff engagement are further

defined in Attachment A, Exhibit A.

Advantage(s)

This Agreement sets forth the terms and conditions for the City of Vancouver to receive reimbursement for engagement in the IBRP as defined in Exhibit A, Scope of Work.

Disadvantage(s)

None

Budget Impact

This Agreement will provide financial support for the City's capacity to participate in development of a replacement bridge solution.

Prior Council Review

- May 7, 2018: WSDOT updated Council on the I-5 Bridge Planning Inventory
- July 16, 2018: Staff Update, current conditions and efforts to restart bridge replacement process
- August 6, 2018: Staff update, Council review and adoption of a resolution in support of replacement bridge with high capacity transit in a dedicated guideway
- June 8, 2020: Staff update on IBRP work program
- June 21 and July 12, 2021: Council discussion on a resolution to define the City's desired outcomes through the IBRP
- July 26, 2021: Council review of resolution to define the City's desired outcomes through IBRP

Action Requested

Authorize the City Manager or designee to execute the Special Transportation Study Agreement with the Washington State Department of Transportation for the I-5 Bridge Replacement Program.

Katherine Kelly, Senior Policy Advisor, 360-487-7947

ATTACHMENTS:

- Special Transportation Study Agreement between the City of Vancouver and the State of Washington Department of Transportation, GCB 3544

SPECIAL TRANSPORTATION PLANNING STUDY AGREEMENT

**Between
The CITY OF VANCOUVER
And
The STATE OF WASHINGTON
Department of Transportation
GCB 3544**

This Agreement, made and entered into between the State of Washington, Department of Transportation, hereinafter called "WSDOT", and The City of Vancouver, hereinafter called the "Planning Agency;" hereinafter referred to individually as the "Party" and collectively as the "Parties."

RECITALS

1. WSDOT and ODOT have entered into a partnership for the I-5 Bridge Replacement Program, hereinafter called the "Program". The WSDOT/ODOT partnership is detailed in the executed *Funding and Administration Agreement for initial Project management, Organization and Staffing, Environmental Analysis, and Preliminary Engineering*, hereinafter called the "Interstate Agreement," ODOT Misc. Contracts and Agreements No. 34096 and WSDOT Agreement No. GCB 3342, which includes a requirement that equal funding be provided by WSDOT and ODOT for Program expenditures; and
2. The Interstate Agreement defines a leadership TEAM that consists of the Program Administrator and at least one designated employee from WSDOT and ODOT that together manage the Program as a bi-state team making decisions following federally accepted laws and procedures along with individual state laws for contracting, and the engineering consultant, contracted by WSDOT, agreement number Y-12435, functionally reports to the TEAM; and
3. The leadership TEAM, in consultation with the Planning Agency, recognize the need for the transportation planning project contemplated by this Agreement, which is briefly described as the Planning Agency's staff-level collaboration with the leadership TEAM in the areas of Program alternatives analysis, transportation planning, transit planning/engineering, financial structures, Program community messaging, and environmental documentation (Project); and
4. The leadership TEAM has determined that the Project is necessary to implement the Program; and
5. It is deemed in the best interest of WSDOT and ODOT to equally participate in funding the Project as the Project work is for the mutual benefit of local and state roadway planning in the area of the Project; and
6. WSDOT and the Planning Agency now wish to define responsibility for preparation of the transportation planning project contemplated by this Agreement.

Now Therefore, the above recitals that are incorporated herein as if fully set forth below, and in consideration of the terms, covenants, conditions, and performances contained herein, and the attached Exhibit A and Exhibit B, that are incorporated herein by this reference,

IT IS MUTUALLY AGREED AS FOLLOWS:

TERMS OF AGREEMENT

1. SCOPE OF WORK

- 1.1** The Planning Agency shall undertake the Project described above, which shall include the tasks and cost estimates set forth in Exhibit "A," annexed hereto and made a part hereof. This agreement is between the Planning Agency and WSDOT, with management of the Project performed by the leadership TEAM pursuant to terms of the Interstate Agreement.
- 1.2** Prior to execution of this Agreement, WSDOT issued a Limited Notice to Proceed (LNTP) to the Planning Agency, authorizing the Planning Agency to begin some of the early design activities outlined in Exhibit "A". Any work done by the Planning Agency pursuant to the LNTP is included as part of the overall work under this Agreement.

2. SCHEDULE

- 2.1** The Project period shall commence upon execution of this Agreement and shall expire on December 31, 2025.
- 2.2** The LNTP covers activities performed by the Planning Agency beginning January 1, 2021 up until execution of this Agreement.

3. PAYMENT

- 3.1** WSDOT agrees to reimburse the Planning Agency's actual direct and related indirect costs of the Project. The maximum amount that WSDOT shall reimburse the Planning Agency shall not exceed the "Total Amount Authorized", as indicated in Exhibit A. Payment by task shall be made as set forth in Exhibit "A." All costs must be consistent with the Federal cost principles contained in 2 CFR, Part 225.
- 3.2** The work activities covered under the LNTP will be reimbursed up to \$285,000. Billing for work described in the LNTP shall occur upon execution of this Agreement.
- 3.3** The Planning Agency shall submit to WSDOT requests for funds as they are expended on the project, but not to exceed one such request every month. Such requests for reimbursement shall document the amount of funds that have been expended during the period for the total project, as well as for the current billing period. WSDOT shall review and approve each request for payment in an expeditious manner and shall make payment within 30 days after approval of the payment request.

4. REPORTS

- 4.1** The Planning Agency shall prepare and present to WSDOT a progress report to accompany each invoice. The report(s) must include a summary of work progress during the period of each invoice, costs incurred in accordance with the approved scope of work and budget, and progress to date, including any problems or work delays. WSDOT may delay reimbursement of billings if the requested report(s) is not submitted with each invoice.

5. MODIFICATIONS

- 5.1** Either Party to this Agreement may request changes in these provisions. Such changes which are mutually agreed upon shall be incorporated as written amendments to this Agreement. No variation or alteration of the terms of this Agreement shall be valid unless made in writing and signed by all authorized representatives of both of the parties hereto.

6. AUDITS, INSPECTION, AND RETENTION OF RECORDS

- 6.1** All project records in support of all costs incurred and actual expenditures kept by the Planning Agency are to be maintained in accordance with procedures prescribed by the Division of Municipal Corporations of the State Auditor's Office, the U.S. Department of Transportation, and WSDOT.
- 6.2** WSDOT, ODOT, the Oregon Secretary of State's Office, the Federal Highway Administration, Federal Transit Administration, the Comptroller General of the United States, and their duly authorized representatives, shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all of the Planning Agency's records with respect to all matters covered by this Agreement. Such representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records and to make audits of all contracts, invoices, materials, payrolls, and other matters covered by this Agreement. All documents, papers accounting records, and other material pertaining to costs incurred in connection with the project shall be retained by the Planning Agency for six years after WSDOT's written notice that the project is complete and the Agreement is terminated. Copies thereof shall be furnished if requested.
- 6.3** In accordance with 2 CFR Part 200 regulations, the Planning Agency is required to arrange for audit of funds expended.

7. TERMINATION

- 7.1** If it is considered in the best interest of WSDOT, WSDOT may terminate this Agreement upon giving ten (10) days notice in writing to the Planning Agency. If this Agreement is so terminated prior to fulfillment of the terms stated herein, the Planning Agency shall be reimbursed only for actual expenses and noncancelable obligations, both direct and

indirect, incurred to the date of termination, in accordance with Section 3, Payment, above.

8. LEGAL RELATIONS

- 8.1** The Planning Agency, and its contractors, consultants, subconsultants and sub-contractors, shall comply with all Federal, State and Local Laws and Ordinances applicable to the work to be done under this Agreement.
- 8.2** Each party to this Agreement shall be responsible for damage to persons or property resulting from the negligence on the part of itself, its employees, its agents, or its officers. Neither party assumes any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement.
- 8.3** The Planning Agency and its successors and assigns shall protect, save, defend, indemnify, and hold WSDOT and its elected officials, officers, agents and employees and the State of Oregon, the Oregon Transportation Commission and its members, the Oregon Department of Transportation (ODOT) and its elected officials, officers, agents, and employees harmless from and against all claims, actions, costs, damages (both to persons and/or/property), or expenses, demands, or suits at law or equity of any nature whatsoever by reason of the acts or omissions, or from the negligence of, or the breach of any obligation under this Agreement by, the Planning Agency or the Planning Agency's agents, invitees, officers, employees, consultants, subconsultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Planning Agency may be legally liable related to its work in connection with the Project and this Agreement; provided that nothing herein shall require the Planning Agency to defend or indemnify WSDOT, the State of Oregon, the Oregon Transportation Commission and its members, ODOT and their respective elected officials, officers, agents, and employees from all claims, demands or suits based solely upon the willful misconduct, negligence of, or breach of any obligation under this Agreement by the party seeking defense and indemnification, or their respective elected officials, agents, officers, employees, consultants, sub-consultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the party seeking defense and indemnification may be legally liable; and provided further that if the claims or suits are caused by or result from the concurrent negligence of (a) the Planning Agency or the Planning Agency's elected officials, agents, invitees, officers, employees, consultants, subconsultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Planning Agency is legally liable, and (b) the party seeking defense and indemnification, its agents, officers, employees, sub-consultants, subcontractors and or vendors, of any tier, or any other persons for whom the party seeking defense and/or indemnity may be legally liable, the defense and indemnity obligation shall be valid and enforceable only to the extent of the Planning Agency's negligence or the negligence of the Planning Agency's elected officials, agents, employees, consultants, sub-consultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Planning Agency may be legally liable. This provision shall be included in any Agreement between Planning Agency and any sub- consultant, subcontractor and vendor, of any tier. Planning Agency shall also

agree that its obligations under this section extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents while performing work in connection with the Program.

- 8.4** The Parties agree that each of their obligations under this Defense and Indemnity Provision extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents while performing work arising out of this AGREEMENT, for any purpose. For this purpose, each Party, by MUTUAL NEGOTIATION, hereby waives with respect to each other only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provisions chapter 51.12 RCW.
- 8.5** The Planning Agency shall also defend, indemnify, and hold harmless WSDOT and ODOT and their elected officials, officers, agents and employees from all claims, demands, or suits at law or equity arising in whole or in part from the alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions by the Planning Agency or the Planning Agency's agents, employees, consultants, sub-consultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Planning Agency may be legally liable, in performance of the Work under this Agreement or arising out of any use in connection with the Agreement of methods, processes, designs, information or other items furnished or communicated to WSDOT or ODOT, their elected officials, officers, agents and employees pursuant to the Agreement; provided that this defense and indemnity obligation shall not apply to any alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions resulting from WSDOT's or ODOT's, their agents', officers' and employees' failure to comply with specific written instructions regarding use provided to WSDOT and ODOT, their agents, officers and employees by the Planning Agency, its agents, employees, consultants, sub-consultants, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Planning Agency may be legally liable.
- 8.6** The Washington Attorney General and the Oregon Attorney General must give written authorization to any legal counsel purporting to act in the name of, or represent the interests of, either the State of Washington or the State of Oregon or its officers, members, employees and agents prior to such action or representation. Either the State of Washington or the State of Oregon, acting by and through their Attorney Generals, may assume its own defense, including that of its officers, employees and agents, at any time when in either state's sole discretion it determines that (i) proposed counsel is prohibited from the particular representation contemplated; (ii) counsel is not adequately defending or able to defend the interests of that state, its officers, members, employees and/or agents; (iii) important governmental interests are at stake; or (iv) the best interests of that state are served thereby; and, Planning Agency's obligation to pay for all costs and expenses shall include those incurred by either the State of Washington or the State of Oregon in assuming its own defense or that of its officers, members, employees, or agents under (i) and (ii) above.

- 8.7** WSDOT and Planning Agency agree and intend that ODOT is a Third Party beneficiary to this Agreement. WSDOT and Planning Agency are the only parties to this Agreement and, with the exception of ODOT as a Third Party beneficiary, are the only parties entitled to enforce its provisions. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly, or otherwise, to any other third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the provisions of this Agreement.
- 8.8** The defense, indemnification and WAIVER provisions contained in this Section 8 shall survive the termination or expiration of this Agreement.
- 8.9** The Planning Agency shall obtain and keep in force during the term of this Agreement, or as otherwise required, the following insurance with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW as follows:
- a. Worker's compensation and employer's liability insurance as required by the STATE OF WASHINGTON.
 - b. Commercial general liability insurance written under ISO Form CG 00 01 12 04 or its equivalent with minimum limits of two million dollars (\$2,000,000.00) per occurrence and four million dollars (\$4,000,000.00) in the aggregate for each policy period.
 - c. Business auto liability insurance written under ISO Form CG 00 01 10 01 or equivalent providing coverage for any "Auto" (Symbol 1) used in an amount not less than a one million dollar (\$1,000,000.00) combined single limit for each occurrence.
- 8.10** Excepting the Worker's Compensation Insurance and any Professional Liability Insurance, WSDOT, ODOT, their Transportation Commissions and members, their officers, employees, and agents will be named on policies issued for the Program of Planning Agency and any sub-consultant and/or subcontractor as an endorsed additional insured (the "AIs") with respects to ongoing operations and completed operations. This coverage shall be primary coverage and non-contributory and any coverage maintained by the AIs shall be excess over, and shall not contribute with, the additional insured coverage required hereunder. The Planning Agency's and the sub-consultant's and/or subcontractor's insurer shall waive any and all rights of subrogation against the AIs. The Planning Agency shall furnish WSDOT with verification of insurance and endorsements required by this Agreement. WSDOT reserves the right to review complete, certified copies of all required insurance policies at any time.
- 8.10** All insurance shall be obtained from an insurance company authorized to do business in the State of Washington. The Planning Agency shall submit a verification of insurance as outlined above within fourteen (14) days of the execution of this Agreement to:

Manager, Contract Services Office
Washington State Department of Transportation
PO BOX 47408
Olympia, WA 98504-7408
Email: wsdotcso@wsdot.wa.gov

- 8.11** No cancellation of the foregoing policies shall be effective without thirty (30) days prior notice to WSDOT's Contract Services Office.

9. SUBCONTRACTING

- 9.1** The services of the Planning Agency are to be directed by the Project Manager identified under Section 17. The Planning Agency shall not assign, sublet, or transfer any of the work provided for under this Agreement without prior written approval from WSDOT. WSDOT shall review and approve the Planning Agency's consultant agreement prior to execution. The Planning Agency, and its consultants, subconsultants, contractors and sub-contractors, shall comply with all Federal and State laws and regulations governing the selection and employment of consultants. WSDOT reserves the right to appoint a representative to serve on any consultant selection committee. Subcontracts greater than \$10,000 must contain all the required provisions of this contract.

10. TRAVEL

- 10.1** Any out-of-state travel from which Planning Agency seeks reimbursement (exclusive of travel between Washington and Oregon) must have prior written approval of WSDOT to be eligible for reimbursement. Current WSDOT travel regulations and rates shall apply to all in-state and out-of-state travel for which reimbursement is claimed during the term of this Agreement.

11. LIABILITY

- 11.1** No liability shall attach to WSDOT, ODOT or the Planning Agency by reason of entering into this Agreement except as expressly provided herein.

12. INDEPENDENT CONTRACTOR

- 12.1** The Planning Agency shall be deemed an independent contractor for all purposes and the employees of the Planning Agency or any of its contractors, subcontractors, and the employees thereof, shall not in any manner be deemed to be employees of WSDOT or ODOT.

13. EQUAL EMPLOYMENT OPPORTUNITY

- 13.1** The Planning Agency agrees to abide by all State and Federal regulations with respect to employment. This includes, but is not limited to, equal opportunity employment, nondiscrimination assurances, project record keeping, audits, inspection, and retention of

records and will adhere to all of the nondiscrimination provisions set forth in Exhibit "B" attached hereto.

14. SEVERABILITY

- 14.1** If any covenant or provision in this Agreement shall be adjudged void, such adjudication shall not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid, if such remainder would then continue to conform to the terms and requirements of applicable law and the intent of this Agreement.

15. EQUIPMENT

- 15.1** All equipment to be purchased under this Agreement shall be listed in the Scope of Work. All equipment must be purchased, managed, and disposed of in accordance with 2 CFR, Part 200.

16. MERGER

- 16.1** This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind any Party unless in writing and signed by all Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of any party or intended beneficiary to enforce any provision of this Agreement shall not constitute a waiver by any party or intended beneficiary of that or any other provision.

17. NOTICE

- 17.1** This Agreement identifies the following individuals as the primary contact person for each organization.

WSDOT:

Frank Green

Assistant Program Administrator, Interstate Bridge Replacement Program

11018 NE 51st Circle

Vancouver, WA 98682

frank.green@interstatebridge.org

360-905-1562

City of Vancouver:

Katherine Kelly

Senior Policy Advisor

415 W 6th Street, P.O. Box 1995

Vancouver, WA 98660

Katherine.Kelly@cityofvancouver.us
360-644-4446 (cell)

IN WITNESS WHEREOF, the PARTIES hereby execute this Agreement as of the day and year last written below.

PLANNING AGENCY

Eric Holmes, City Manager

Date

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (WSDOT)

Frank Green, Assistant Program Administrator

Date

APPROVED AS TO FORM:

By: _____
WSDOT Assistant Attorney General

Date

EXHIBIT A: CITY OF VANCOUVER – SCOPE OF WORK

INTRODUCTION

In 2019, the states of Oregon and Washington approved funding to restart work on replacing the Interstate Bridge on I-5 across the Columbia River, and directed ODOT and WSDOT to open a bi-state program office to lead this work. Recognizing the importance of broad regional support, the Interstate Bridge Replacement (IBR) Program is actively engaging bi-state partner agencies that will provide regional leadership throughout program development and have a direct role in future improvements as a result of their regional positions as an owner, operator, transportation policymaker, or adjacent public economic development entity within the integrated, multi-modal transportation system. As one of these core agency partners the City of Vancouver is and will continue to engage in discussions related to planning, engagement, engineering and design of a replacement bridge solution. This Intergovernmental Agreement is intended to outline City of Vancouver agency commitments and responsibilities related to this work for purposes of reimbursement by the IBR Program.

ROLES AND RESPONSIBILITIES

City of Vancouver will provide staff to collaborate on and assist in key tasks for the Interstate Bridge Replacement (IBR) program. This scope of work covers the time period from January 1, 2021, until December 31, 2022 (through alternatives analysis).

City of Vancouver staff will provide high-quality, on-time contributions and deliverables to contribute to a program that is on schedule and provides for a buildable project.

Assumptions:

None.

WORK ELEMENTS FOR WHICH CITY OF VANCOUVER WILL BE COMPENSATED

1. PROJECT ADMINISTRATION

City of Vancouver will assign a single point of contact for project coordination, called the City of Vancouver IBR Lead. Communication may occur with any City staff as needed, especially with regular routine work or with immediate deadline tasks, but should generally be coordinated through the City of Vancouver IBR Lead. City of Vancouver IBR Lead will also be responsible for coordinating City of Vancouver staff to develop task support and deliverables on time and to communicate to IBR staff about issues that may affect schedule, budget, or quality of work. City of Vancouver IBR Lead will compile City of Vancouver comments for individual tasks and work efforts when reviews are required simultaneously from multiple sources within the City.

The City of Vancouver IBR Lead will prepare for and participate in project-related team meetings consistently during the project, including Staff Level Group meetings, Executive Steering Group meetings, Community Advisory Group meetings, Equity Advisory Group meetings, Technical Work Sessions, Community Working Groups, and additional meetings as defined during the Alternatives Analysis phase of this Program. The IBR Lead and additional principal staff will regularly brief City of Vancouver executives in preparation for Executive Steering Group meetings. Additional City of Vancouver staff will participate in IBR project teams and IBR Working Groups as appropriate. Work under this task will include support for IBR efforts including any needed support of expert review panels and intergovernmental relations.

Staff:

City of Vancouver IBR Lead: Katherine Kelly, Senior Policy Advisor. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

None

Deliverables:

Committee attendance and meeting materials as needed; preparation for meetings and consolidated comments on documents and memos.

2. PROJECT CONTROLS

City of Vancouver will communicate key schedule, budget, and other issues to support Project Controls, but this task is not expected to be a significant investment of City of Vancouver staff time. A

small amount of time is assumed for outreach support, schedule management, and supporting the project management plan.

Staff:

City of Vancouver IBR Lead (Katherine Kelly). Other staff as needed and shown in budget estimate, see Exhibit A.

Assumptions:

None

Deliverables:

Participation, communication, and overall support for program management as needed to ensure Vancouver's successful representation and implementation of agreed-upon program outcomes. Report of staff expenditures with detail of work effort accompanying regular invoices submitted by City of Vancouver to WSDOT not more frequently than on a monthly basis or less frequently than every other month.

3. FINANCIAL STRUCTURES

No scope assumed.

4. COMMUNICATIONS

City of Vancouver communications staff will coordinate with IGA program communications staff to align on program communications, including attending communications coordination meetings to align on program activities and milestone communications. City of Vancouver IBR Lead and additional staff as needed and appropriate will provide support and staffing for public meetings and public outreach activities as applicable, including meetings with neighborhoods and interest groups. City of Vancouver staff will lead communications efforts with City Council and committees. City of Vancouver staff will promote IBR program communications through existing communications channels.

Staff:

Lead: Katherine Kelly; Cara Rene, Communications Director. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

It is assumed that some outreach and communications activities related specifically to transportation planning, transit planning and engineering, roadway design and engineering, and environmental issues will be included in other sections of this scope. For budgeting purpose, it is assumed that there will be up to six communications coordination meetings per year.

Deliverables:

Coordination and staffing as noted in Section 4.

5. TRANSPORTATION PLANNING

- a. City of Vancouver staff will participate in the development of the IBR methods and assumptions document including study area, study intersections, guiding regulations, time periods and years analyzed, multimodal traffic data needs, assessment methods, methodology for post-processing travel demand data, traffic operations, and safety analysis.
- b. City of Vancouver staff will coordinate with IBR project team to provide existing available data (volumes and safety data) to support the multimodal traffic operations and safety analysis.
- c. City of Vancouver staff will be actively involved in reviewing the performance of multimodal transportation operational models and will participate in providing comments to the IBR Team on revisions that may be required to address multimodal traffic operational issues to ensure the base case adequately reflects existing multimodal traffic operations.
- d. City of Vancouver staff will participate in the development of the IBR land use assumptions, future year land use and transportation project list as best known based on current data, travel demand methodologies, and tolling assumptions for the Travel Demand Models used for the IBR program.
- e. City of Vancouver staff will participate with the Travel Demand Model/Traffic Operations Coordination team to ensure that the travel demand model is developed based on commonly agreed upon land use and transportation system operational data for the existing background traffic, and for two peaks and one daily period. City of Vancouver staff will be actively involved in reviewing the performance of the Travel Demand Model and providing comments to the IBR team. The IBR Travel Demand Model Coordination team will develop future year models as well.
- f. City of Vancouver staff will participate in the development of screening criteria and measures of effectiveness for the IBR Program multimodal transportation analysis.
- g. City of Vancouver staff will participate in the development and assessment of the initial range of multimodal alternatives for the IBR Program. City of Vancouver staff will provide

comments/feedback to the IBR Team to ensure that the project alternatives respond to the City of Vancouver's and the community's concerns about the potential impacts and opportunities with each of the Project alternatives.

- h. City of Vancouver staff will participate in the review, analysis and second screening of the Project alternatives to determine their compliance with the City's transportation and land use policy and technical requirements.
- i. Other City of Vancouver staff will be consulted to provide input to the IBR City Project Lead regarding planning recommendations for Task 5 Transportation Planning.

Staff:

Leads: Katherine Kelly; Jennifer Campos, Principal Transportation Planner; Ryan Lopossa, Public Works Streets and Transportation Manager. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

5.g. For budget purposes, it is assumed there will be up to ten initial alternatives. 5.h. For budget purposes, it is assumed there will be up to five build alternatives.

Deliverables:

Transportation Planning data and analysis as noted in sections 5.a – 5.i.

6. ENVIRONMENTAL

- a. City Program Lead will coordinate City participation in the IBR environmental process to include attendance at and contribution to Agency Coordination Group (ACG) and/or other applicable meetings as defined through the Alternatives Analysis phase of this program. Participation in ACG includes assisting in the development and/or review of the following activities:
 - 1. Purpose and Need and Vision and Values
 - 2. Methods and Data Report
 - 3. Alternatives Screening Report
 - 4. Existing Conditions Report
 - 5. Permitting Plan
- b. Discipline report review and comment.

- c. Other tasks as needed and assigned Agency Coordination Group and by IBR environmental leads.
- d. Comments will be assembled in a single document and transmitted through the City Lead as described under Task 1.

Staff:

Leads: Katherine Kelly; Rebecca Kennedy, Deputy Director, Community & Economic Development. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

None.

Deliverables:

Environmental data and documentation as noted in sections 6.a – 6.d.

7. TRANSIT PLANNING/ENGINEERING

- a. COV staff will participate on the Modeling and Transit Working Groups in the development and review of:
 - 1. Transit travel markets
 - 2. Transit service plans, especially as applicable for access to City destinations
 - 3. Travel demand forecasting methodology and results evaluation
 - 4. Transit Baseline Alternative
 - 5. Initial Range of Transit Alternatives
- b. COV staff will participate in the Design Engineering Working Group and/or other applicable work groups as defined during the Alternatives Analysis phase of this program. Work includes development and review of the conceptual engineering of transit alternatives, including participation at interdisciplinary design workshops.
- c. COV staff will participate in the Modeling and Transit Working Groups and/or other applicable work groups as defined during the Alternatives Analysis phase of this program. Work includes development and review of initial screening and a second screening of transit alternatives.
- d. COV staff will participate in the Modeling and Transit Working Groups and/or other applicable work groups as defined during the Alternatives Analysis phase of this program. Work includes development and review of plans for transit capital facilities such as park-and-ride lots, express or other types of bus stops, major structures, etc.

- e. COV staff through the Transit Working Group and/or other applicable work groups as defined during the Alternatives Analysis phase of this program will participate in the development of station area planning studies led by the IBR Team. These studies will include a land use and transportation opportunities/impacts assessment consistent with the level of analysis for initial and second level screening as indicated in the methods and assumptions document.

Staff:

Leads: Katherine Kelly; Ryan Lopossa; Rebecca Kennedy. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

7.a.5. For budgeting purpose, it is assumed there will be up to ten initial alternatives.

Deliverables:

Transit planning and engineering data and documentation as noted in sections 7.a – 7.e.

8. DESIGN ENGINEERING

- a. City staff will participate with IBR staff in the development and review of project design criteria, especially for potential future roadways under City jurisdiction.
- b. City staff will participate with IBR staff in the development and review of:
 - 1. Conceptual alternative plans
 - 2. Conceptual plans and profiles of roadways
 - 3. Conceptual plans and profiles of structures
- c. City staff will provide the IBR team with information on existing and planned stormwater systems and provide review of stormwater design criteria to be used for the project.
- d. City staff will provide the IBR team with information on existing and planned City-owned utility systems. The City will provide the IBR team with any known private utilities.
- e. City staff will participate in the review of conceptual traffic management and construction staging concepts prepared for DEIS impact analysis, particularly as these plans affect streets and intersections under City jurisdiction.
- f. City staff will participate in the review of conceptual urban design plans led by the IBR Team.
- g. City staff will review and provide input on the conceptual alternative plan development and screening applying local and regional knowledge to provide feedback on elements to include highway, fixed guideway and structures.
- h. City staff will provide input and review on conceptual cost estimates applying local and regional knowledge to provide feedback.

Staff:

Leads: Katherine Kelly, Ryan Lopossa, Dan Swensen, City Engineer/Public Works Construction and Engineering Manager. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

None.

Deliverables:

Design engineering data and documentation as noted in sections 8.a – 8.h.

9. CLIMATE AND EQUITY

- a. The City of Vancouver will contribute staff time in developing and/or reviewing climate related elements of the project and sharing information related to agency specific climate plans. Future agreements will include more specific language regarding program-specific climate commitments.
- b. The City of Vancouver will contribute staff time for EAG participation and the sharing of information and data relative to the City's definition of equity. Future agreements will include more specific language regarding program-specific equity commitments.

Staff:

Leads: Aaron Lande, Alicia Sojourner. Additional staff as noted in program expense outline, see Exhibit A.

Assumptions:

None.

Deliverables:

Data and documentation as noted in sections 9.a – 9.b.

Exhibit A: Cost Estimate

Task	Description	Total Budget by Task
1.0	Program Management/Administration	\$ 859,004.63
2.0	Program Controls	\$ 34,897.53
3.0	Financial Structures	\$ -
4.0	Communications	\$ 99,783.29
5.0	Transportation Planning	\$ 250,295.07
6.0	Environmental	\$ 266,492.41
7.0	Transit Planning/Engineering	\$ 298,521.98
8.0	Design Engineering	\$ 308,929.86
9.0	Major Structures	\$ 142,546.30
	Limited Notice to Proceed	\$ 285,000.00
	Total Amount Authorized:	\$ 2,545,471.07

Exhibit B
Title 6, Civil Rights Act of 1964

During the performance of this Agreement, the Planning Agency, for itself, its sub-contractors, its assignees, and successors in interest, hereinafter referred to as the "Consultant," agree as follows:

1. **Compliance With Regulations:** The Consultant shall comply with the Regulations of the U.S. Department of Transportation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation Title 49, Code of Federal Regulations, Part 21, hereinafter referred and made a part of this Agreement.
2. **Nondiscrimination:** The Consultant, with regard to the work performed by it after award and prior to completion of the Agreement work, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Consultant shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Part 21, including employment practices when the contract covers a program set forth in Appendix A-11 of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The Consultant shall provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by WSDOT, ODOT, the Oregon Secretary of State's Office, the Federal Highway Administration, Federal Transit Administration, the Comptroller General of the United States, and their duly authorized representatives to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information required of the Consultant is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to WSDOT, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Consultant's noncompliance with the nondiscrimination provisions of this Agreement, WSDOT shall impose such Agreement sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding of payment to the Consultant under the Agreement until the

- consultant complies, and/or
 - b. Cancellation, termination, or suspension of the Agreement, in whole or in part.
- 6. **Incorporation of Provisions:** The Consultant shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The consultant will take such action with respect to any subcontract or procurements as WSDOT or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Consultant becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Consultant may request WSDOT to enter into such litigation to protect the interest of the United States.

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:

\$ 9,223,604.12 this 2nd day of August 2021.

MAYOR



AUDITING OFFICER

COUNCILMEMBER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
July 20, 2021 - July 26, 2021	Accounts Payable Checks (see attached)	\$ 5,892,405.68
July 20, 2021 - July 26, 2021	Hansen City Payments (see attached)	\$ 74,187.00
July 20, 2021 - July 26, 2021	Visa Refunds (see attached)	\$ 2,990.00
July 20, 2021 - July 26, 2021	Payroll Checks (see attached)	\$ 3,254,021.44
TOTAL		\$ 9,223,604.12

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>	
Procurement Card Payment	Manual Wire	No Reference	7/23/2021	531,843.43	CoV Procurement Card		
Supplier Payment	Manual Wire	No Reference	7/20/2021	32,543.63	Gallagher Bassett Services Inc		
Supplier Payment	Manual Wire	No Reference	7/19/2021	14,314.20	Washington Dental Serv		
Supplier Payment	Manual Wire	No Reference	7/2/2021	120,484.49	Bank of America		
Supplier Payment	Manual Wire	No Reference	7/19/2021	189,032.30	Blue Cross Blue Shield of Oregon		
Supplier Payment	Manual Wire	No Reference	7/19/2021	268,848.75	The Bank of New York Mellon Trust Co		
Supplier Payment	Manual Wire	No Reference	7/21/2021	599,533.30	Clark County - Remit-To: Clark County - Treasurer Vancouver		
Supplier Payment	Manual Wire	No Reference	7/21/2021	91,544.36	Blue Cross Blue Shield of Oregon		
Supplier Payment	Manual Wire	No Reference	7/21/2021	989.90	VSP Vision Care Inc		
Supplier Payment	Manual Wire	No Reference	7/22/2021	399.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit		
Supplier Payment	Manual Wire	No Reference	7/22/2021	347,087.30	Kaiser Permanente - Remit-To: Kaiser Permanente		
Supplier Payment	Manual Wire	No Reference	7/22/2021	25,483.59	Gallagher Bassett Services Inc		
Supplier Payment	Manual Wire	No Reference	7/23/2021	560.50	Oregon SDU		
Supplier Payment	Manual Wire	No Reference	7/23/2021	75.00	HRA VEBA Plan		
Supplier Payment	Manual Wire	No Reference	7/23/2021	19,000.00	Washington State Firefighters		
Supplier Payment	Manual Wire	No Reference	7/23/2021	866.77	Vancouver Fire Command Officers		
Supplier Payment	Manual Wire	No Reference	7/23/2021	18,586.79	Western States Health & Welfare Trust		
Supplier Payment	Manual Wire	No Reference	7/23/2021	222,881.36	ICMA Corp		
Supplier Payment	Manual Wire	No Reference	7/23/2021	8,837.64	ICMA 401A		
Supplier Payment	Manual Wire	No Reference	7/23/2021	5,793.62	Washington SDU		
Supplier Payment	Manual Wire	No Reference	7/23/2021	23,763.91	Vancouver Firefighters Union Health & Welfare Trust		
Supplier Payment	Manual Wire	No Reference	7/23/2021	50,817.38	State of Washington Department of Retirement System (PERS)		
Cash Advance Payment	Direct Deposit	EFT-00108874	7/22/2021	114.00	Jamie Haske	Travel Advance	
Cash Advance Payment	Direct Deposit	EFT-00108875	7/22/2021	41.25	Edward Letarte	Travel Advance	
Expense Payment	Direct Deposit	EFT-00108876	7/22/2021	114.00	Sean Suarez	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108877	7/22/2021	100.00	Jim Bullinger	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108878	7/22/2021	405.67	Hailey Heath	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108879	7/22/2021	31.68	Suzanne Hebert	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108880	7/22/2021	43.00	Michael Maini	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108881	7/22/2021	164.88	Johnie Tucker	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108882	7/22/2021	52.08	Sean Metevia	Employee Reimbursement	

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Expense Payment	Direct Deposit	EFT-00108883	7/22/2021	3.00	Rainy Rau	Employee Reimbursement	
Expense Payment	Direct Deposit	EFT-00108884	7/22/2021	16.00	Robert Givens	Employee Reimbursement	
Supplier Payment	EFT	EFT-00108885	7/22/2021	12,779.94	Otak Inc		
Supplier Payment	EFT	EFT-00108886	7/22/2021	1,650.00	JCI Jones Chemicals Inc		
Supplier Payment	EFT	EFT-00108887	7/22/2021	2,787.62	YWCA Clark County		
Supplier Payment	EFT	EFT-00108888	7/22/2021	17,000.00	Community Housing Resource Center		
Supplier Payment	EFT	EFT-00108889	7/22/2021	23,835.30	Share Inc		
Supplier Payment	EFT	EFT-00108890	7/22/2021	215,763.10	ConvergeOne Inc		
Supplier Payment	EFT	EFT-00108891	7/22/2021	6,031.32	Eagle Newspaper Inc		
Supplier Payment	EFT	EFT-00108892	7/22/2021	1,811.88	Lifeline Connections		
Supplier Payment	EFT	EFT-00108893	7/22/2021	295,995.28	Cat Works LLC		
Supplier Payment	EFT	EFT-00108894	7/22/2021	262.00	Rotschy Inc		
Supplier Payment	EFT	EFT-00108895	7/22/2021	1,701.63	Mackay Sposito Inc		
Supplier Payment	EFT	EFT-00108896	7/22/2021	1,116.00	Accenture LLP		
Supplier Payment	EFT	EFT-00108897	7/22/2021	4,429.00	Second Step Housing		
Supplier Payment	EFT	EFT-00108898	7/22/2021	5,067.38	Boys and Girls Clubs of Southwest Washington		
Supplier Payment	EFT	EFT-00108899	7/22/2021	24,750.00	Vancouver Downtown Association		
Supplier Payment	EFT	EFT-00108900	7/22/2021	352.80	Life-Assist Inc		
Supplier Payment	EFT	EFT-00108901	7/22/2021	21,145.30	Lee Contractors LLC		
Supplier Payment	EFT	EFT-00108902	7/22/2021	226,364.48	Operations Management International Inc		
Supplier Payment	EFT	EFT-00108903	7/22/2021	372.29	Praxair Distribution Inc		
Supplier Payment	EFT	EFT-00108904	7/22/2021	104.11	MPGTandem		
Supplier Payment	EFT	EFT-00108905	7/22/2021	41,776.88	Clark County - Remit-To: Clark County - Treasurer Vancouver		
Supplier Payment	EFT	EFT-00108906	7/22/2021	2,070.61	Linguava Interpreters Inc		
Supplier Payment	EFT	EFT-00110648	7/23/2021	68.12	Legal Shield		
Supplier Payment	EFT	EFT-00110649	7/23/2021	13,874.49	Allegiance Benefit Plan Management Inc		
Supplier Payment	EFT	EFT-00110650	7/23/2021	11,025.34	Vancouver Police Officer Guild		
Supplier Payment	EFT	EFT-00110651	7/23/2021	917.40	Vancouver Command Guild		
Ad Hoc Payment	Check	23814	7/20/2021	4,452.98	State of Washington	2nd Qtr 2021 A8 form	
Ad Hoc Payment	Check	23815	7/21/2021	211.28	Ashley Fitzsimmons	Utility Refunds: 0083010238-03	
Ad Hoc Payment	Check	23816	7/21/2021	130.43	Audette, Sandra D	Utility Refunds: 0054064620-09	
Ad Hoc Payment	Check	23817	7/21/2021	25.34	Audette, Sandra D and Richard A	Utility Refunds: 0054064620-09	
Ad Hoc Payment	Check	23818	7/21/2021	227.25	Autumn R and Lukasz Kaltur	Utility Refunds: 0128000216-05	
Ad Hoc Payment	Check	23819	7/21/2021	200.00	Bicheng & Shibin Zhang	Refund CivicGov Acct 749284 Inv 77032716	
Ad Hoc Payment	Check	23820	7/21/2021	80.28	Carl, Casey Ann	Utility Refunds: 0005039400-06	

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Ad Hoc Payment	Check	23821	7/21/2021	137.20	Castillo,Sam	Utility Refunds: 0078000112-12	
Ad Hoc Payment	Check	23822	7/21/2021	40.00	Catedral Tapatio Restaurant	Refund Alarm Billing Acct 9871 Inv 99431636 and 99436372	
Ad Hoc Payment	Check	23823	7/21/2021	3,000.00	Clark County Title	Reconveyance Fee .Several entities see attached doc	
Ad Hoc Payment	Check	23824	7/21/2021	350.00	First American Title	Reconveyance fee . Yoakum	
Ad Hoc Payment	Check	23825	7/21/2021	1,152.78	Goodwin,Starlet	Utility Refunds: 0147024300-02 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23826	7/21/2021	988.93	Gorban,Andrew and Ekaterina	Utility Refunds: 0500002033-02 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23827	7/21/2021	682.99	Gorban,Andrew and Ekaterina	Utility Refunds: 0500002033-02 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23828	7/21/2021	229.15	Hunt,Matthew and Abril	Utility Refunds: 0056022600-03 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23829	7/21/2021	190.65	James R and Holly J Hanset	Utility Refunds: 0045014450-01	
Ad Hoc Payment	Check	23830	7/21/2021	3,006.08	Jenkins Associates Inc	Utility Refunds: 0000003145-01	
Ad Hoc Payment	Check	23831	7/21/2021	159.00	Jennifer Wigginton and,Kathleen Hinostrroza	Utility Refunds: 0085001200-06 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23832	7/21/2021	154.47	Judy Buzzini	Utility Refunds: 0106010300-03	
Ad Hoc Payment	Check	23833	7/21/2021	90.00	Larry D Pederson	Refund Business License 601085970020001	
Ad Hoc Payment	Check	23834	7/21/2021	193.42	Larson,Kyle	Utility Refunds: 0045011204-31	
Ad Hoc Payment	Check	23835	7/21/2021	5,580.00	Lead-Vancouver LLC	Refund Business Lic Acct 603612575-001-0001	
Ad Hoc Payment	Check	23836	7/21/2021	11.74	Little,Adam and Kasia	Utility Refunds: 0000005808-03	
Ad Hoc Payment	Check	23837	7/21/2021	14.13	Maddison and Matthew Walsh	Utility Refunds: 0010057500-09	
Ad Hoc Payment	Check	23838	7/21/2021	10.73	Martin,Kathleen	Utility Refunds: 0063088673-06	

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Ad Hoc Payment	Check	23839	7/21/2021	68.37	McGuire,Wendy and James	Utility Refunds: 0107002202-04	
Ad Hoc Payment	Check	23840	7/21/2021	4,137.58	McRill,Philip E	Utility Refunds: 0031032500-02 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23841	7/21/2021	74.39	Michael F Hill	MPE-304267	
Ad Hoc Payment	Check	23842	7/21/2021	213.00	Milani,Todd A	Utility Refunds: 0044016200-03	
Ad Hoc Payment	Check	23843	7/21/2021	185.67	Mullin,Dorothy M	Utility Refunds: 0054080021-03	
Ad Hoc Payment	Check	23844	7/21/2021	450.00	Northstar International LLC	Refund Business License Covid Surcharge Program Acct 603196537-001-0002	
Ad Hoc Payment	Check	23845	7/21/2021	450.00	Northstar International LLC	Refund Business Lic Covid Surcharge Prog Acct 6031965370010001	
Ad Hoc Payment	Check	23846	7/21/2021	40.00	PCS	Refund Alarm Billing Acct 20773 Inv 99428314 / 99433513 Conlon, Michael and Brenda	
Ad Hoc Payment	Check	23847	7/21/2021	20.00	PCS	Refund Alarm Billing Acct 19898 Inv 99378319 X Products LLC	
Ad Hoc Payment	Check	23848	7/21/2021	450.00	Philly Bilmos LLC	Refund Business License 6031138350010001	
Ad Hoc Payment	Check	23849	7/21/2021	18.92	Porpoise Properties LLC	Utility Refunds: 0012082150-18	
Ad Hoc Payment	Check	23850	7/21/2021	59.51	Prairie Electric	MPE-304029	
Ad Hoc Payment	Check	23851	7/21/2021	90.00	Rosemere Tavern Inc	Refund Business License Acct 6012432630010001	
Ad Hoc Payment	Check	23852	7/21/2021	497.15	Sandra Lea Moore and Holli Jo Spanski	Utility Refunds: 0035011000-04 Consolidated refund created from multiple refunds	
Ad Hoc Payment	Check	23853	7/21/2021	300.00	Stewart Title Corporation	Reconveyance Request Crowe Holtzlander	
Ad Hoc Payment	Check	23854	7/21/2021	123.33	Stickney,Bart C and Nadia I	Utility Refunds: 0047083050-01	
Ad Hoc Payment	Check	23855	7/21/2021	100.00	Stickney,Nadia I	Utility Refunds: 0047083050-01	
Ad Hoc Payment	Check	23856	7/21/2021	155.32	Tod & Bernadine Nickerson Trustees	Utility Refunds: 0045011468-03	
Ad Hoc Payment	Check	23857	7/21/2021	8.82	Wei-Cheng Wang and Fei Chen	Utility Refunds: 0079078977-03	
Ad Hoc Payment	Check	23858	7/21/2021	197.53	Zenith Properties NW LLC	Utility Refunds: 0500001909-02	
Supplier Payment	Check	23859	7/21/2021	2,088.30	A-Check America Inc		
Supplier Payment	Check	23860	7/21/2021	2,946.32	Action Technology Systems		

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Supplier Payment	Check	23861	7/21/2021	354,162.10	Advanced Excavating Specialists LLC		
Supplier Payment	Check	23862	7/21/2021	7.82	Airgas, Inc		
Supplier Payment	Check	23863	7/21/2021	47.99	Allegiance Benefit Plan Management Inc		
Supplier Payment	Check	23864	7/21/2021	40.00	Amex Products Inc		
Supplier Payment	Check	23865	7/21/2021	153.07	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena		
Supplier Payment	Check	23866	7/21/2021	35,375.97	Avaya Inc - Remit-To: Avaya New York		
Supplier Payment	Check	23867	7/21/2021	4,570.00	Barran Liebman LLP		
Supplier Payment	Check	23868	7/21/2021	7,991.03	Bloomberg Finance LP - Remit-To: Bloomberg - Boston		
Supplier Payment	Check	23869	7/21/2021	4,073.69	Bound Tree Medical LLC		
Supplier Payment	Check	23870	7/21/2021	400.00	BSK Associates - Remit-To: Supplier BSK Associates		
Supplier Payment	Check	23871	7/21/2021	2,041.68	Cascade Centers Inc		
Supplier Payment	Check	23872	7/21/2021	3,320.50	CBG Communications Inc		
Supplier Payment	Check	23873	7/21/2021	41.99	Cellco Partnership - Remit-To: Cellco - Dallas		
Supplier Payment	Check	23874	7/21/2021	278.00	City of Vancouver - Remit-To: COV Main		
Supplier Payment	Check	23876	7/21/2021	660.34	Clark Public Utility District No. 1		
Supplier Payment	Check	23877	7/21/2021	452.56	Clark Public Utility District No. 1		
Supplier Payment	Check	23878	7/21/2021	858.64	Clark Public Utility District No. 1		
Supplier Payment	Check	23879	7/21/2021	832.90	Clark Public Utility District No. 1		
Supplier Payment	Check	23880	7/21/2021	480.36	Clark Public Utility District No. 1		
Supplier Payment	Check	23881	7/21/2021	720.84	Clark Public Utility District No. 1		
Supplier Payment	Check	23882	7/21/2021	26.46	Clark Public Utility District No. 1		
Supplier Payment	Check	23883	7/21/2021	273,851.99	Clark Public Utility District No. 1		
Supplier Payment	Check	23884	7/21/2021	962.22	Clark Public Utility District No. 1		
Supplier Payment	Check	23885	7/21/2021	535.81	Clark Public Utility District No. 1		
Supplier Payment	Check	23886	7/21/2021	1,991.98	Clark Public Utility District No. 1		
Supplier Payment	Check	23887	7/21/2021	201,657.59	Clary Longview LLC		
Supplier Payment	Check	23888	7/21/2021	12,873.53	Columbia Precast Products, LLC		
Supplier Payment	Check	23889	7/21/2021	6,374.19	Columbia Resource Company		

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Supplier Payment	Check	23890	7/21/2021	114.92	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry		
Supplier Payment	Check	23891	7/21/2021	188.29	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry		
Supplier Payment	Check	23892	7/21/2021	35,000.00	Comcast Holdings Corporation - Remit-To: Comcast Holding Corporation - Boston		
Supplier Payment	Check	23893	7/21/2021	14,310.00	Comcast Holdings Corporation - Remit-To: Comcast Holding Corporation - Boston		
Supplier Payment	Check	23894	7/21/2021	406.88	Day Management Corp		
Supplier Payment	Check	23895	7/21/2021	7,885.85	Distinctive Landscape LLC		
Supplier Payment	Check	23896	7/21/2021	275.00	ERF Company Inc		
Supplier Payment	Check	23897	7/21/2021	11,811.38	Exeltech Consulting		
Supplier Payment	Check	23898	7/21/2021	4,144.84	Ferguson Enterprises - Remit-To: Ferguson - Dallas		
Supplier Payment	Check	23899	7/21/2021	45.00	Gina L Armstrong		
Supplier Payment	Check	23900	7/21/2021	4,692.75	Gordon Truck Centers		
Supplier Payment	Check	23901	7/21/2021	2,170.00	GrantAnalyst.com LLC		
Supplier Payment	Check	23902	7/21/2021	8,311.72	Harper Houf Peterson Righellis Inc		
Supplier Payment	Check	23903	7/21/2021	21,333.27	Herrera Environmental Consultants Inc		
Supplier Payment	Check	23904	7/21/2021	6,249.99	Hispanic Metropolitan Chamber		
Supplier Payment	Check	23905	7/21/2021	510.00	Inez Sofie		
Supplier Payment	Check	23906	7/21/2021	362,200.32	Insituform Technologies Inc		
Supplier Payment	Check	23907	7/21/2021	1,985.57	Invintus Media LLC		
Supplier Payment	Check	23908	7/21/2021	17,304.00	Jacobs Engineering Group Inc		
Supplier Payment	Check	23909	7/21/2021	18,977.28	Janus Youth Programs Inc		
Supplier Payment	Check	23910	7/21/2021	15,746.00	Jensen Hughes Inc		
Supplier Payment	Check	23911	7/21/2021	8,182.50	Kearns & West Inc		
Supplier Payment	Check	23912	7/21/2021	6,333.25	Keller Associates Inc		
Supplier Payment	Check	23913	7/21/2021	21,684.80	L.N. Curtis & Sons		
Supplier Payment	Check	23914	7/21/2021	237,572.13	Lakeside Industries Inc		
Supplier Payment	Check	23915	7/21/2021	2,483.98	Loomis Armored US LLC - Remit-To: Loomis - Palatine		
Supplier Payment	Check	23916	7/21/2021	75.00	Marquam Group LTD		
Supplier Payment	Check	23917	7/21/2021	1,259.06	McFarlanes Bark Inc		

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Supplier Payment	Check	23918	7/21/2021	17,162.52	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago		
Supplier Payment	Check	23919	7/21/2021	300.44	Northwest Natural Gas Company - Remit-To: NW Natural - Portland		
Supplier Payment	Check	23920	7/21/2021	13,137.84	Northwest Staffing Resources Inc - Remit-To: NW Staffing - Portland		
Supplier Payment	Check	23921	7/21/2021	227.01	Orion Medical Supply		
Supplier Payment	Check	23922	7/21/2021	23,176.33	Owen Equipment Co - Remit-To: Supplier Owen Equipment Co		
Supplier Payment	Check	23923	7/21/2021	45.00	Parkeon		
Supplier Payment	Check	23924	7/21/2021	1,975.58	Physio-Control Inc - Remit-To: Stryker Medical		
Supplier Payment	Check	23925	7/21/2021	1,288.50	Porter W Yett Company		
Supplier Payment	Check	23926	7/21/2021	6,415.56	PPC Solutions Inc		
Supplier Payment	Check	23927	7/21/2021	487.80	Prestige Glossworx		
Supplier Payment	Check	23928	7/21/2021	725.50	Purple Communications Inc		
Supplier Payment	Check	23929	7/21/2021	77.00	Quick Caption Inc		
Supplier Payment	Check	23930	7/21/2021	760.78	Qwest Corp - Remit-To: CenturyLink - Phoenix		
Supplier Payment	Check	23931	7/21/2021	683.92	Rapco Industries Inc		
Supplier Payment	Check	23932	7/21/2021	500.00	Robert Leeland Young		
Supplier Payment	Check	23933	7/21/2021	650.00	Rock Creek Communications, LLC		
Supplier Payment	Check	23934	7/21/2021	2.08	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit		
Supplier Payment	Check	23935	7/21/2021	10.36	Stericycle Inc		
Supplier Payment	Check	23936	7/21/2021	4,025.00	StreamlineAM LLC		
Supplier Payment	Check	23937	7/21/2021	1,050.00	Synarchy Science LLC		
Supplier Payment	Check	23938	7/21/2021	13,736.69	The Salvation Army		
Supplier Payment	Check	23939	7/21/2021	158.48	United Parcel Service		
Supplier Payment	Check	23940	7/21/2021	369.87	United States Department of Agriculture - Remit-To: USDA APHIS - St Louis		
Supplier Payment	Check	23941	7/21/2021	4,690.22	Univar Solutions USA Inc - Remit-To: Supplier Univar Solutions USA Inc		
Supplier Payment	Check	23942	7/21/2021	165.00	Vancouver Aire LLC		
Supplier Payment	Check	23943	7/21/2021	34,904.00	Vancouver Watersheds Council		
Supplier Payment	Check	23944	7/21/2021	2,372.04	Walter E Nelson Company		

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Supplier Payment	Check	23945	7/21/2021	4,475.28	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver		
Supplier Payment	Check	23946	7/21/2021	1,440.15	Waste Management - Remit-To: Waste Management Los Angeles		
Supplier Payment	Check	23947	7/21/2021	16,516.22	Western Systems Inc		
Supplier Payment	Check	23948	7/21/2021	12,137.03	Xchange Recovery		
Supplier Payment	Check	23949	7/21/2021	280.65	XPO Logistics Enterprise Services, Inc - Remit-To: XPO - Portland		
Supplier Payment	Check	23950	7/21/2021	40.73	Ziply Fiber		
Supplier Payment	Check	23951	7/21/2021	262.00	American Payroll Institute, Inc.		
Supplier Payment	Check	23952	7/21/2021	55,792.00	Angelo Property CO., LP		
Supplier Payment	Check	23953	7/21/2021	942.33	Broadway Investors LLC		
Supplier Payment	Check	23954	7/21/2021	9,863.45	Brown & Wilson Partnership LLC		
Supplier Payment	Check	23955	7/21/2021	196.50	Clark County - Remit-To: Clark County - Treasurer Vancouver		
Supplier Payment	Check	23956	7/21/2021	8,935.28	Esther Short Commons LLP		
Supplier Payment	Check	23957	7/21/2021	2,745.92	Internal Revenue Service		
Supplier Payment	Check	23958	7/21/2021	600.00	Nagra & Atwal Corporation		
Supplier Payment	Check	23959	7/21/2021	4,417.72	National Park Service - Remit-To: National Park Service - Pearson Lease		
Supplier Payment	Check	23960	7/21/2021	113,008.96	State of Washington Department of Employment Security - Remit-To: State of Washington Department of Employment Security / Seattle		
Supplier Payment	Check	23961	7/21/2021	74,219.46	State of Washington Department of Revenue		
Supplier Payment	Check	23962	7/21/2021	135,598.61	Clark County		
Supplier Payment	Check	23963	7/21/2021	10.00	Clark County		
Supplier Payment	Check	23964	7/23/2021	8,145.90	Aflac		
Supplier Payment	Check	23965	7/23/2021	4,968.88	AFSCME Local #307		
Supplier Payment	Check	23966	7/23/2021	22,411.40	IAFF Local #452		
Supplier Payment	Check	23967	7/23/2021	712.50	IAM Local #1374		
Supplier Payment	Check	23968	7/23/2021	8,372.80	Life Insurance Company of North America		
Supplier Payment	Check	23969	7/23/2021	575.00	MFS Service Center Inc		
Supplier Payment	Check	23970	7/23/2021	25.00	OPEIU Local #11		
Supplier Payment	Check	23971	7/23/2021	4,084.01	OPEIU Local #11		
Supplier Payment	Check	23972	7/23/2021	608.00	Teamsters Local #58		
Supplier Payment	Check	23973	7/23/2021	297.50	UA Local #290		

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>	
Supplier Payment	Check	23974	7/23/2021	2,883.60	Western Conference of Teamsters		
Supplier Payment	Check	23975	7/23/2021	1,286.16	Western Metal Industry Pension Plan		
			SUBTOTAL	5,892,405.68			
Hansen			7/26/2021	74,187.00	City Payments	Posted 7-20 thru 7-26-21	
			SUBTOTAL	74,187.00			
Visa			7/26/2021	2110.00	Miscellaneous	Parks Class Refunds - FCC 7-20 thru 7	
Visa			7/26/2021	880.00	Miscellaneous	Parks Class Refunds - MCC 7-20 thru	
Visa			7/26/2021	0.00	Miscellaneous	Parks Class Refunds - Special Events 7	
Visa			7/26/2021	0.00	Miscellaneous	Parks Class Refunds - WREC 7-20 thru	
			SUBTOTAL	2990.00			
			TOTAL	5,969,582.68			

City of Vancouver
Payroll Council Report
July 20, 2021 - July 26, 2021

Check No.	Date	Explanation	Amount
3144-3190	07/23/21	14 2021 Payroll	\$ 30,002.19
108907-110647	07/23/21	14 2021 Direct Deposits	\$ 3,224,019.25

\$ 3,254,021.44

Heights District Plan Implementation

VANCOUVER
CITY HALL



August 2, 2021

City Council Public Hearing

Rebecca Kennedy, Long Range Planning Manager

Greg Turner, Land Use Manager

Presentation Overview

- Implementation process to date
- Prior Council and Planning Commission Review
- Summary of updated development standards and implementing regulations, including:
 - Heights Mixed Use (HX) Plan District
 - Heights District Urban Design Guidelines
 - Comprehensive Plan and Title 20 amendments
 - Planned Action Ordinance
 - Lifting of Tower Mall development moratorium
- Recommendation
- Next Steps

Presentation Purpose

- Council Public Hearing review of the following:
 - Heights Mixed Use (HX) Zoning District, Heights District Urban Design Guidelines, and associated Comprehensive Plan and Vancouver Municipal Code Title 20 text amendments
 - Planned Action Ordinance and associated mitigation document for the Heights District
 - Lifting of Tower Mall Redevelopment moratorium
- Final review and adoption of updated development standards and implementing regulations and lifting of the Tower Mall development moratorium as outlined above and in the staff report.

Heights District Plan Implementation



City Council adopted the Heights District Plan on August 17, 2020.



First phase of Plan implementation:

- **HX zoning district**
- **Heights urban design guidelines**
- **Planned Action for the District**
- Updates to street standard details
- Fitwell community certification for the Tower Mall Redevelopment Area
- Demolition of Tower Mall building

Heights District Vision & Guiding Principles

The Heights District is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. As the area develops, it will contribute to a shared identity that reflects the value placed on the past and current community with an eye toward welcoming future generations in an inclusive and equitable manner.

Guiding Principles: Inclusive housing, connectivity, community health and wellness, sustainability, accessible and vibrant public realm, arts/culture, economic development, high quality and aesthetically pleasing architecture/urban form

Prior City Council and Planning Commission Review

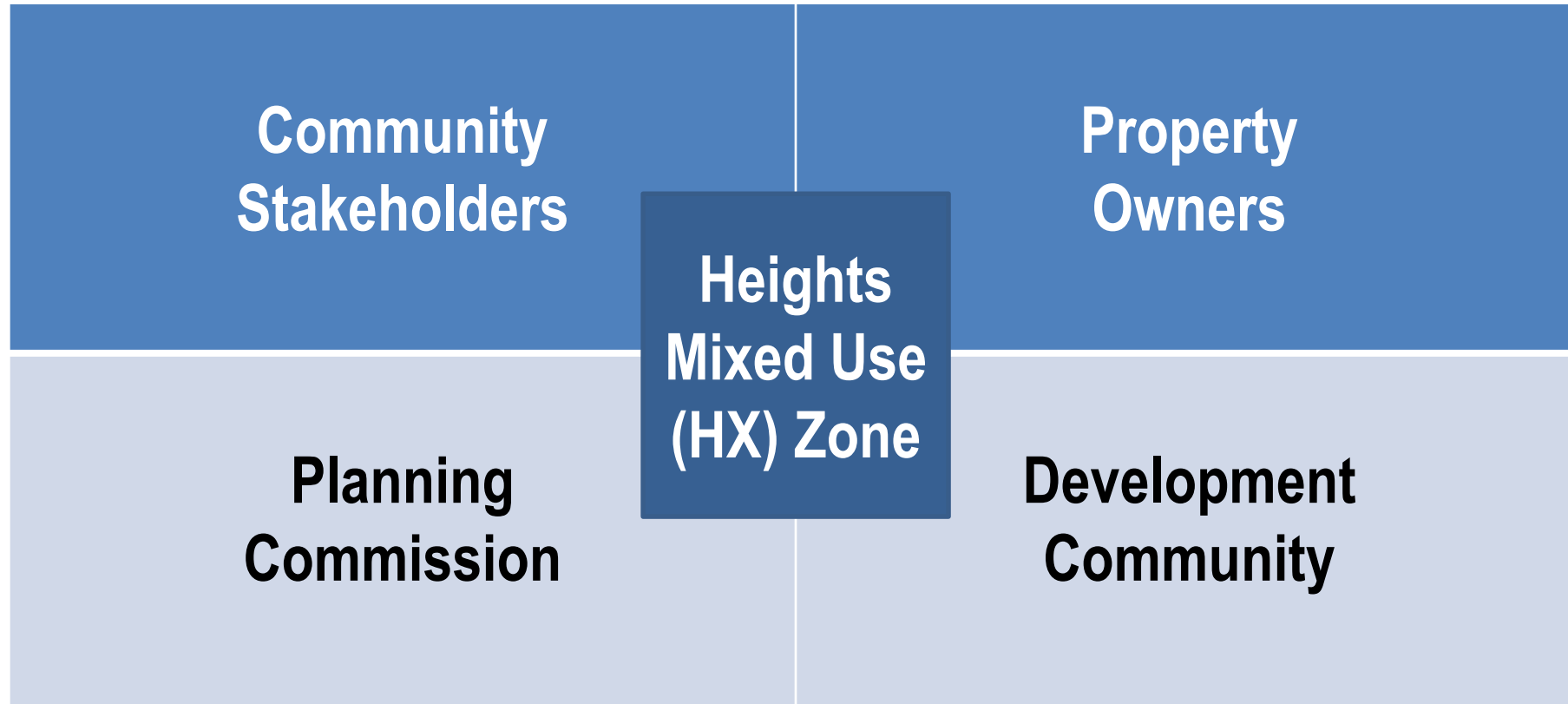
City Council:

- February 8 and May 17 Council workshop review
- July 19 First Reading/Public Hearing

Planning Commission

- October 13, November 10, January 26 and April 13 workshop review
- June 8 Public Hearing, where the Commission forwarded a unanimous recommendation to Council to adopt the HX Plan District, Heights District Urban Design Guidelines, Planned Action Ordinance and associated Comprehensive Plan and Title 20 text changes

Stakeholder Engagement



HX Zone

Purpose:

The Heights District is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan District is to implement the vision, goals and policies of the adoption Heights District Plan, and ensure future development is integrated, cohesive context sensitive, and contributes to the overall District Vision.



Heights Mixed Use (HX) Zoning District

Application:

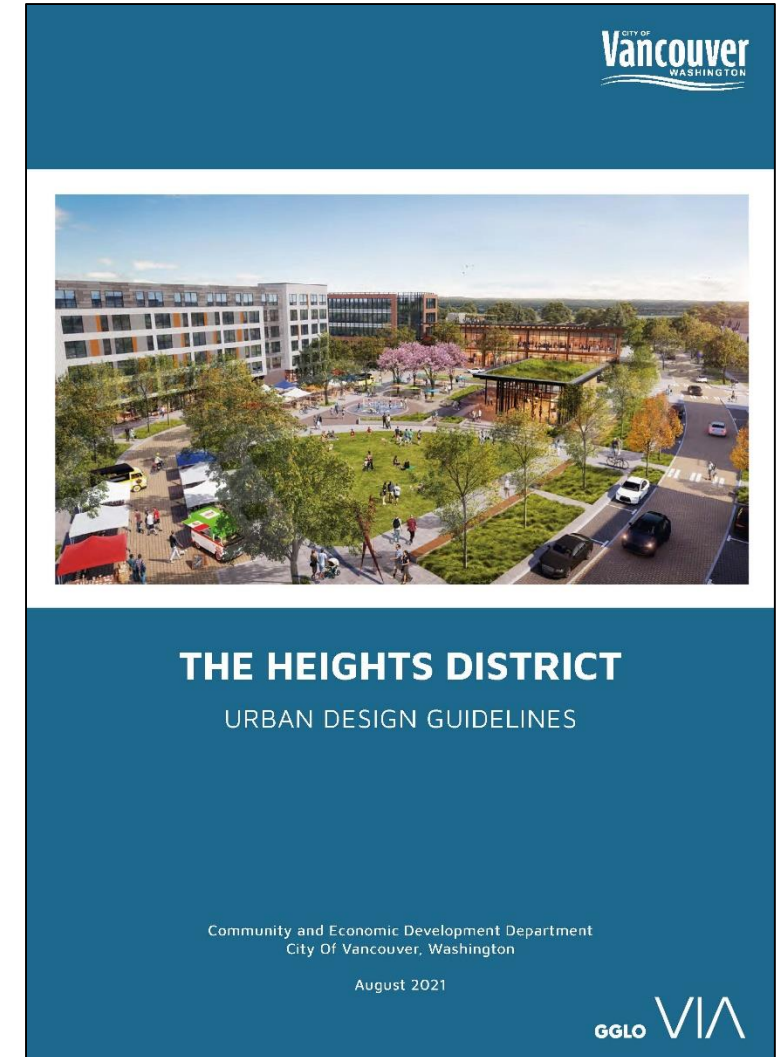
- Applies to development within identified sub-districts within the overall district
- Does not apply to properties not located in an identified sub-district

HX Plan District Major Elements:

- Regulation of uses, including ground floor frontage requirements
- Development Standards, including building height, residential density, building step downs and transitions, façades, building line provisions, modulation, entrances, roof forms, architectural characteristics, materials and colors, landscaping, stormwater, signage, vehicle and bicycle parking requirements, and utilities and screening
- Design standard modification process
- Approval processes for site plan, planned action, and design review

Draft Design Guidelines: Purpose & Structure

- Purpose: Help to ensure high-quality and sustainable development
- Address all aspects of development that contribute to the Vision: Public spaces, streets and streetscapes, and built urban form
- Organized around key design topics with an intent statement, standards, and guidelines:
 - **Standards** are prescriptive requirements codified in the HX zone.
 - **Guidelines** are a flexible and discretionary tool administered in concert with city codes and development standards to ensure that individual projects meet the vision and design objectives for the District.



Draft Design Guidelines:

- **Public Infrastructure:** Principal Street System, Blocks & Streets, The Loop (including internal streets), Streetscapes, Traffic Calming, Sidewalks, Park & Open Spaces, Landscape Design, Enhanced Stormwater Management Systems
- **Building Typologies:** Civic, Institutional, Religious; Multi-Family Townhouse; Mixed-Use Residential; Mixed-Use Commercial
- **Architecture:** Massing & Scale, Modulation & Façade Articulation, Setbacks, Roof Forms, Secondary Architectural Features
- **Materials & Color:** Building Façade Materials, Building Colors & Accents
- **Signage**
- **Public Art**
- **Parking:** Including bicycle parking
- **Lighting Design**
- **Utilities & Screening**
- **Sustainable Site & Development Design**

Comprehensive Plan Text Amendment

- Heights District Plan was adopted into the Comprehensive Plan by reference in August 2020 as part of subarea plan adoption
- With adoption of the Heights Mixed Use (HX) zoning designation, another Comprehensive Plan text change will add the HX zone to list of commercial and mixed use zoning districts referenced in Table 5-1 Vancouver Comprehensive Plan land use designations and corresponding zoning

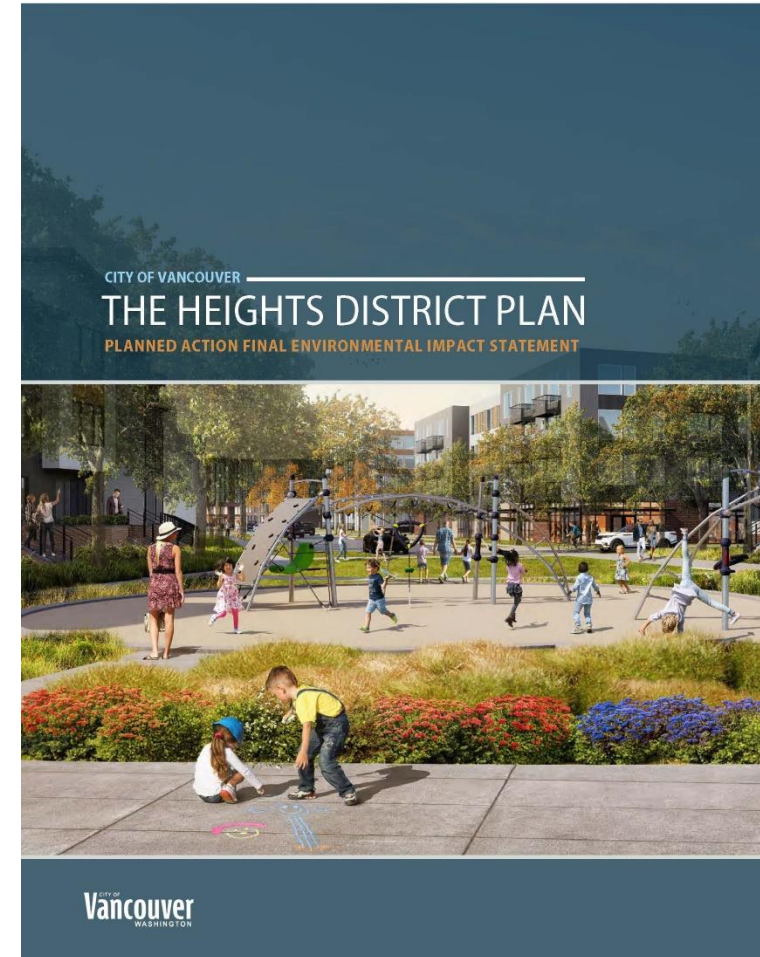
Commercial		
Commercial and Mixed Use	CN Neighborhood Commercial	Small scale commercial uses and services primarily for nearby residences. Designated areas are typically less than 2 acres in size. These areas provide services within walking distance for the frequent needs of the surrounding residents and are generally small areas designed to be compatible with the surrounding residentially zoned neighborhoods.
	CC Community Commercial	Medium scale commercial uses and services, typically serving more than one neighborhood. Designated areas are typically between 2 and 10 acres in size, located near collector or arterial street intersections
	CG General Commercial	Medium to larger commercial use and services serving large sections of urban areas and beyond. Designated areas are typically in urban activity centers or along major travel routes connecting activity centers. General Commercial areas provide a full range of goods and services necessary to serve large areas and the traveling public. These areas are generally located at interchanges, along state highways and interstates, and adjacent to major and minor arterial roadways.
	CX City Center intensity	Specific to downtown Vancouver. A mix of generally higher commercial, residential, institutional uses envisioned
	WX Waterfront Mixed Use	A mix of residential, commercial, office and recreation uses along the Columbia River
	CPX Central Park Mixed Use	Specific to Vancouver Central Park. A mix of open space, recreation, educational, governmental, and public service uses developed according to policies and guidelines contained in the master plan document "A Park for Vancouver: A Concept Plan" (as amended).
	MX Mixed Use	A mix of residential, commercial, office and recreation uses
	RGX Riverview Gateway (1)	Specific to the Riverview Gateway subarea at the intersection of 192nd Avenue and SR-14. A mix of residential, mixed use, office, and light industrial uses
	<u>HX</u>	<u>Specific to the Heights District Plan. A mix of commercial, residential, mixed use, open space and other uses envisioned.</u>

Other Title 20 Amendments

- Table 20.130.040-1 Comprehensive Plan and Corresponding Zoning District Designations
- 20.430.020 Listing of Zoning Districts
- 20.430.030-1 Commercial and Mixed Use Districts Use Table
- 20.430.040-1 Development Standards
- 20.430.050 Special Limitations on Uses
- 20.770.080 Tree Density Requirements
- 20.850.020 Approval Process
- 20.850.030 Development Standards
- 20.890.060 Additional Development Standards by Zoning District
- 20.925.030 General Provisions
- 20.945.080 Off Loading Requirements
- 20.985.020 Development Standards

Heights District: Planned Action

- Planned Action supported by previously completed Planned Action Final Environmental Impact Statement (FEIS), established by ordinance and subject to mitigation document
- Establishes development thresholds, mitigation measures and conditions of approval for projects
- Provides for streamlined review and approval of projects that meet Planned Action criteria and thresholds established by Heights District Plan
- Streamlined review is administrative- does not include public notice and provides for limited appeal



Implementing the Heights Vision

Together, the HX zoning district, Heights Urban Design Guidelines, Comprehensive Plan and Title 20 amendments provide a regulatory framework for implementing the vision for the Heights District, which will apply to all future public and private development.

In addition, these regulations advance other Council goals, including:

- Supports Comprehensive Plan and Strategic Plan goals for growing housing and employment opportunities in livable, mixed-use centers
- Creates 20-minute neighborhoods where people can walk, bike, roll and take transit to access daily services and amenities
- Leverages recent investments in Skyline Crest, three schools, and the forthcoming Mill Plain BRT extension
- Ensures context sensitive development that limits impacts to existing neighborhoods while adding services that current as well as new residents can enjoy

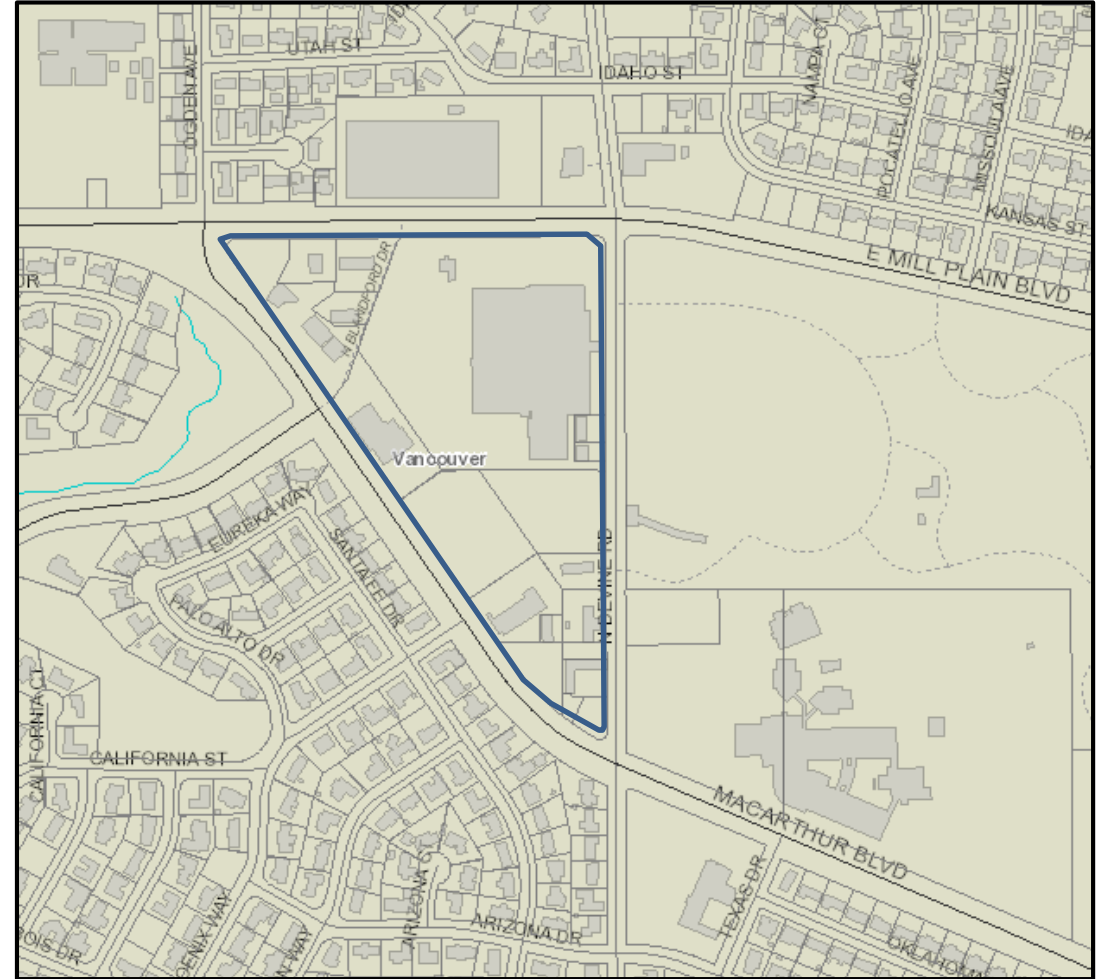


Implementing the Heights District Vision



Tower Mall Development Moratorium

- Originally established in 2017 to prevent development inconsistent with forthcoming subarea plan vision
- Prohibited the acceptance and processing of applications for the development of new structures, expansion of existing structures, or subdivisions within a portion of the Tower Mall Redevelopment Area
- Extended through the Heights District Plan process and implementation work on new development standards; last extended in February of this year
- Ordinance before Council would lift the moratorium 30 days from adoption, allowing private development under new standards consistent with the Heights District Plan



Recommendation

- Adopt Ordinance A, establishing the new Heights Mixed Use (HX) zoning district and associated Heights District Urban Design Guidelines as recommended by the Planning Commission, and amending the Vancouver Comprehensive Plan and Municipal Code Title 20 as provided in Exhibits A, B, C and D to the staff report; establishing severability; and providing for an effective date.
- Adopt Ordinance B, establishing a Heights District Planned Action and associated mitigation document as provided in Exhibit E to the staff report, as recommended by the Planning Commission and based upon the Heights District Planned Action Final Environmental Impact Statement; outlining procedures and criteria for determining projects as planned actions; providing for review and approval criteria; identifying controlling provisions in the event of conflicting regulations, establishing severability; and providing for an effective date and expiration date.
- Adopt an ordinance C, lifting the existing Tower Mall Development Moratorium and providing for an effective date.

Next Steps

- Complete other near-term implementation steps underway
- Fall 2021: Demolition of Tower Mall building
- Initiate next Phase of Implementation:
 - Design and engineering of public infrastructure (roads, utilities, parks)
 - Anti-displacement and equitable development strategy

Questions and Discussion

VANCOUVER
CITY HALL

Rebecca Kennedy, Long Range Planning Manager
Rebecca.Kennedy@cityofvancouver.us

Greg Turner, Land Use Manager
Greg.Turner@cityofvancouver.us



www.cityofvancouver.us/TheHeights



Staff Report 104-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/2/2021

SUBJECT Heights District Plan Implementation - second reading

Key Points

- The general Heights area has been identified since 2011 by the Vancouver Comprehensive Plan as a future urban center envisioned to accommodate development as the City grows. Centers are areas where existing services and infrastructure support new development and allow for the creation of 20-minute neighborhoods, and where proximity to services, amenities and transportation options increase livability and promote community identity.
- In June 2017 the City of Vancouver purchased the Tower Mall property with the intention of facilitating redevelopment and catalyzing private investment in an underserved area, now called the Heights District. The 205-acre District includes a mix of City and privately-owned properties, and includes commercial and retail uses, social and healthcare services, three schools, several churches, and a housing complex owned by the Vancouver Housing Authority. Within the District, the 63-acre Tower Mall Redevelopment Area was identified as the area where most redevelopment will occur in the future. The entire District will also be served by the forthcoming Mill Plain Bus Rapid Transit (BRT) extension.
- At the beginning of the planning process, the Council established key objectives for the Heights District, including establishing a vision for a vibrant urban neighborhood, integrating affordable and workforce housing, creating accessible public open spaces, integrating innovative and sustainable urban design, seamlessly integrating transit, increasing multimodal safety and connectivity, and establishing 20-minute neighborhoods where residents can safely and comfortably walk, bike, roll and take transit to access daily services and amenities.
- In order to ensure that the Heights District Plan reflected community values and the needs and aspirations of a variety of stakeholders, the project planning team undertook a robust community engagement process. Public outreach and engagement was conducted using a variety of methods designed to engage a diverse group of stakeholders as well as the broader community, including three large public in-person open houses and concurrent online open houses; nearly 100 meetings with individuals, focus groups, community

organizations and student groups; a Community Advisory Committee (CAC) comprised of 20 diverse stakeholders that met 12 times throughout the planning process and provided detailed feedback and guidance on the Plan recommendations; and regular project updates including a project webpage, mailing list, media releases, distribution through schools, and postcards mailed to thousands of households. Efforts were made throughout the process to engage underrepresented communities, including persons of color, immigrants, renters, youth, and people with disabilities.

- Following a series of workshops and plan refinements, the City Council adopted the Heights District Plan, Plan Appendices, and a Planned Action Final Environmental Impact Statement on August 17, 2020, and directed staff to begin implementation efforts.
- In September 2020 the Heights project team initiated a process for updating development standards to ensure future development in the Heights aligned with the Plan vision and goals, including a new Heights Mixed Use (HX) zoning district and associated Urban Design Guidelines, updates to Title 20 and the City's Comprehensive Plan, and a Planned Action Ordinance and supporting mitigation measures.
- Outreach and engagement related to implementation of the Heights District Plan has continued the robust community process that occurred as part of the subarea planning process, including ongoing engagement with the following stakeholder groups: Neighborhood Associations and coalitions, Heights Community Advisory Committee (CAC), agency partners, property owners, businesses, service providers, community-based organizations, affordable housing partners, and the broader development community.
- Community engagement and stakeholder feedback resulted in significant changes to the proposed regulatory standards over the course of their development. Items that were refined based on this engagement include building heights throughout the District, step-down provisions, minimum parking ratios, limitations on uses in different subdistricts, greater flexibility for ground floor uses, additional requirements for Crime Prevention Through Environmental Design features (CPTED), flexibility in parking screening requirements, refined transportation demand management provisions, and updated bike parking standards, among others. More detailed information on community outreach and engagement associated with implementation of the Heights District Plan is available in a summary memo provided to Council at a May 17 workshop and in the staff report for the June 8, 2021, Planning Commission public hearing on this topic.
- In addition to stakeholder input, the City Council and Planning Commission reviewed and made recommendations on refinements to the proposed Heights regulatory standards at a series of workshops in 2020 and 2021. Planning Commission workshops were held on October 13 and November 10, 2020, and January 26 and April 13, 2021. City Council workshops were held on February 8 and May 17, 2021.

Strategic Plan Alignment

Goal 1: Ensure our built urban environment is one of the safest, most environmentally responsible and well maintained in the Pacific Northwest.

Goal 6: Facilitate the creation of neighborhoods where residents can walk or bike to essential

amenities and services "20-minute neighborhoods."

Goal 8: Strengthen commercial, retail and community districts throughout the city.

Present Situation

The following implementing regulations have been developed for the Heights District: adoption of a new Heights Mixed Use (HX) zoning district and associated Heights District Urban Design Guidelines; adoption of additional amendments to the City of Vancouver Comprehensive Plan and Title 20 of the Vancouver Municipal Code; and adoption of a Planned Action for the Heights District, including mitigations.

The Heights Mixed Use (HX) Plan District (Exhibit A) is intended to implement the Heights District Plan vision, goals and policies, and includes standards in the following areas: regulation of uses, including ground floor frontage requirements; development standards, including minimum residential density, maximum building height, building step-down and transitions, facades, building line provisions, modulation, entrances, roof forms, architectural characteristics, materials and colors, landscaping, stormwater, signage, vehicle and bicycle parking minimums and other requirements, and utilities and screening; a design standard modification process; and approval processes for site plan, planned action and design review.

The Heights District Urban Design Guidelines (Exhibit B) work in tandem with the Heights Mixed Use (HX) Plan District to implement Plan visions, goals, and policies. They are founded on several universal design principles that help shape the character, urban form and public spaces of the District, and are based on key design drivers identified through the Heights District planning process. These include inclusive mixed-income housing, connectivity, community health, wellness and equity, and sustainability, among others. The Urban Design Guidelines inform the development of all structures and landscapes within the District and are intended as a discretionary tool, which is administered in concert with the HX Plan District. They address the following aspects of development: public infrastructure, including new and existing streets, sidewalks, traffic calming, parks and open spaces, landscape design and stormwater management systems; building typologies, including housing, commercial, and civic/institutional uses; architecture, including massing, scale, building modulation and façade articulation, entrances, and roof forms; materials and color; signage; public art; parking, including vehicle and bicycle parking; lighting design; utilities and screening; and sustainable development and design.

Updates to several sections of Title 20 of the Vancouver Municipal Code (Exhibit C) will ensure integration of the new HX Plan District and maintain consistency between various sections within the development code. This includes changes in the following code sections and tables: Table 20.130.040-1 Comprehensive Plan and Corresponding Zoning District Designations; 20.430.020 Listing of Zoning Districts; 20.430.030-1 Commercial and Mixed Use Districts Use Table; 20.430.040-1 Development Standards; 20.430.050 Special Limitations on Uses; 20.770.080 Tree Density Requirements; 20.850.020 Approval Process; 20.850.030 Development Standards; 20.890.060 Additional Development Standards by Zoning District; 20.925.030 General Provisions; 20.945.080 Off Loading Requirements; and 20.985.020 Development Standards.

The Heights Mixed Use (HX) Plan District requires an amendment to Table 1-5 on page 1-13 of the Vancouver Comprehensive Plan (Exhibit D) to add the HX Plan District and definition to the list of Commercial zones in the City.

Based on the previously issued Heights District Plan: Planned Action Final Environmental Impact Statement (FEIS) a Planned Action Ordinance (PAO) is proposed to facilitate future development of the Heights District through a front loading of future environmental review. Pursuant to RCW 43.21C.440, WAC 197-11-164, and VMC 20.790.530, PAOs allow individual future development projects that are within adopted impact thresholds to undergo less extensive SEPA environmental review provided such review was undertaken in the full district EIS. The cumulative environmental thresholds for the full Heights District established in the FEIS and referenced in the Mitigation Document (Exhibit E) are for 1,800 new residential units, 204,000 square feet of commercial development, and 36,000 square feet of institutional development. To qualify for expedited SEPA review, individual future projects must not cause these cumulative district wide thresholds to be exceeded and must also follow various mitigation measures listed in the Mitigation Document. It should be noted that future projects qualifying for expedited SEPA review are still subject to the full range of substantive and procedural City planning and building codes applied during Site Plan Review or other applicable review processes.

The proposed Heights Mixed Use (HX) Zoning District, Heights District Urban Design Guidelines, Heights Planned Action Ordinance and associated Comprehensive Plan and Title 20 amendments are consistent with the Heights District Subarea Plan, applicable portions of the Vancouver Strategic Plan and Comprehensive Plan, and provide for updated development standards and regulations necessary to implement an adopted subarea plan, which is designated as an urban center in the Comprehensive Plan. Together, the proposed updates provide a framework of prescriptive standards and discretionary guidelines that will ensure individual development projects implement the vision of the Heights District Plan, and provide for enhanced housing options, additional services and amenities, and new recreation and employment opportunities in a well-designed, livable, mixed-density, mixed-use, connected and sustainable environment.

The proposed regulatory updates provide for a mix of uses that allow for the development of the District as a 20-minute neighborhood where residents can walk, bike, roll or take transit to essential amenities, services, and employment opportunities which include stores, restaurants, parks, schools, and transit stations.

The Heights Mixed Use (HX) Zoning District includes sub-districts with unique standards and supported by design guidelines to ensure development is sensitive to and compatible with the adjacent established neighborhoods, and the HX Zone includes requirements for decreased building heights and increased minimum parking ratios in transition areas where redevelopment will occur in close proximity to existing neighborhoods.

With regard to wireless communication facilities, the proposed standards ensure non-discriminatory provision of personal wireless services and adequate service in the area. While monopolies are not permitted within the HX zone, wireless facilities may be attached to existing and future structures within the zone. Additionally, the Heights District is located in close proximity to other land use zoning districts also permitting wireless communication facilities, including monopolies, that can assist in providing adequate service to the area. This regulatory standard is consistent with the authority of the City of Vancouver over the placement, construction, and modification of personal wireless service facilities.

The Urban Design Guidelines provide a framework for transportation and infrastructure improvements, including bicycle and pedestrian facilities and guidance on low impact

development stormwater management strategies and best management practices, to improve the efficiency and safety of Vancouver's transportation and utility infrastructure systems.

A duly advertised Planning Commission public hearing on this topic was held on June 8, 2021, at which the Planning Commission forwarded a unanimous recommendation to Council to adopt the Heights Mixed Use (HX) zoning district, Heights District Urban Design Guidelines, Heights Planned Action, and associated Comprehensive Plan and zoning code amendments as outlined in the staff report without edits. All materials from this public hearing are available [here](#).

Advantage(s)

1. Establishes a regulatory framework that will implement the Heights District Plan vision for a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes engaging public open space, diverse housing affordable to a wide range of community members, and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods.
2. Implements the Comprehensive Plan and Strategic Plan goals of providing enhanced housing and employment opportunities in well-designed, livable, mixed-density, mixed-use centers and corridors, and incorporating sustainability strategies in these areas.
3. Facilitates creation of a 20-minute neighborhood where residents can walk, bike, roll or use transit to access essential amenities, services, and employment opportunities.
4. Establishes unique sub-districts within the HX zone that are supported by development standards and design guidelines to ensure development is sensitive to and compatible with the adjacent neighborhoods.
5. Facilitates cohesive redevelopment in alignment with a community vision, and ensures that all future investments in buildings, transportation and utility infrastructure, parks and public space, and community development initiatives are coordinated in order to collectively implement this vision.
6. Leverages additional public investments currently being made in the Plan area, including the forthcoming Mill Plain Bus Rapid Transit (BRT) high-capacity transit line, redevelopment of three existing schools in the area, and recent investment in Skyline Crest that has resulted in new facilities providing community services and resources.
7. Allows for the lifting of the development moratorium currently in place for a portion of the Tower Mall Redevelopment Area and facilitates private investment that implements the Heights District vision.

Disadvantage(s)

Implementation of the Plan recommendations over time will result in changes to existing development patterns in the District, which is located adjacent to existing residential neighborhoods. New development standards include provisions to minimize such impacts and ensure compatibility with existing neighborhoods and uses over time.

Budget Impact

None

Prior Council Review

- [February 8, 2021 workshop](#)
- [May 17, 2021 workshop](#)

Action Requested

1. On August 2, 2021, subject to second reading and public hearing, approve an ordinance (A) related to the new Heights Mixed Use zoning district and associated Heights District Urban Design Guidelines, Comprehensive Plan text amendments, and Vancouver Municipal Code Title 20 text amendments as provided in attachments to this staff report.
2. On August 2, 2021, subject to second reading and public hearing, approve an ordinance (B) related to the Heights District Planned Action and associated mitigation document.
3. On August 2, 2021, subject to second reading and public hearing, approve an ordinance (C) related to the lifting of the existing Tower Mall Development Moratorium that currently prohibits the acceptance and processing of applications for permits for the development of new structures, the expansion of existing structures, or subdivisions in the Tower Mall area.

Rebecca Kennedy, Community and Economic Development Deputy Director, 360-487-7896

ATTACHMENTS:

- ▢ Ordinance A - Heights Mixed Use (MX) Zoning District, Urban Design Guidelines, Comprehensive Plan and VMC 20 text amendments
- ▢ Exhibit A - Heights Mixed Use (HX) Plan District
- ▢ Exhibit B - Heights District Urban Design Guidelines
- ▢ Exhibit C - Title 20 Text Changes
- ▢ Exhibit D - Text Changes to Vancouver Comprehensive Plan 2011-2030
- ▢ Ordinance B - Heights Planned Action
- ▢ Exhibit E - Planned Action Mitigation Document
- ▢ Ordinance C - Lifting of Tower Mall Development Moratorium
- ▢ Presentation - August 2 Public Hearing - *separate cover*

07/19/21
08/02/21

ORDINANCE NO. M-

AN ORDINANCE of the City of Vancouver, Washington for a subarea known as the Heights District and relating to comprehensive planning under Chapter 36.70A and setting forth associated implementation measures amending the Vancouver Comprehensive Plan and Vancouver Municipal Code; specifically, amending the Vancouver Municipal Code by adding a new Chapter, The Heights (HX) Plan District, VMC 20.670, incorporating the Heights Plan District into other relevant code sections, adopting new Heights District Urban Design Guidelines and amending the Vancouver Comprehensive Plan to provide for implementing measures for Heights District Plan policies and goals; and providing for an effective date.

WHEREAS, in 2011, the City of Vancouver adopted a Comprehensive Plan for the Vancouver Urban Growth Area under the provisions of Chapter 36.70A RCW; and

WHEREAS, the Comprehensive Plan provides for adoption of a subarea plan for the geographic area located within the urban growth boundary commonly known as the Heights District; and

WHEREAS, the City of Vancouver developed the Heights District Subarea Plan for an area of Central Vancouver known as the Heights District to guide future development via a vision, policies, phased implementation strategies, and direct City participation; and

WHEREAS, the Subarea Plan was developed with the input of the citizen-based Community Advisory Committee and the community at large; and

ORDINANCE - 1

WHEREAS, the Subarea Plan is consistent with the policies of the Comprehensive Plan as required in Chapter 36.70A RCW; and

WHEREAS, the Community & Economic Development Department conducted a thorough review of the development anticipated within the Heights District Subarea Plan and prepared an Environmental Impact Statement (EIS) under the State Environmental Policy Act (SEPA), Chapter 43.212C RCW, which adequately considered the environmental impacts of the anticipated development of the Heights District consistent with the Subarea Plan, and provides for mitigation measures and other conditions to ensure that such future development will not create a significant adverse environmental impact; and

WHEREAS, the use designation for the Heights District with respect to wireless communication facilities ensures nondiscriminatory provision of personal wireless services and adequate service in the area and is consistent with the authority of the City of Vancouver over the placement, construction, and modification of personal wireless service facilities;

WHEREAS, the Vancouver City Council adopted the Heights District Subarea Plan on August 17, 2020 to provide for the future redevelopment of the District and the Tower Mall Redevelopment Area in a manner consistent with the Comprehensive Plan and community vision; and

WHEREAS, the Heights District Plan provided an implementation framework, including the adoption of updated implementing regulations and standards for future development;

WHEREAS, the Vancouver Planning Commission held duly advertised work sessions on October 13, 2020, November 10, 2020, January 26, 2021 and April 13, 2021, and a duly advertised public hearing on June 8, 2021, to consider the above referenced implementation measures to amend the development code; and did take public testimony; and did close public testimony on

ORDINANCE - 2

June 8, 2021, and voted to recommend approval of the Heights Plan District, VMC 20.670, the Heights District Urban Design Guidelines, and associated amendments to the Comprehensive Plan and Title 20 of the Vancouver Municipal Code as staff recommended; and

WHEREAS, the City Council held work sessions on February 8, 2021 and May 17, 2021, and duly advertised public hearings of this ordinance on July 19, 2021 and August 2, 2021, to consider the Planning Commission recommendations of June 8, 2021, and public testimony; and

WHEREAS, after taking testimony and reviewing the Planning Commission record the City Council adopts the implementation measures of the Heights District Subarea Plan including the adoption of the Heights (HX) Plan District and the Heights District Urban Design Guidelines and associated amendments to Title 20 of the Vancouver Municipal Code and the Vancouver Comprehensive Plan.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Purpose

The City Council declares that the purpose of this Heights Ordinance is to:

1. Set forth implementation measures for development and improvements within this subarea.
2. Amend the Vancouver Comprehensive Plan as provided for in Chapter 36.70A RCW, as recommended by the Vancouver Planning Commission, as indicated in Exhibit D:
3. Amend the Vancouver Municipal Code, as recommended by the Vancouver Planning Commission, including the new Heights Plan District, VMC 20.670, is adopted as indicated in Exhibit A, the new Heights District Urban Design

Guidelines are adopted as indicated in Exhibit B, and various Development Code sections are amended as indicated in Exhibit C.

Section 2. Findings

City Council makes the following legislative findings:

1. A subarea plan has been adopted per the provisions of the Growth Management Act, Chapter 36.70A RCW, for the geographic area located within the Vancouver Urban Growth Area commonly known as the Heights Plan District.
2. The Heights Plan District and Heights District Urban Design Guidelines as provided for in Exhibits A and B, respectively, are consistent with the Vancouver Comprehensive Plan and provide for the planned build out of the Heights District subarea over a twenty year time horizon in alignment with the adopted subarea plan.
3. Amendments to Title 20 of the Vancouver Municipal Code as provided for in Exhibit C are consistent with the Vancouver Comprehensive Plan and provide for the planned built out of the Heights District subarea over a twenty year time horizon in alignment with the adopted subarea plan.
4. Amendments to the Vancouver Comprehensive Plan are outlined in Exhibit D are consistent with Chapter 36.70A RCW.

Section 3. Amendments.

A. Comprehensive Plan Amendments

1. Amend Table 1-5, Vancouver Comprehensive Plan Land Use Designations, on page 1-13 of the Vancouver Comprehensive Plan as provided in Exhibit D.

B. Vancouver Municipal Code Title 20 Development Code Amendments

1. Add the Heights Plan District, VMC 20.670, to the Vancouver Municipal Code as provided for in Exhibit A;
2. Adopt the Heights District Urban Design Guidelines as provided for in Exhibit B;
3. Amend the following sections of the Vancouver Municipal Code as provided for in Exhibit C:
 - i. 20.130.040 Amendments to Map and Text
 - ii. 20.430.020 Listing of Zoning Districts
 - iii. 20.430.030 Uses
 - iv. 20.430.040 Development Standards
 - v. 20.430.050 Special Limitations on Uses
 - vi. 20.770.080 Tree Density Requirements
 - vii. 20.850.020 Approval Process
 - viii. 20.850.030 Development Standards
 - ix. 20.890.060 Additional Development Standards by Zoning District
 - x. 20.890.130 Summary Table
 - xi. 20.925.030 General Provisions
 - xii. 20.945.080 Off Loading Requirements
 - xiii. 20.985.020 Development Standards

Section 4. Severability.

Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any

reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

Section 5. Effective date.

This ordinance shall take effect 30 days following passage and publication.

Read first time: July 19, 2021

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time: August 2, 2021

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2021.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

ORDINANCE - 6

Jonathan Young, City Attorney

ORDINANCE - 7

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver, Washington for a subarea known as the Heights District and relating to comprehensive planning under Chapter 36.70A and setting forth associated implementation measures amending the Vancouver Comprehensive Plan and Vancouver Municipal Code; specifically, amending the Vancouver Municipal Code by adding a new Chapter, The Heights (HX) Plan District, VMC 20.670, incorporating the Heights Plan District into other relevant code sections, adopting new Heights District Urban Design Guidelines and amending the Vancouver Comprehensive Plan to provide for implementing measures for Heights District Plan policies and goals; 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).

EXHIBIT A

NEW VMC 20.670, THE HEIGHTS PLAN DISTRICT

CHAPTER 20.670 THE HEIGHTS (HX) PLAN DISTRICT

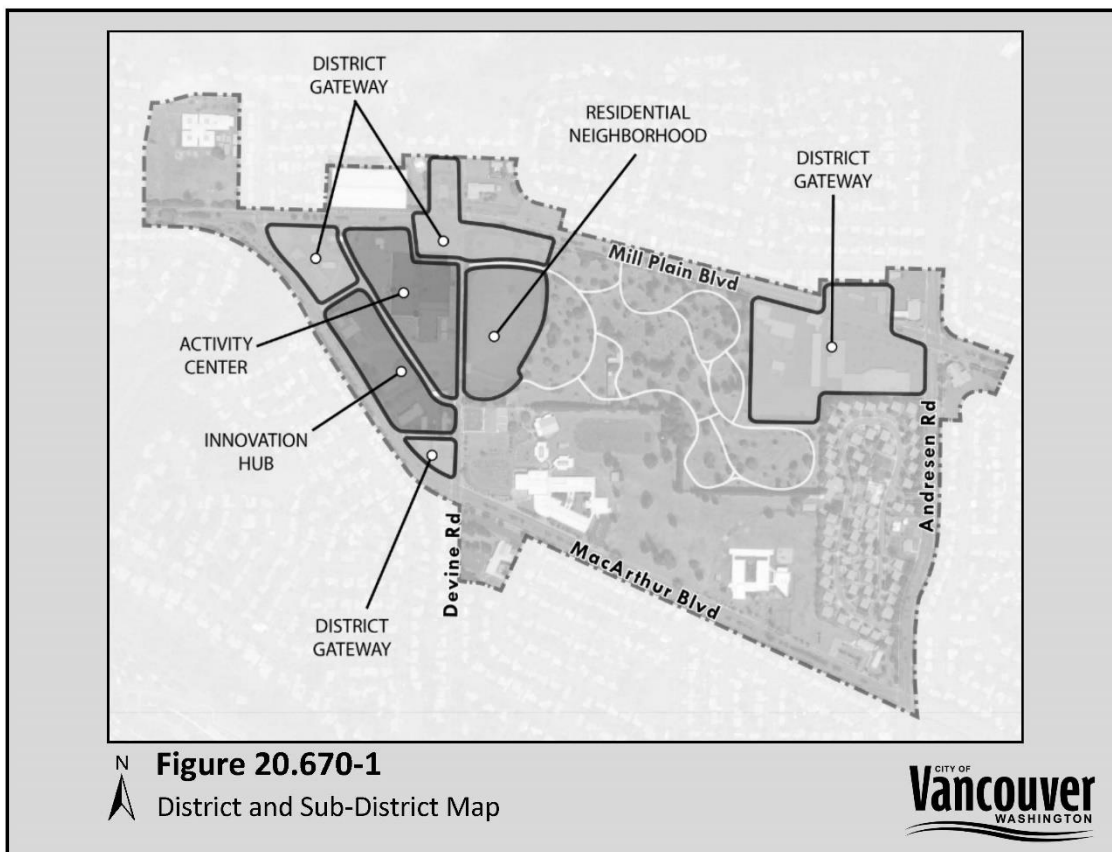
20.670.010 Purpose

The Heights District is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes a mix of complementary uses, engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan District is to implement the vision, goals, and policies of the Heights District Plan, and ensure future development is integrated, cohesive, context sensitive and contributes to the overall District Vision.

20.670.020 Applicability

These standards apply to the properties within the subdistrict areas shown on Figure 20.670-1. These standards shall be in addition to other applicable standards of Vancouver Municipal Code or state law, and shall supersede those standards where they conflict

Figure 20.670-1. District and Sub-District Map



20.670.030 Regulation of Uses

A. Uses are allowed as specified in Table 20.430.030-1 and as shown in Figure 20.670-2, subject to standards and guidelines for The Heights District established in this Chapter.

B. *Ground Floor Use Regulation by Frontage Type.* Ground floor uses shall be regulated by Frontage Type as shown in Figure 20.670-2.

1. Commercial frontage:
 - a. All commercial uses, except office uses allowed
 - b. Residential uses prohibited except residential lobbies and entrances associated with upper story residential uses are allowed but limited to 25% of the total length of the street frontage
 - c. Institutional uses prohibited
2. Residential frontage:
 - a. Residential uses allowed
 - b. Commercial and institutional uses are prohibited
3. Mixed Residential/Commercial frontage:
 - a. Commercial uses allowed
 - b. Residential uses allowed but limited to no more than 50% of the total length of street frontage
 - c. Institutional uses prohibited
4. Limited Commercial frontage:
 - a. Residential uses allowed
 - b. Commercial uses allowed but limited to no more than 25% of the total length of street frontage
 - c. Institutional uses prohibited

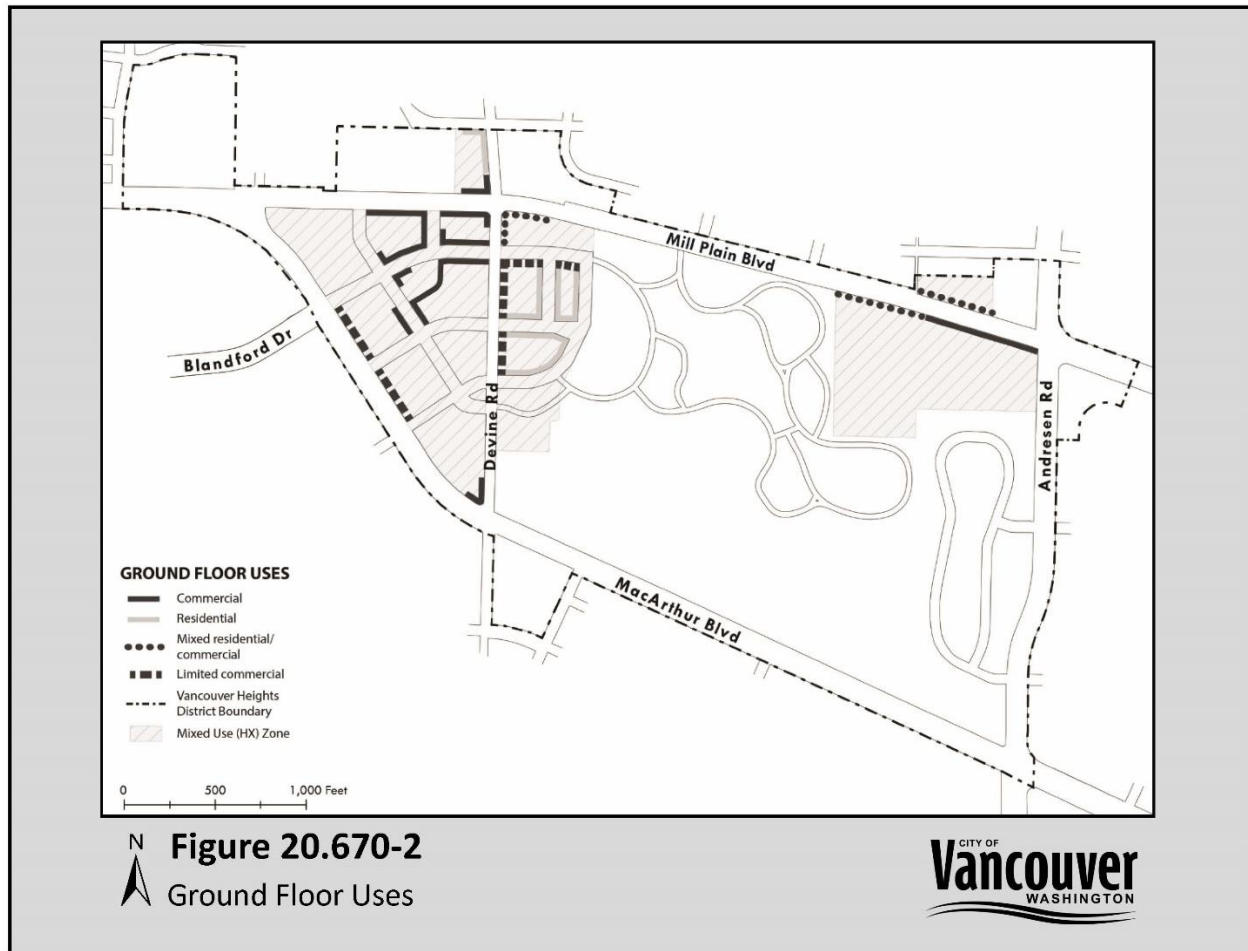


Figure 20.670-2. Ground Floor Use Map

C. Live/work uses and standards.

Live/Work. A commercial space where residential and commercial uses are combined and where the dwelling unit is the principal residence of the business operator/proprietor.

1. Uses.

- a. Live/work uses are permitted where commercial uses are permitted in the District Gateway and Innovation Hub sub-districts of the HX District.
- b. The following commercial uses are prohibited in live/work units.
 1. Any use not permitted in the HX District, as specified in Table 20.430.030-1;
 2. The retail sale of food and/or beverages with customers arriving on-site. This does not include online (Internet) sales, mail order, or off-site catering preparation;
 3. Entertainment, drinking, and public eating establishments;
 4. Veterinary services, including grooming and boarding, and the breeding or care of animals for hire or for sale;
 5. Businesses that involves the use of prescription drugs.

- c. A live/work unit is allowed instead of, or in addition to, a home occupation.
- d. The residential and the commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately.

2. Standards.

- a. The commercial use may occupy a maximum of 50 percent of the unit floor area.
- b. Residential uses are permitted above, to the side, or in back of the commercial use, provided that there is internal access between the residential and commercial uses;
- c. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the commercial use;
- d. No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable building code requirements;
- e. Off-site impacts of the commercial use, such noise, glare, and vibration, shall be subject to City performance standards in VMC 20.935.030; and
- f. Explosive, toxic, combustible, or flammable materials in excess of what is allowed incidental to permitted residential uses shall not be stored or used on the premises.

20.670.040 Design and Development Standards

A. MASSING AND SCALE

- 1. *Minimum Density.* The minimum residential densities in Table 20.670.040-1 shall apply in the HX District.

Table 20.670.040-1. Minimum Residential Density

Sub-District	Minimum Density
Activity Center	75 dwelling units/acre
Residential Neighborhood	45 dwelling units/acre
Innovation Hub	30 dwelling units/acre
District Gateway	30 dwelling units/acre

- 2. *Building Heights.* The building height standards in Table 20.670.040-2 shall apply in the HX District.

Table 20.670.040-2 Maximum Building Heights

Sub-District	Maximum Height
Activity Center	Maximum of 85 feet
Residential Neighborhood	Maximum of 85 feet
Innovation Hub	Maximum of 50 feet
District Gateway	Maximum of 50 feet not abutting residentially-zoned properties

Sub-District	Maximum Height
	Maximum of 40 feet abutting residentially zoned properties
	Maximum of 35 feet fronting Idaho Street

Note: For the Heights District, abutting is defined as sharing a property line with residentially zoned property

3. *Height exceptions.* In addition to the height exceptions allowed by VMC 20.910.030, maximum height limitations set forth in this Chapter and elsewhere in this Title shall apply to the following in the HX District:

- a. Parapets and railings. Parapets and rooftop railings may extend 4 feet above the maximum height limit;
- b. Walls or fences located between individual rooftop decks may extend 6 feet above the maximum height limit if the wall or fence is set back at least 4 feet from the edges of the roof;
- c. Rooftop mechanical equipment, any required screening for the mechanical equipment, and stairwell enclosures that provide rooftop access may extend above the maximum height limit as follows, with the requirement that the equipment and enclosures must be set back at least 15 feet from roof edges on street-facing facades:
 - 1. Elevator mechanical equipment may extend up to 16 feet above the maximum height limit; and
 - 2. Other mechanical equipment, required screening, and stairwell enclosures may extend up to 10 feet above the maximum height limit.
- d. Roof-mounted solar energy production equipment may extend up to 3 feet above the maximum height limit; and
- e. Wind energy production equipment may extend up to 30 feet above the maximum height limit.

4. *Building step downs and transitions.* In the District Gateway sub-district, building heights shall be reduced to a maximum of 40 feet within 60 feet of a shared property line with residential uses, and a maximum of 35 feet within 140 feet of Idaho Street.

5. *Building facades.* Building facades shall not exceed 165 feet in length without an intervening break.

6. *Build to Line.*

- a. Building shall comply with the provisions of VMC 20.630.020 that describe building lines provisions for street frontages except no portion of the structure shall extend into the right of way except as specified in VMC 20.670.040.E.2. Residential uses may include setbacks per VMC 20.670.040.C.2.
- b. Setbacks for pedestrian amenities. Setbacks up to 20 feet for up to 50% of the building frontage is allowed if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public space.

7. *Ground floor plane.* For buildings five stories and above, the maximum ground floor plate area shall not exceed 16,000 square feet. An option to this standard is to demonstrate

significant massing breaks in the building façade to include recessed breaks (minimum of 20 feet in length and depth) and ground plane openings as pedestrian connections.

B. MODULATION AND FAÇADE ARTICULATION

1. *Ground floor transparency.* Buildings with ground floor commercial uses visible from the public way or public areas such parks and other publicly accessible space shall have a minimum 75% ground level façade transparency between 2 feet and 8 feet above sidewalk grade.
2. *Ground floor to floor height.* The ground floor of buildings shall have a minimum of 16 feet building floor to floor height.
3. *Modulation.* A minimum building modulation along the façade shall be one foot in depth and the minimum width shall be five feet.
4. *Building entry.* Main entrances shall be easily identifiable through the use of building articulation and modulation. Avoid recessed doorways to provide high visibility from the public way.

C. ENTRANCES

1. *Ground floor level.* Ground floor residential uses shall be elevated above the sidewalk grade a minimum of 2 feet 6 inches to create privacy adjacent to the public realm. For these units, ensure an alternate access point that is accessible (as required by the Building Code)
2. *Entryways.* Ground floor residential entrances shall be setback from the property line a minimum of 6 feet and a maximum of 10 feet to ensure privacy from the public realm. Porches, patios, private spaces allowed within the setback.
3. *Recessed ground floor level.* Recessed ground floors shall be restricted to one level height, except at main entrances.
4. *Vehicle entries.* For mixed use residential and commercial buildings requiring vehicular garage entrances, the garage opening shall be setback from the building frontage a minimum of six feet. Adhere to all required visual sight setbacks.
5. *Townhome Garage Parking.* A minimum of 3-foot setback shall be applied for alleyway garage or tuck under parking.

D. ROOF FORMS

1. *Roof lines.* The length of any continuous flat roofline shall not exceed more than 100 feet without modulation. The minimum modulation for roof lines is 3 feet.
2. *Roof Materials.* Roof materials shall meet the minimum SRI (solar reflectance index) standards to reduce urban heat gain. Inappropriate materials such as wood singles, cement tiles and plastic slate and shingles shall be discouraged.
3. *Roof Top Projections.* Elevator cores, stair projections, solar panels and mechanical equipment shall be incorporated into the architecture of the building with consistent building materials. See VMC 20.670.040(A)(3) for provisions regarding height, setbacks, and screening of roof top features.
4. *Roof Decks.* Accessible roof decks shall provide safety setback standards from the roof edge and mechanical equipment as required.

E. SECONDARY ARCHITECTURAL FEATURES

1. *Visual Interest.* Add visual depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design.
2. *Encroachment.* A building's enclosed occupiable space shall not encroach into the right-of-way, with the exception of bay windows or balconies. Bay windows and balconies shall not extend more than 4 feet into the right-of-way and 30% of width of residential units or 50% of the width of hospitality units.
3. *Weather Protection.* Overhead weather protection shall be provided along all streets with a minimum clear height of 10 feet and maximum clear height of 15 feet consistent with the provisions of VMC 20.630.030 except in instances where the pedestrian amenities articulated in section A.6.b of this chapter are utilized.
4. *Pedestrian oriented features.* At least 75% of the width of any new or reconstructed ground-level building wall facing a street shall be devoted to pedestrian-oriented features or material variation, pedestrian entrances and/or windows affording views into retail, storefront, office or lobby space.
5. *Blank walls.* Continuous blank walls shall not exceed 15 feet in length. Where blank walls are present, incorporate a range of design approaches such as green walls, façade articulation, art or other approved applications to create interest at the adjacent pedestrian area.

F. MATERIALS AND COLORS

1. *Prohibited materials.* The following are prohibited exterior building materials: plastic laminate, glossy or large expanses of acrylic or plexiglass, pegboard, mirror, highly polished or plated metals (except as a trim), mirrored glass, fabric or paper wall coverings, plywood or particle board, sheet or modular vinyl, shingles, shakes and horizontal lap siding.
2. *Mechanical equipment.* Mechanical equipment and above grade utilities shall be located or screened with quality materials to minimize visual impact on the public right-of-way.

G. LANDSCAPE DESIGN

1. *Adaptive Plant Types.* Use the Heights-specific Preferred Native and Adaptive Plant Species List as a primary resource for all at-grade planting areas both on site and within the public right-of-way. If the plant species are not available, applicants shall submit no less than five (5) statements from wholesale plant nurseries stating that plant materials are not available. If the Planning Official approves, applicants must provide plant substitutions that meet the same characteristics of the preferred plants such as but not limited to size, shape, fall color, flower, genetic potential. The characteristics must come from objective sources, such as books, manuals, or green industry cut sheets. The full Heights-specific Native and Adaptive Plan Species List can be found in the Heights District Urban Design Standards and Guidelines, Appendix 1.0
2. *Landscape requirements.* All development will meet or exceed landscaping standards in VMC 20.925.030-1 for the HX zone.
3. *Tree Cap Program.* Establish minimum standards for The District consistent with the City of Vancouver Tree Canopy Achievement Program (Tree CAP) neighborhood Gold Leaf standard for neighborhoods. More information about the City of Vancouver Tree CAP program can be found at: <https://www.cityofvancouver.us/publicworks/page/tree-canopy->

4. *Landscaped Buffers, Planter Strips, and Vegetated Swales.* All landscape buffers, planter strips and vegetated swales approved as part of the development on-site and/or within the public right-of-way shall be maintained. Plants shall be maintained in a vigorous and healthy condition, free from diseases, pests, and weeds. Competing vegetation shall be controlled to the extent necessary to allow establishment, survival, and growth of the plantings per the approved Landscape Plan. Plants which become diseased, severely damaged, or which die, shall be removed and replaced by the owner as soon as possible but no later than 60 days if notified by the city. All plants removed shall be replaced with a healthy plant of the same size and species as required by the approved Landscape Plan for the property.

H. *STORMWATER*

In addition to the standards of VMC 14.24, VMC 14.25 and VMC 14.26, the following standards apply in the Heights.

1. *Integrated Stormwater Management Systems.* The District shall incorporate stormwater management systems as a principle design element in order to manage and direct stormwater runoff while creating an opportunity to integrate public space amenities as part of the sustainable site management approach.

2. *System Design.* Stormwater infrastructure shall be designed as a complete system connecting buildings, sites, parcels and blocks as an interconnected system. The Loop feature is a key stormwater management infrastructure that shall be connected to the MacArthur Greenbelt. These corridors shall serve as a passive public space and amenity while integrating functional roadway and stormwater features using the existing street rights-of-way.

3. *Sustainable Plant Materials.* Select plant materials conducive to periods of high-water levels, as well as prolonged periods of drought shall be utilized to mitigate varying seasonal conditions.

4. *Stormwater Manage Infrastructure.* Stormwater infrastructure located in the public right-of-way shall be provided consistent with the City of Vancouver Transportation Standard Details for the Heights District and the Heights District Stormwater and Urban Forestry Guidance Document

I. *SIGNAGE*

1. All signage shall comply with the provisions of VMC 20.960 for number, location and size restrictions unless as modified herein.

2. *Sign Location.* Building signage shall be located no higher than the first floor of the building.

3. *Monument Signage.* Standalone monument signage is permitted if located on private property and shall not impede right-of-way vision triangles. Monument signs shall be no taller

than 8.5 feet above grade, no wider than 4 feet and be constructed of materials contained on the exterior of adjacent buildings.

4. *Electronic Message Center signage.* Electronic Message Center signage shall not be permitted.

5. *Master Sign Program- Individual Buildings.* Individual buildings that accommodate multiple businesses and require signage for each business shall produce a master signage program that defines the size, number, and locations of signs. The design of signs shall be reviewed and approved by the City as a part of the Master Sign Program and building design review process to ensure the signage is integrated into the architecture and overall development.

6. *Master Sign Program- District.* All signs shall adhere to the Master Development Signage program for The Heights District.

7. *Materials.* Signage shall be constructed of high quality, durable materials

8. *Illumination.* Direct illumination such as goose neck, exterior illumination as well as halo style lettering or back lit lettering are the preferred method of signage illumination. Channel letter signage is allowed as an option only if exterior lighting applications are demonstrated to not be possible based on constraints for the mounting location, ambient light levels or to eliminate the use of a backer board.

9. *Prohibited signage.* In addition to prohibited signage contained in VMC 20.960.030, the following signage or signage materials are prohibited:

- a. Cabinet signage/box signage/can signage
- b. No exposed raceways

10. *Application.* Signage shall be appropriate for its intended use such as residential, office, and retail.

11. *Public Realm Signage.* Kiosk, wayfinding and interpretive signage intended to promote a comprehensive District placemaking strategy shall be allowed upon review from the City.

J. **PARKING**

1. *Parking Strategy.* Provide a dispersed, shared parking strategy through a combination of surface, at-grade, podium and above-grade mixed-use parking structures that meet the demand of residents, visitors, and employees.

2. *Parking Ratios.* Parking will be provided to meet the acceptable City of Vancouver standards for the HX zone as listed in Table 20.670.040-3 and 20.670.040-4 below.

Table 20.670.040-3. Parking Minimums for Residential Uses

Sub-District	Required off-street parking	Parking reductions with transportation demand management (TDM) measures
Activity Center	1 space per dwelling unit	.75 spaces per dwelling unit
Residential Neighborhood	1 space per dwelling unit	.75 spaces per dwelling unit
Innovation Hub	1.25 spaces per dwelling unit	1 space per dwelling unit
District Gateway	1.25 spaces per dwelling unit	1 space per dwelling unit if development not abutting residentially zoned properties No reductions for development abutting residentially zoned properties

Note: For the Heights District, abutting is defined as sharing a property line with residentially zoned property

Table 20.670.040-4. Parking Minimums for Nonresidential Uses

Nonresidential Uses	
Uses	Required off-street parking
Office	1 space per 1,000 square feet
Hotel	.5 spaces per lodging unit
Senior Living	1 space per living unit
Commercial/All other uses	No minimum requirement for ground floor uses

a. The minimum number of parking spaces required for residential uses may be reduced per Table 20.670.040-3 below, if the City approves a Transportation Demand Management (TDM) plan for the proposed development.

b. The TDM Plan described in subsection (a) shall include the following elements.

1. Narrative describing the characteristics of the proposed development and how it is served by the larger transportation system, including roads, transit facilities and services, and other multi-modal transportation facilities.
2. Specific TDM measures to be employed to reduce transportation via single-occupancy vehicles and resulting on-site parking needs. Eligible TDM measures are listed in subsection (c) below.
3. A description of how TDM measures will be communicated to users of the development.

4. A description of how users will be required or encouraged to use TDM measures.
 5. A proposed process for monitoring individual and overall use of TDM measures and reporting their use to the City on an annual basis.
- c. TDM Plans must include specific provisions to be eligible for residential parking reductions, TDM plans must include either measure (c)(1) or Measure (c)(2) below, and at least three other measures selected from (c)(3), (4), (5), (6) or (7) below, for a total of at least four measures:
1. Provision of annual transit pass or equivalent for residents at no charge or a rate reduced by 75% or more.
 2. Pricing for parking spaces that is charged separately from residential units.
 3. Designation of at least 5 percent of available parking spaces for high occupancy vehicle use.
 4. On-site presence of car-share vehicles and parking spaces (which account for at least 5 percent of the total number of parking spaces).
 5. Use of a guaranteed ride home program or an agreement to pay into and utilize the City of Vancouver's existing guaranteed ride home program.
 6. On-site presence of shared cargo bikes available to all residential tenants.
 7. On-site provision of repair facilities and/or services for bicycles and other non-vehicular mobility devices available for all residential tenants.
- d. Operators of an approved TDM program shall submit a report summarizing operation, and results of the program on an annual basis beginning one year after occupancy of the building. The report shall describe the following:
1. Specific TDM measures used.
 2. Certification that all TDM measures selected for the TDM program are operating as described in the TDM Plan.
 3. Documented participation of program users, including average number and frequency of use of measures and services.
- e. Additional information about TDM program requirements shall be provided to participants by City staff.
3. *Parking Standards.* All parking shall meet the requirements contained in VMC 20.945 as applicable unless as contained herein.
4. *Parking Structures*
- a. All structured parking shall be accessory to and integrated into a block and building envelope and will support multiple permitted uses in The District. Stand-alone parking structures are not permitted.
 - b. Any above grade structured parking shall be screened from public view by integrating into the overall building design, and/or through a combination of screen walls and landscape buffer areas. Screening provides an opportunity to enhance building design through the use of art, green walls, and innovative materials.

c. Semi subterranean parking shall be screened along all sides with the exception of entrances and exits. Separate openings for ventilation shall be screened with evergreen landscape planting and/or metal mesh screens.

5. *Surface Parking.* New surface parking lots shall be located behind buildings and screened from the public right-of-way. In the event screening by the building is not feasible, staff may consider surface parking lots located along the right-of-way with required screening.

6. *Parking Lot Screening.* A wall, fence, or evergreen planting is required between an off-street parking area and a street frontage in the HX District.

a. This screening is required for new construction or paving or repaving of a parking area over 1,000 square feet.

b. The wall or planting shall be a minimum height of two-and-a-half (2.5) feet and a maximum height of three (3) feet.

c. A fence shall be a maximum height of five (5) feet. The total height of a combined wall and fence structure also shall be a maximum of five (5) feet.

d. A pedestrian access (break in the screening) is required a minimum of every 150 feet or a minimum of one per street frontage.

e. Fencing shall be wrought iron.

f. A wall shall be a solid, decorative concrete, or masonry wall.

g. If a solid, plain wall, the wall must incorporate one of the following design features:

1. Decorative panels;

2. Integrated planting (systems);

3. Public art; or

Other features as approved by the Planning Official.

7. *Existing Parking.* Existing surface parking lots will be allowed to be maintained until replaced by development of the parcels.

8. *Parking Access.* Access to structured parking shall only be from alleys or side streets. Access to structured parking is anticipated to be from designated secondary streets consistent with the City of Vancouver standards or approved road modifications.

9. *Parking Lot Lighting.* Parking lots shall be well lit to provide for visibility at night.

10. *Garage Openings.* Garage openings visible from public streets shall include decorative screening to soften the appearance of the garage facade.

11. *Parking Setbacks.* Parking garage entrances and exits shall be setback 6 feet from the building facade. Entrances to parking structures that are completely fronted by buildings.

12. *Parking Signage.* All parking shall have clear signage and entrances/exits lighted.

13. *Bicycle parking.* Bicycle parking shall be provided to meet acceptable City of Vancouver standards for the HX zone as listed below in table 20.670.040-5, and shall be consistent with the standards of VMC 20.945.050 <https://vancouver.municipal.codes/VMC/20.945.050>

and *The City of Vancouver Bicycle Parking Guidelines*.

a. Up to 50 percent of long-term bicycle parking spaces may be provided in individual residential dwelling units, if they meet the following criteria:

- (1) The bicycle parking is located within 15 feet of the entrance to the dwelling unit
- (2) The bicycle parking is located in a closet or alcove of the dwelling unit that includes a rack
- (3) For buildings with no elevators that utilize the in-unit long-term bicycle parking provisions, in-unit long term bicycle parking spaces may only be located in ground floor units.

Table 20.670.040-5 Bicycle Parking Minimums

Uses	Required Short-Term Parking Bicycle Parking	Required Long-Term Bicycle Parking
Residential	.05 per dwelling unit, 2 spaces minimum	1 per dwelling unit for buildings with 5 or more dwelling units
Commercial	1 per 5,000 sf of floor area, 2 spaces minimum	1 per 15,000 sf of floor area, 2 spaces minimum
Office	1 per 25,000 sf of floor area, 2 spaces minimum	1 per 5,000 sf of floor area, 2 spaces minimum
Civic/Institutional Buildings	1 per 5,000 sf of floor area, 2 spaces minimum	1 per 15,000 sf of floor area, 2 minimum
Lodging	2 spaces minimum	1 per 10 rooms, 2 spaces minimum
Parks	1 per 5,000 sf park area, 2 spaces minimum	None

b. Additional Development Standards. The following standards apply to sites where more than 20 long-term bicycle parking spaces are required and provided in one or more shared bicycle parking facilities outside of individual dwelling units:

- (1) Minimum number of horizontal bicycle parking spaces. At least 20 percent of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack.
- (2) Parking for larger bicycle spaces. At least 5 percent of spaces must accommodate a larger bicycle space for cargo bikes, placed in a horizontal rack. These spaces must be a minimum of 3 feet (36 inches) in width, 10 feet (120 inches) long with 3 feet and 4 inches (40 inches) of height clearance.
- (3) Electrical outlet requirement. At least 20 percent of spaces must have electrical sockets within four feet of the spaces. Each electrical socket must be accessible to horizontal bicycle parking spaces.

L. UTILITIES AND SCREENING

1. *Utility and Solid Waste Locations.* Utilities shall be located away from primary streets and pedestrian sidewalks and located on alleys or from secondary streets wherever possible.
2. *Below Grade Utilities.* Utilities shall be located below grade in vaults or inside buildings where possible. Solid waste containers and disposal are shall be located inside buildings. If not possible, screening shall be provided per VMC 20.970.
3. *Venting System Locations.* Venting of air exhaust and mechanical building systems shall be away from primary streets and main pedestrian areas and shall be architecturally incorporated into buildings.
4. *Wall-Mounted Utilities.* Utilities mounted on building walls shall not intrude on the public right of way space adjacent to a pedestrian path of travel, shall be setback, or have a landscape zone for a buffer.
5. *Mechanical Vents.* Mechanical vents required on building exteriors shall be located 8'-0" above grade or between grade and 18" and shall be integrated into the façade design to minimize visual impacts.

20.670.050 Design Standards Modification.

Modifications to design standards listed above and The Heights Urban Design Guidelines, with the exception of height and parking, may be processed as part of the request for site plan approval if the applicant can demonstrate compliance with the following approval criteria:

- A. The modification(s) is warranted given site conditions and/or characteristics of the design; and
- B. The proposed change meets the intent of the development standards and The Heights Subarea Plan and is consistent with the Design Guidelines; and
- C. The proposed change will not result in a substantial impact to transportation, water, sewer, or storm water management systems; and
- D. The proposed change is consistent with Vancouver Municipal Code and Vancouver Comprehensive Plan.

20.670.060 Approval Process

- A. New developments and modifications to existing permitted development shall comply with the approval process outlined in VMC 20.270 Site Plan Review and VMC 20.790.530 Planned Action Review.
- B. New development and modifications to existing permitted development shall also comply with Design Review approval criteria for the HX District established below in VMC 20.670.060(D) unless exempted. The following activities shall be administratively exempt from design review:
 1. Exterior work not visible from the public way or public areas such as parks and other publicly accessible spaces;
 2. Placement of permanent signs, unless a) inconsistent with adopted design guidelines, such as pole signs; or b) potentially inconsistent with nearby uses;
 3. Public art; and
 4. Other minor construction such as replacement of doors, windows, awnings, etc., determined by the Planning Official to be exempt.
- C. *Site Plan approval criteria.* The Site Plan shall be approved, approved with conditions or denied upon finding that:

1. The proposed development implements the Heights District Plan and the requirements of this chapter
2. The proposed development is consistent with The Heights District Plan vision, goals, and policies, as applicable
3. The development is consistent with The Heights District Urban Design Guidelines or proposed standards that will achieve at least equal quality site development
4. All new development is consistent with the conceptual street and open space layout as illustrated in The Heights District Subarea Plan and Urban Design Guidelines

D. Design Review approval criteria. The Planning Official shall base all reviews of the design of any proposed construction, remodeling or development according to the following criteria:

1. The requirements, guidelines, and applicable provisions of this Title that are applicable to the zoning district where the property is located and including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made applicable by any conditional use or variance approval;
2. The Heights Urban Design Guidelines kept on file and available for public inspection at the Community and Economic Development Department;
3. The relationship found to exist between existing structures and open space, and between existing structures and other structures in the vicinity, and the expected effect of the proposed construction upon such relationships;
4. The impact of the proposed construction on adjacent uses, including impact of new or revised parking and pedestrian uses; and
5. The protection of neighboring uses from identifiable adverse effects of the design of the proposed construction.
6. The proposed development is consistent with The Heights District Plan vision, goals, and policies, as applicable.

Exhibit B: Heights District Urban Design Guidelines

https://www.cityofvancouver.us/sites/default/files/fileattachments/city_council/page/47621/exhibit_b_heights_district_urban_design_guidelines.pdf

EXHIBIT B

AMENDED VANCOUVER MUNICIPAL CODE SECTIONS

(see underlines)

Amend VMC Table 20.130.040-1 as follows:

20.130.040 Amendments to Map and Text

Table 20.130.040-1. COMPREHENSIVE PLAN AND CORRESPONDING ZONING DISTRICT DESIGNATIONS

Comprehensive Plan Designation	Corresponding Zoning Districts
Urban Lower Density	R-2 (2 du/ac) ² R-4 (4 du/ac) ² R-6 (6 du/ac) R-9 (9 du/ac)
Urban Higher Density	R-18 (18 du/ac) R-22 (22 du/ac) R-30 (30 du/ac) R-35 (35 du/ac) MX Mixed Use
Commercial and Mixed Use	CN Neighborhood Commercial CC Community Commercial CG General Commercial CX City Center WX Waterfront Mixed Use CPX Vancouver Central Park RGX Riverview Gateway (1) MX Mixed Use <u>HX The Heights</u>

Comprehensive Plan Designation	Corresponding Zoning Districts
Industrial	OCI Office Commercial Industrial ECX – Employment Center Mixed-Use IL Light Industrial IH Heavy Industrial A Airport
Open Space	GW Greenway NA Natural Area P Park
Public Facility	All Zones

1 RGX Riverview Gateway is also consistent with Low Density and High Density Residential, and Industrial Comprehensive Plan designations.

2 In accordance with VMC [20.410.025\(B\)\(5\)](#), No vacant or underutilized land areas (per Vacant Buildable Lands Model criteria) within the City shall be rezoned R-2 or R-4 for new residential development. Land use and zoning designations for residential lands being annexed into the City shall be converted to City designations in accordance with VMC [20.230.030](#).

Amend VMC 20.430.020(H) as follows:

20.430.020 Listing of Zoning Districts

H. HX: Heights District. The HX zoning district is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes a mix of complementary uses, engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan District is to implement the vision, goals, and policies of the Heights District Plan, and ensure future development is integrated, cohesive, context sensitive and contributes to the overall District Vision.

Amend VMC Table 20.430.030-1 as follows:

20.430.030 Uses

Table 20.430.030-1. Commercial and Mixed-Use Districts Use Table

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
RESIDENTIAL									
Household Living	L ⁴	L ^{4,8}	L ^{4,8}	L ^{42,8}	L ^{5,8}		P ^{6,8}	P ⁸	<u>P⁸</u>
Group Living	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷	P/C ⁷		P ⁶	P	<u>P</u>
Home Occupation	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰		L ¹⁰	L ¹⁰	<u>L¹⁰</u>
HOUSING TYPES									
Single Dwelling Units, Attached	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P	<u>L⁴</u>
Single Dwelling Units, Detached	X	X	X	X	X		P ⁶	P	<u>X</u>
Accessory Dwelling Units	X	X	X	X	X		P ⁶	P	<u>P</u>
Duplexes	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P	<u>X</u>
Multi-Dwelling Units	L ⁴	L ⁴	L ⁴	L ⁴²	L ⁴		P ⁶	P	<u>L⁴</u>
Existing Manufactured Home Development	X	X	X	X	X		X	X	<u>X</u>
Designated Manufactured Home	X	X	X	X	X		X	X	<u>X</u>
New Manufactured Home	X	X	X	X	X		X	X	<u>X</u>

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
Affordable Housing Projects	X	L ⁸	L ⁸	L ⁸	L ⁸	L ⁸	L ⁸	L ⁸	<u>P</u>
CIVIC (Institutional)									
Basic Utilities	C	C	C	P	C		C	C	<u>C</u>
Colleges	X	C	C	P	C		P	P	<u>P</u>
Community Centers	X	C	C	C	C		C	C	<u>C</u>
Community Recreation	X	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹	<u>L¹¹</u>
Cultural Institutions	L ¹⁹	P	P	P	P		P	P	<u>P</u>
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	<u>P/L¹³</u>
- Child Care Center	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³		P/L ¹³	P/L ¹³	<u>P/L¹³</u>
- Adult Day Care	P/C ¹⁴	P	P	P	P		P	P	<u>P</u>
Emergency Services	X	C	P	P	C		P	P	<u>P</u>
Medical Centers	X	C	C	P	C		C	P	<u>C</u>
Parks/Open Space									
- Neighborhood Parks	P	P	P	P	P		P	P	<u>P</u>
- Community Parks	P	P	P	P	P		P	P	<u>P</u>
- Regional Parks	X	P	P	P	P		P	P	<u>P</u>
- Trails	P	P	P	P	P		P	P	<u>P</u>
Postal Service	L ¹⁹	P	P	P	P		P	P	<u>P</u>

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
Religious Institutions	X	P	P	P	C		P	P	<u>P</u>
Schools (not truck driving schools)	C	P	P	P	P		P	P	<u>P</u>
Social/Fraternal Clubs	C	L ¹¹	L ¹¹	L ¹¹	L ¹¹		L ¹¹	L ¹¹	<u>L¹¹</u>
Transportation Facility	P	P	P	P	P		P	P	<u>P</u>
Park & Ride Facilities									
Surface	X	L ⁴⁸	L ⁴⁸	X	X	X	X	X	<u>X</u>
Structure	X	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	L ⁴⁸	X	<u>L⁴⁸</u>
COMMERCIAL									
Commercial and Transient Lodging	X	C	P	P	L ¹⁸ /C		L ¹⁸ /C	P	<u>L¹⁸/C</u>
Eating/Drinking Establishments	L ^{19/20}	P	P	P	P		P	P	<u>P</u>
Entertainment-Oriented									
- Adult Entertainment	X	X	L ²³	X	X		X	X	<u>X</u>
- Indoor Entertainment	X	P/L ²⁴	P/L ²⁴	P/L ²⁴	P/L ²⁴		P/L ²⁴	P/L ²⁴	<u>P/L²⁴</u>
- Major Event Entertainment	X	X	P	P	C		C	X	<u>C</u>
General Retail									
- Sales-Oriented	L ¹⁹	P	P	P ²⁵	P		P	P ^{25, 46}	<u>P</u>
- Personal Services	L ¹⁹	P	P	P	P		P	P	<u>P</u>

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
- Repair-Oriented	X	P	P	P	X		P	P	<u>P</u>
- Bulk Sales	X	P	P	P	X		P	C	<u>P</u>
- Outdoor Sales	X	C	P/L ²⁶	P/L ²⁶	X		P/L ²⁶	X	<u>P/L²⁶</u>
Artisan and Specialty Goods Production	X	L ⁴⁰	L ⁴⁰	L ⁴⁰	X		X	X	<u>L^{40,52}</u>
Motor Vehicle Related									
- Motor Vehicle Sales/Rental	X	L ²⁷	P	P	X		C ²⁷	X, L ⁴⁵	<u>X</u>
- Motor Vehicle Servicing/Repair (entirely indoors)	X	L ²⁸	L ²⁸	L ²⁸	X		C ²⁸	X	<u>X</u>
- Vehicle Fuel Sales	X	L ²⁸	L ²⁸	L ²⁸	C		C ²⁸	X	<u>X</u>
- EV Basic Charging Stations (accessory and standalone)	P	P	P	P	P		P	P	<u>P</u>
- EV Rapid Charging Stations (accessory and standalone)	P	P	P	P	P		P	P	<u>P</u>
-EV Battery Exchange Stations	X	P	P	P	X		X	P	<u>X</u>
Office									
- General	L ¹⁹	P	P	P	P		P	P	<u>P</u>
- Medical	L ¹⁹	P	P	P	P		P	P	<u>P</u>
- Extended	X	P	P	P	X		X	X	<u>X</u>

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
Marina (See also Chapter 20.760 VMC)	X	P	P	P	P		P	X	<u>P</u>
Non-Accessory Parking	X	C	C	C ⁴³	C		C	C ⁴³	<u>X</u>
Self-Service Storage	X	P ^{3, 50}	P ⁵⁰	X	X		X	X	<u>X</u>
INDUSTRIAL									
Industrial Services	X	C	C	X	X		X	C	<u>X</u>
Manufacturing and Production	X	C/X ³⁰	P/X ³¹	P/X ⁴¹	X		C/X ³²	P ⁴¹	<u>C/X³</u> ₂
Railroad Yards	X	X	X	X	X	X	X	X	<u>X</u>
Research and Development	X	X	P	C	C		C	P	<u>C</u>
Warehouse/Freight Movement	X	X	X	X	X		X	X	<u>X</u>
Waste-Related	X	X	P ⁴⁷	X	X		X	X	<u>X</u>
Wholesale Sales	X	X	C	C	X		X	X	<u>X</u>
Major Utility Facilities	X	X	X	X	X		X	X	<u>X</u>
OTHER									
Agriculture/Horticulture	X	X	X	X	X		X	X	<u>X</u>
Airport/Airpark	X	X	X	X	X		X	X	<u>X</u>
Animal Kennel/Shelters	X	L ³³	L ³³	X	X		X	X	<u>X</u>
Cemeteries	X	C ³⁴	P ³⁴	C ³⁴	X		C ³⁴	X	<u>C³⁴</u>

USE	CN	CC	CG	CX	WX	CPX ₁	MX ²	RGX ⁴⁴	HX ⁵¹
Detention & Post Detention Facilities	X	X	C/X ³⁵	C/X ³⁵	X		X	X	<u>X</u>
Dog Day Care	L ³⁶	L ³⁶	L ³⁶	L ³⁶	L ³⁶		L ³⁶	L ³⁶	<u>L³⁶</u>
Heliports	X	X	X	C ³⁷	C ³⁷		C ³⁷	C ³⁷	<u>C³⁷</u>
Medical Marijuana Cooperatives	X	X	X	X	X		X	X	<u>X</u>
Recreational Marijuana, Production or Processing	X	X	X	X	X		X	X	<u>X</u>
Recreational Marijuana Retail	X	L ⁴⁹	L ⁴⁹	X	X		X	X	<u>L⁴⁹</u>
Mining	X	X	X	X	X		X	C	<u>X</u>
Rail Lines/Utility Corridors	C	P	P	P	C		C	P	<u>C</u>
Temporary Uses	L ²⁶	L ²⁶	L ²⁶	L ²⁶	L ²⁶		L ²⁶	L ²⁶	<u>L²⁶</u>
Wireless Communication Facilities	X	L/C/X ³ ₉	L/C/X ³ ₉	L/C/X ³ ₉	L/C/X ³ ₉		L/C/X ³ ₉	L/C/X ³ ₉	<u>L/X³⁹</u>

1 Refer to Vancouver Central Park Plan District, Chapter [20.640](#) VMC.

2 Refer to Mixed Use standards in VMC [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 or 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 VMC [20.430.020\(B\)](#)).

5 Must have a minimum density of 10 dwelling units/net acre.

6 Allowed pursuant to mixed use standards of VMC [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 Eligible affordable housing projects must (a) demonstrate eligibility for Washington State Housing Finance Commission Low Income Housing Tax Credits by providing at least 40 percent of units affordable to households at 60 percent 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 1,000 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 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 VMC [20.895.040](#), Community Recreation and Related Facilities.

12 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](#) VMC. Child care centers can also be approved as part of a Planned Development, Chapter [20.260](#) VMC. 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 VMC [20.430.040\(D\)](#).
- 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 VMC [20.430.050\(B\)](#).
- 23** Subject to provisions in Chapter [20.820](#) VMC, Adult Entertainment.
- 24** Provisions in VMC [20.895.060](#) apply to Indoor Target Shooting Ranges.
- 25** Pawnshops allowed in CX and CG Districts only. No more than four 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 feet by 200 feet, or 100 feet by 100 feet 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 square feet 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 VMC [20.895.070](#), 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 VMC [20.895.020](#), Animal Kennel/Shelters.
- 34** Subject to provisions in VMC [20.895.030](#), Cemeteries.

- 35** Secure Transition Facilities as per VMC [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 VMC [20.895.080](#), 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 VMC [20.430.050\(A\)](#). Uses defined in VMC [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, Chapter [20.680](#) VMC, 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 percent 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 seven days.
- 48** See VMC [20.430.040\(E\)](#), Park and Ride Facility Development Standards.
- 49** Subject to Chapter [20.884](#) VMC.
- 50** Subject to requirements and standards within the Miscellaneous Special Use Standards for Self-Service Storage, pursuant to VMC [20.895.100](#). **40** Subject to limitations in VMC [20.430.050\(A\)](#). Uses defined in VMC [20.160.020\(C\)\(10\)](#).
- 51** Allowed subject to the provisions of the Heights District Plan Standards, Chapter [20.670](#).

52 Permitted in the HX Plan District where commercial uses are permitted.

Amend VMC Table 20.430.040-1 as follows:

20.430.040 Development Standards

Table 20.430.040-1 Development Standards									
STANDARD	CN	CC	CG	CX**	WX**	CPX* *	MX***	RGX*** *	<u>HX**</u>
Minimum Lot Size	None	None	None	None	None		None	None	<u>None</u>
Minimum Lot Width	None	None	None	None	None		None	None	<u>None</u>
Minimum Lot Depth	None	None	None	None	None		None	None	<u>None</u>
Maximum Lot Coverage	Maximum determined by compliance with screening and buffering standards contained in VMC Tables 20.925.030-1 and 20.925.030-2, stormwater standards, erosion control regulations, and all other applicable development standards.			100%	70%		100%	100%	<u>100%</u>
Minimum Setbacks									
Front yard	See minimum setback	See minimum setback	See minimum setback	None	All 25' except parking lots, 10'		All 10' abutting an R zone;	All 10' abutting an R zone;	<u>None</u>

Table 20.430.040-1 Development Standards									
STANDARD	CN	CC	CG	CX**	WX**	CPX* *	MX***	RGX*** *	<u>HX**</u>
	s sharing property line below	s sharing property line below ³	s sharing property line below		and driveways		otherwise, same as abutting zone	otherwise, zero	
Rear yard	See minimum setbacks sharing property line below	See minimum setbacks sharing property line below ³	See minimum setbacks sharing property line below	None	All 25' except parking lots, 10' and driveways		All 10' abutting an R zone; otherwise, same as abutting zone	All 10' abutting an R zone; otherwise, zero	<u>See</u> <u>minimum</u> <u>setbacks</u> <u>sharing</u> <u>property</u> <u>line</u> <u>below</u>
Rear through- street	See minimum setbacks sharing property line below	See minimum setbacks sharing property line below ³	See minimum setbacks sharing property line below	None				None	<u>See</u> <u>minimum</u> <u>setbacks</u> <u>sharing</u> <u>property</u> <u>line</u> <u>below</u>
Side yard	See minimum setbacks	See minimum setbacks	See minimum setbacks	0/5' ⁴	5'			0/5' ⁴	<u>See</u> <u>minimum</u> <u>setbacks</u> <u>ks</u>

Table 20.430.040-1 Development Standards									
STANDARD	CN	CC	CG	CX**	WX**	CPX* *	MX***	RGX*** *	<u>HX**</u>
	sharing property line below	sharing property line below ³	sharing property line below						<u>sharing property line below</u>
Street Side yard	See minimum setbacks sharing property line below	See minimum setbacks sharing property line below ³	See minimum setbacks sharing property line below	None	None			None	<u>See minimum setbacks sharing property line below</u>
Between buildings on site	None	None	None	None	None		None	None	<u>None</u>
Maximum Height	35'	50'	None	Refer to Figure 20.630 ⁴	60'		35' – 75' ⁵	35' – 75' ⁶	<u>35'-85'**</u>
Minimum setbacks adjacent to residential district	Pursuant to the screening and buffering standards contained in VMC Tables 20.925.030-1 and 20.925.030-2, plus an additional 1/2 foot for each								

Table 20.430.040-1 Development Standards									
STANDARD	CN	CC	CG	CX**	WX**	CPX* *	MX***	RGX*** *	<u>HX**</u>
	foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.								
Minimum setbacks adjacent to nonresidential districts	Pursuant to screening and buffering standards contained in VMC Tables 20.925.030-1 and 20.925.030-2.								
Minimum Landscaping Requirement (percentage of total net area)	15%	15%	15%	None	20%		15%	15%, unless adjusted through master plan	<u>None</u>

** Subject to additional development standards of 20.600, Plan Districts.

*** Subject to development standards of VMC [20.430.060](#).

**** Subject to development standards of Chapter [20.680](#) VMC, and associated Master Plan Adopted for the area of proposed development. Single-family residential development shall meet the development standards of the R-6 zone, except that the minimum lot size shall be 7,000 square feet and maximum lot size shall be 14,500 square feet. Any changes to platted single-family lots including lot line adjustments, adding new lots or consolidating lots shall comply with the approved master plan and applicable provisions of Chapter [20.680](#) VMC, Riverview Gateway Plan District.

1 Deleted.

2 Commercial condominiums shall have no minimum lot size.

3 Zero setbacks allowed for buildings along Main Street and Broadway between McLoughlin and Fourth Plain.

4 None except when abutting residentially zoned property, when the minimum setback is five feet.

5 In the MX District, maximum building height shall be the same as that of the abutting zone within a distance of the same number of feet from the property line. Farther from the property line, height may increase by two feet for every additional foot that a structure is set back from the property line to a maximum height of 75 feet. (For example, where the MX district abuts a residential district with a maximum height of 35 feet, the maximum height in the MX district would be 35 feet for the first 35 feet from the property line. The height may then be increased by two feet for every additional foot the structure or portion of the structure is removed from the property line to a maximum of 75 feet.) Where the abutting zone is MX or OCI, the maximum height shall be 35 feet; however, the height may be increased two feet for every additional foot that a structure is set back from the property line, to a maximum of 75 feet (for example, a building which is set back 10 feet from an abutting MX or OCI property may be 45 feet tall).

6 Maximum heights in the RGX District shall be the same as the MX District as described herein including footnote 5, except where indicated otherwise through Master Plan review and approval pursuant to Chapter [20.680](#) VMC, subject to conditions therein.

Update VMC 20.430.050 as follows:

20.430.050 Special Limitations on Uses

A. CX and HX Zone. The following special use limitations apply within the CX and HX zone.

1. Artisan and Specialty Goods Production uses in CX and HX zone.

a. The Artisan and Specialty Goods Production structure shall not encompass more than ten thousand (10,000) square feet of area. The ten thousand (10,000) square feet total shall include all storage areas associated with the manufacturing operation. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit the potential impacts on residential and commercial uses. Upon application the Planning Official may increase the square feet of area by no more than 20% if it is determined that the additional area will not adversely impact neighboring uses and improvements, and will be consistent with the intent of the CX District and HX District.

b. All activities except loading shall occur within buildings; outdoor storage/repair is prohibited.

c. All Artisan and Specialty Goods Production uses are required to accommodate public viewing or a customer service space as defined below.

1. Public viewing shall be accomplished with windows or glass doors covering at least 25% of the front of the building face abutting the street or indoor lobby wall, allowing direct views of manufacturing, openings between the display or lobby area and manufacturing/work space may be reduced below 25% where fire rated separation requirements restrict opening size as determined by the planning official, or;
 2. A customer service space includes, a showroom, tasting room, restaurant, or retail space.
- d. Drive-through facilities are prohibited.

Amend VMC 20.770.080A as follows:

20.770.080 Tree Density Requirement

A. *Minimum tree density requirement established.* The required minimum tree density is 30 tree units per acre for new development; 30 tree units per acre of site disturbance for commercial, industrial and multiple-family (more than four units) development; and 200 tree units for Conversion Option Harvest Forest Practices. For properties within the City Center and HX Districts, the minimum tree density does not apply.

Amend VMC 20.850.020.C as follows:

20.850 Dog Day Care

20.850.020 Approval Process

C. *Commercial and Industrial Zoning Districts.* Dog Day Care uses are limited uses in the commercial zones (CN, CC, CG, CX, WX, HX and MX) and industrial zones (OCI, IL and IH), subject to the development standards contained in Section [20.850.030](#) below. Dog day care is a prohibited use in the Vancouver Central Park Plan District (CPX).

Amend VMC 20.850.030.C as follows:

20.850.030 Development Standards

C. *Commercial zoning districts.* A Dog Day Care facility is permitted as a Type I limited use in the CN, CC, CG, CX, WX, HX and MX zoning districts subject to the procedural requirements of VMC 20.210 Decision-Making Procedures. Such a facility in one of these zoning districts shall satisfy the following requirements in addition to those in Subsection A above:

1. Maximum of 40 dogs on the premises.
2. Minimum setback requirements shall be consistent with the standards of the CN, CC, CG, CX, WX, HX and MX unless the Dog Day Care facility abuts a residential district, in which case the setback shall be 50'. The setback requirements of this section do not apply if all activity is contained indoors.
3. Provide on-site indoor play area when located within the City Center (CX), Waterfront (WX), The Heights (HX) and Mixed Use (MX) districts. Outdoor play areas are not permitted in the (CX), (WX), (HX) or (MX) districts.
4. Hours of operation: 6 a.m. to 10 p.m.

Amend VMC 20.890.060.C as follows:

20.890.060 Additional Development Standards by Zoning District

C. In commercial districts. Wireless communications facilities in commercial districts, (i.e., CN, CC, CG, CX, HX and WX) are regulated as follows:

1. Lattice tower support structures are prohibited on the site of attached and detached single-family dwellings, and otherwise require a conditional use permit on the site of all other uses. Lattice tower support structures are prohibited in the HX district.
2. Monopole support structures are prohibited on the site of existing attached and detached single-family uses in all commercial districts and within the HX district.
3. Monopole support structures are permitted in CN districts, on the roof of multi-family and nonresidential uses, if the criteria in [20.890.040\(Q\)](#) VMC for replacement are met.
4. Monopole support structures and their associated accessory equipment structures and antennae otherwise require a conditional use permit in the CN, CC, CG, CX, WX and A districts. Monopole support structures and their accessory equipment structures and antennae are not permitted in the HX district. Furthermore, within the Airport Height Overlay District the provisions of VMC [20.570](#) for Pearson Airpark shall apply.
5. Antennae are prohibited on attached and detached single-family dwellings. Antennae and micro-cell facilities are permitted on multi-family residential dwellings and nonresidential structures within such districts subject to the general development standards of Section [20.890.040](#) VMC.

Amend VMC Table 20.890.130-1 as follows:

20.890.130 Summary Table

Table 20.890.130-1 Wireless Summary Table										
	Monopole (New) On				Replace with Monopole ¹		Attached Antenna On			Height
Zone District	Lattice Tower	SF	MF	N/RES	MF	N/RES	SF	MF	N/RES	
R-2 – 9	X	X	X	X	X	X	X	C	C ⁴	-
R-18 – 35	X	X	X	X	X	X	X	C	C ⁴	35
CN	C	X	C	C	P	P	X	P	P	35
CC	C	X	C	C	P	P	X	P	P	50
CG	C	X	C	C	P	P	X	P	P	-
CX	C	X	C	C	C	C	X	P	P	See Note ⁵
MX	C	C	C	C	C	C	X	P	P	65*
WX	C	C	C	C	C	C	X	P	P	60 ⁵
<u>HX</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>See Note⁵</u>
OCI	C	C	C	C	P	P	X	P	P	72
IL	P	X	P	P	P	P	X	P	P	45 ⁵
IH	P	X	P	P	P	P	X	P	P	-
NA	C	C	C	C	P	P	X	C	P	35
GW/VL GW/LF	C	C	C	C	P	P	X	C	P	See Note ⁵

Table 20.890.130-1 Wireless Summary Table										
	Monopole (New) On				Replace with Monopole¹		Attached Antenna On			Height
Zone District	Lattice Tower	SF	MF	N/RES	MF	N/RES	SF	MF	N/RES	
CPX/H ²	X	X	X	X	X	X	X	X	X	See Note ²
CPX ³	X	X	X	X	X	X	X	X	P	See Note ²

1 Replacement of an existing pole, light standard, telecommunications pole or other pole-like structure by a monopole of the same or less height, and not more than twice the same circumference of the pole being replaced. (20.890.040(Q) VMC)

2 Vancouver Central Park Plan District VMC [20.640.040](#), Historic Reserve Conservation District.

3 Vancouver Central Park Plan District, VMC [20.640.050](#), Education and Recreation Conservation District, or VMC [20.640.060](#) Social & Health Services Conservation District, as applicable.

4 Subject to [20.890.060](#) (A)(3) VMC and [20.890.060](#) (B)(3) VMC.

5 See underlying zoning district for further clarification.

Key:

P – Permitted (subject to development standards)

C – Conditional Use

X – Prohibited

Additional Notes:

Collocation on an existing, legally established wireless support structure is permitted in all districts.

All new support structures over 100 feet in height require a Conditional Use Permit.

Amend VMC Table 20.925.030-1 as follows:

20.925.030 General Provisions.

A. *Landscaping Requirements.* Landscaping shall be provided and maintained per Table 20.925.030-1 and 20.925.030-2 of this section.

Table 20.925.030-1. Minimum Landscaping and Buffer Setback Standards

Zoning of Proposed Development (Buffer width is the setback for the commercial and industrial zoning districts)													
Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.		Lower Density Residential ³		Higher Density Residential ³		Commercial and Mixed Use ¹		Industrial ¹					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, <u>HX</u> & MX only		OCI		IL A		IH	
Zoning Of Land Abutting Development Site		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
Lower Density Residential	R-2, R-4, R-6, R-9	None	None	L2 10-ft	L3 5-ft	L2 10-ft	L4 10-ft	L2 10-ft	L4 10-ft	L3 20-ft	L4 in 40-ft ⁵ L5 in 50-ft ⁵	L3 20-ft	L4 in 40-ft ⁵ L5 in 50-ft ⁵

Zoning of Proposed Development (Buffer width is the setback for the commercial and industrial zoning districts)													
Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.		Lower Density Residential ³		Higher Density Residential ³		Commercial and Mixed Use ¹		Industrial ¹					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, <u>HX</u> & MX only		OCI		IL A		IH	
Zoning Of Land Abutting Development Site		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
Higher Density Residential	R-18, R-22, R-30, R-35	None	L3 5-ft	L1 10-ft	L1 5-ft	L2 10-ft	L4 10-ft	L2 5-ft	L2 5-ft	L3 20-ft	L4 in 40-ft ⁵ L5 in 50-ft ⁵	L3 20-ft	L4 in 40-ft ⁵ L5 in 50-ft ⁵

Zoning of Proposed Development (Buffer width is the setback for the commercial and industrial zoning districts)													
Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.		Lower Density Residential ³		Higher Density Residential ³		Commercial and Mixed Use ¹		Industrial ¹					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, <u>HX</u> & MX only		OCI		IL A		IH	
Zoning Of Land Abutting Development Site		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
Commercial and Mixed Use	CN, CC, CG, MX	L1 10-ft	L3 5-ft	L2 10-ft	L3 5-ft	L2 10-ft	L1 ² 0-5 ft	L2 5-ft	L1 ² 0-5 ft	L2 10-ft	L3 5-ft	L2 10-ft	L3 10-ft
	Industrial	L1 10-ft	L3 5-ft	L1 10-ft	L3 5-ft	L2 10-ft	L1 ² 0-5 ft	L2 5-ft	L1 ² 0-5 ft	L2 10-ft	L3 5-ft	L2 10-ft	L3 10-ft
	IL, A,	L1	L3	L2	L3	L2	L2	L2	L1 ²	L2	L1	L2	L3

Zoning of Proposed Development (Buffer width is the setback for the commercial and industrial zoning districts)													
Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.		Lower Density Residential ³		Higher Density Residential ³		Commercial and Mixed Use ¹		Industrial ¹					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, <u>HX</u> & MX only		OCI		IL A		IH	
Zoning Of Land Abutting Development Site		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
		10-ft	5-ft	10-ft	5-ft	10-ft	5-ft	5-ft	0-5 ft	10-ft	5-ft	10-ft	10-ft
	IH	L1 10-ft	L3 5-ft	L2 10-ft	L3 5-ft	L2 5-ft	L3 5-ft	L2 5-ft	L3 5-ft	L2 10-ft	L3 10-ft	L2 10-ft	L1 ² 0-5 ft
Resource (County)	FR-80, FR-40,	L1 10-ft	L3 50-ft	L2 10-ft	L3 50-ft	L2 10-ft	L2 5 ft	L2 5-ft	L3 10-ft	L2 10-ft	L1 5-ft	L2 10-ft	L3 10-ft

Zoning of Proposed Development (Buffer width is the setback for the commercial and industrial zoning districts)													
Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.		Lower Density Residential ³		Higher Density Residential ³		Commercial and Mixed Use ¹		Industrial ¹					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, <u>HX</u> & MX only		OCI		IL A		IH	
Zoning Of Land Abutting Development Site		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
	AG-20, AG-WL, Park /WL												

1 Zero lot line developments shall comply with the standards and requirements of VMC [20.910.050](#).

2 If building is to be built on the property line there is no required buffer for that portion of the site.

3 Applies to multi-family site plan applications and the perimeter of land divisions not to individual single-family lot developments.

4 In case of conflict with yard, setback, landscape, screening, or buffer standards specified in other sections of Title [20](#), the stricter standard shall apply, except for Plan Districts where the district standards shall always apply even if less strict than the standards of this table.

5 Buffer widths abutting parking areas that are landscaped in accordance with the requirements of VMC [20.945.040\(I\)](#) can be reduced to 25 feet.

Amend VMC 20.945.080.A as follows:

20.945.080 Off Loading Requirements

A. *Berths required.* Except in the City Center (CX) and the Heights (HX) Districts ~~(CX)~~, new or substantially renovated buildings or structures that require receipt, delivery or distribution of materials and merchandise by trucks, shall provide and maintain off-street loading berths according to prescribed standards. The Planning Official may through a Type 1 procedure waive off-street loading requirements for uses that demonstrate a loading berth is not needed. The applicant shall demonstrate that either the proposed use does not require receipt, delivery or distribution of materials and merchandise by truck that only small delivery trucks will access the site, or that large trucks will only access the site outside of normal business hours.

Amend VMC 20.985.020.B as follows:

20.985.020 Development Standards

B. *Provisions with precedence.* The provisions of this Section shall take precedence over any building and parking setbacks, except in the City Center (CX) and the Heights (HX) Districts ~~(CX)~~ where the City Transportation Manager may authorize lesser requirements upon a finding that the public health, safety and welfare will not be adversely impacted.

Table 1-5. Vancouver comprehensive plan land use designations

Comprehensive Plan designation	Corresponding Zoning	General Intent
Residential		
Urban Lower Density	R-2, R-4, R-6, R-9	Predominantly single-family detached residential development, with some allowances for duplexes, townhouses, and single-family homes on small lots using infill standards
Urban Higher Density	R-18, R-22, R-30, R-35, MX	Predominantly apartments and condominiums, with some allowance for attached housing (such as duplexes, townhouses, and small-lot single-family homes) and mixed use
Commercial		
Commercial and Mixed Use	CN Neighborhood Commercial	Small scale commercial uses and services primarily for nearby residences. Designated areas are typically less than 2 acres in size. These areas provide services within walking distance for the frequent needs of the surrounding residents and are generally small areas designed to be compatible with the surrounding residentially zoned neighborhoods.
	CC Community Commercial	Medium scale commercial uses and services, typically serving more than one neighborhood. Designated areas are typically between 2 and 10 acres in size, located near collector or arterial street intersections
	CG General Commercial	Medium to larger commercial use and services serving large sections of urban areas and beyond. Designated areas are typically in urban activity centers or along major travel routes connecting activity centers. General Commercial areas provide a full range of goods and services necessary to serve large areas and the traveling public. These areas are generally located at interchanges, along state highways and interstates, and adjacent to major and minor arterial roadways.
	CX City Center intensity	Specific to downtown Vancouver. A mix of generally higher commercial, residential, institutional uses envisioned
	WX Waterfront Mixed Use	A mix of residential, commercial, office and recreation uses along the Columbia River
	CPX Central Park Mixed Use	Specific to Vancouver Central Park. A mix of open space, recreation, educational, governmental, and public service uses developed according to policies and guidelines contained in the master plan document "A Park for Vancouver: A Concept Plan" (as amended).
	MX Mixed Use	A mix of residential, commercial, office and recreation uses
	RGX Riverview Gateway (1)	Specific to the Riverview Gateway subarea at the intersection of 192nd Avenue and SR-14. A mix of residential, mixed use, office, and light industrial uses
	<u>HX</u>	<u>Specific to the Heights District Plan. A mix of commercial, residential, mixed use, open space and other uses envisioned.</u>
Industrial		
Industrial	OCl Office-Campus-Industrial	Combination of light industry, office, & limited supporting commercial uses
	IL Light Industrial	Light manufacturing, research, warehousing, and industrial services, with provisions for office uses. Generally clean uses not involving outdoor storage, noise or odors or use of rail or marine transport.
	IH Heavy Industrial	Intensive industrial manufacturing, service, production or storage often involving heavy truck, rail or marine traffic, or outdoor storage and generating vibration, noise and odors.
	A Airport	General Aviation airports and accessory uses
Other		
Open Space	P Park, GW Greenway, NA Natural Area	Areas intended for parks, greenways and natural areas
Public Facilities	All zones	Areas developed with schools, fire stations, colleges, hospitals and other large facilities serving the public

(1) RGX Riverview Gateway is also consistent with Low Density and High Density Residential, and Industrial Comprehensive Plan designations

07/19/21
08/02/21

ORDINANCE NO. M- _____

AN ORDINANCE of the City of Vancouver, Washington, relating to land-use and zoning; establishing a Planned Action for the Heights District Plan; providing for the establishment of mitigation measures and conditions for approval of projects located within the Heights District Plan Area (hereafter the Heights District); providing for a streamlined review and approval of projects which meet planned action criteria; providing for an effective date; and providing for an expiration date.

WHEREAS, the City of Vancouver has adopted a comprehensive plan for the Vancouver Urban Growth Area under the provisions of Chapter 36.70A RCW; and

WHEREAS, the comprehensive plan provides for adoption of a subarea plan for the geographic area located within the urban growth boundary commonly known as the Heights District (identified as the MacArthur/Mill Plain Center in the comprehensive plan), and the Heights District Plan provides for the future build out of the Heights District in a manner consistent with the comprehensive plan and community vision; and

WHEREAS, the Community Development Department has conducted a thorough review of the development anticipated within the Heights District and prepared an Environmental Impact Statement (EIS) under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, which environmental analysis has considered the impacts of the anticipated development of the Heights District consistent with the Heights District Plan, and provides for mitigation measures and other conditions to ensure that such future development will not create probable, significant, adverse environmental impacts; and

WHEREAS, the provisions of Chapter 43.21C.440 RCW and the regulations issued thereunder provide for the designation of Planned Actions within geographic areas that are less extensive than a municipality's jurisdictional boundaries and where substantial comprehensive planning and environmental review has been completed prospectively; and

WHEREAS, the City SEPA procedures and project review procedures incorporate the provisions for planned actions and provide for streamlined review of land use actions designated as Planned Actions.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Purpose.

A. The City Council declares that the purpose of this ordinance is to:

1. Set forth a procedure designating certain land use actions within the boundaries of the geographic area (see attachment “A”) described in the Heights District Plan as "Planned Actions" consistent with RCW 43.21.440, WAC 197-11-164 to 172, and Vancouver Municipal Code (VMC) 20.790.530, Planned Action Review.
2. Streamline the review process for projects, which qualify as planned actions within the Heights District Plan by applying the provisions of VMC 20.790.530, Planned Action Review to the approval of such planned action projects.
3. Combine environmental analysis with land use planning.
4. Ensure that land use actions designated as planned actions are appropriately mitigated and conditioned by the provisions of this ordinance and all of the City's development regulations to ensure that no adverse impacts to the environment will occur as a result of development approval.

Section 2. Findings.

A. The City Council finds that:

1. A subarea plan has been prepared and adopted by the Council under the provisions of the Growth Management Act, Chapter 36.70A RCW and 36.70A.130(2)(a)(i) for the geographic area located within the Vancouver Urban Growth Area commonly known as the Heights District.
2. The Heights District Plan is consistent with the Vancouver Comprehensive Plan and provides for the planned build out of the Heights District over a twenty-year planning period.
3. An environmental impact statement (hereafter "EIS") has been prepared pursuant to Chapter 43.21C RCW in conjunction with the adoption of the Heights District Plan.
4. The Heights District Plan and EIS have addressed all the significant environmental impacts associated with the land uses allowed by the applicable development regulations and standards as described in the Heights District Plan.
5. The thresholds described in the Heights District Plan and EIS are adequate to identify significant adverse environmental impacts.
6. The mitigation measures contained in the mitigation document, attachment "E" to this ordinance, together with the City's development regulations and standards, are adequate to mitigate any significant adverse environmental impacts anticipated by development consistent with the Heights District Plan.
7. A streamlined process will benefit the public, adequately protect the environment, and enhance the economic redevelopment of the Heights District.

8. Public involvement and review of the Heights District Plan and EIS have been extensive and adequate to ensure a substantial relationship to the public interest, health, safety, and welfare.
9. The uses allowed by the City's development regulations in the zoning classifications in the Heights District will implement the Heights District Plan.
10. This ordinance shall be known as the "Heights District Planned Action Ordinance".

Section 3. Procedure and Criteria for Evaluating and Determining Projects as Planned Actions.

- A. Land uses and activities described in the Heights District Plan and EIS, subject to the thresholds described therein and the mitigation measures described in the mitigation document attached to this ordinance as attachment "B", may be determined to be Planned Actions consistent with RCW 43.21C.440, WAC 197-11-164 to 172, VMC 20.790.530, and pursuant to this ordinance.
- B. Where the Planning Official determines that an application for project permit or approval does not qualify as a planned action, the application shall be reviewed and processed under the applicable procedures for project approval under VMC Chapter 20.200, Land Use Decisions. The Planning Official shall prescribe a SEPA review procedure consistent with the VMC Chapter 20.790, SEPA Regulations. Such SEPA review may use or incorporate relevant elements of the environmental analysis in the EIS or Heights District Plan.
- C. Where the Planning Official determines that an application for project permit or approval qualifies as a Planned Action, the project permit application shall be processed under the administrative procedures set forth in VMC 20.790.530, Planned Action Review.

Section 4. Review and Approval of Planned Action Projects

- A. An application for project permit or approval, which is designated by the Planning Official as a Planned Action under Section 3 of this Ordinance shall be subject to approval under the provisions of VMC 20.210, Decision Making Procedures.
- B. No application for project permit or approval designated a Planned Action under Section 3 of this Ordinance shall require the issuance of a threshold determination under SEPA, as provided by RCW 43.21C.440, WAC 197-11-172(2)(a) and VMC 20.790.530, Planned Action Review. No procedural SEPA appeals under VMC Chapter 20.790 shall be allowed.
- C. An application for project permit or approval designated a Planned Action under Section 3 of this ordinance shall not be subject to further procedural review under SEPA, but the proposed project may be conditioned to mitigate any adverse environmental impacts which are reasonably likely to result from the project proposal.
- D. The determination to approve, conditionally approve, or deny an application for Planned Action project permit or approval shall be appealable pursuant to VMC 20.790.530(I). *Provided that*, the environmental analysis and mitigation measures or other conditions contained in the mitigation document (attachment "B"), the Heights District Plan, or EIS shall be afforded substantial weight.

Section 5. Environmental Documents

A Planned Action designation for a site-specific project action, permit, or approval shall be based upon the environmental analysis contained in the Heights District Plan and EIS. This Heights District Plan and EIS, including potential mitigation measures, are hereby incorporated in this ordinance and adopted by reference. The mitigation document (attachment "B") is based upon the analysis contained in the EIS. The mitigation document, together with existing City codes, ordinances, and standards, shall provide the framework for the decision by the City to impose

conditions on a Planned Action project. Other environmental documents and studies listed in the Heights District Plan and EIS may also be used to assist in analyzing impacts and determining appropriate mitigation measures in accordance with Section 4 of this ordinance.

Section 6. Conflict of Development Regulations and Standards.

In the event of conflict between this Ordinance or any mitigation measures imposed pursuant thereto and any other ordinance or regulation of the City, the provisions of this Ordinance shall control.

Section 7. 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 8. Third Party Liability.

This ordinance does not create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these regulations. No provision or term used in these regulations is intended to impose any duty whatsoever upon the City or any of its officers, employees, or agents.

Notwithstanding any language used in this ordinance, it is not the intent of this Ordinance to create a duty and/or cause of action running to any individual or identifiable person, but rather any duty is intended to run only to the general public.

Section 9. Effective Date.

This Ordinance shall take effect 30 days following passage and publication.

Section 10. Expiration Date.

This ordinance shall expire twenty (20) years from the date of adoption unless otherwise repealed or readopted following a public hearing.

Read first time: July 19, 2021

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time: August 2, 2021

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2021.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan. Young, City Attorney

ATTACHMENTS:

Attachment A: Planned Action Area Map

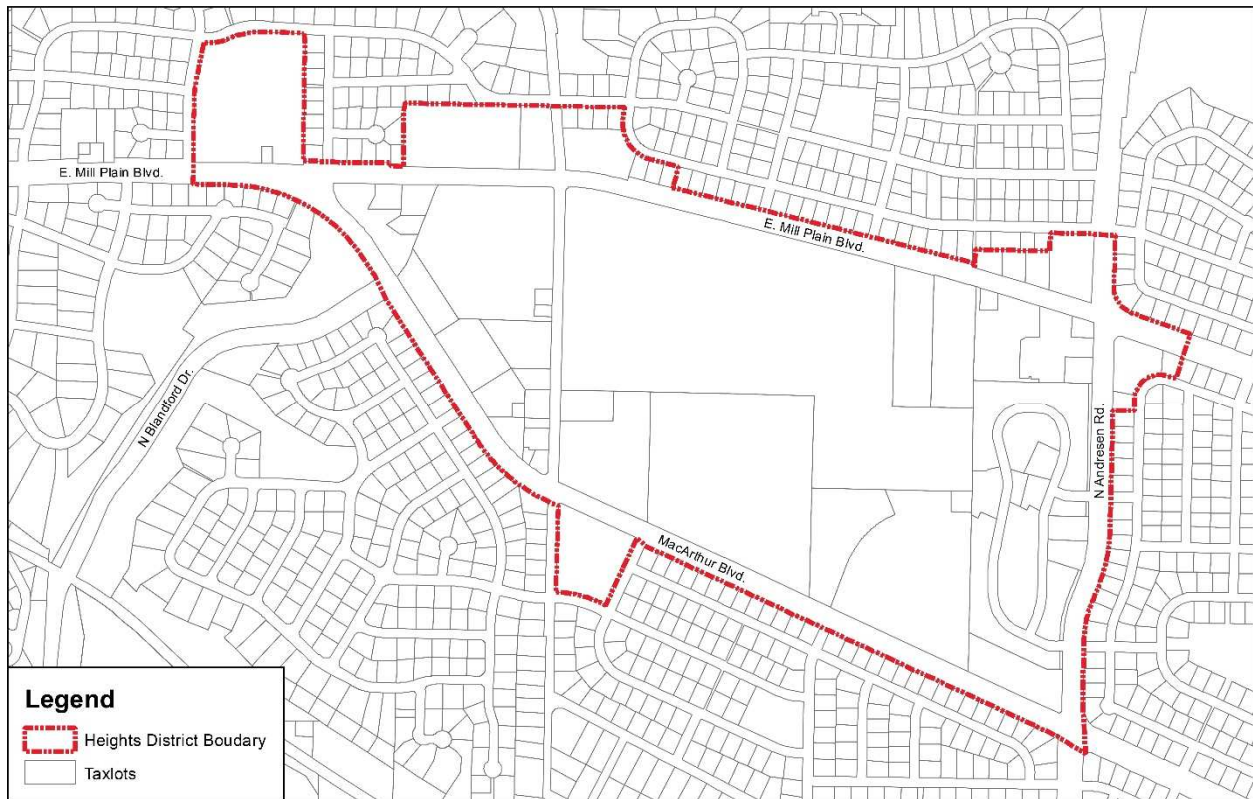
Exhibit E: Mitigation Document (separate cover)

SUMMARY
ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver, Washington, relating to land-use and zoning; establishing a Planned Action for the Heights District Plan; providing for the establishment of mitigation measures and conditions for approval of projects located within the Heights District Plan Area (hereafter the Heights District); providing for a streamlined review and approval of projects which meet planned action criteria; providing for an effective date; and providing for an expiration 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 A: Planned Action Area Map



Attachment B: Exhibit E - Mitigation Document

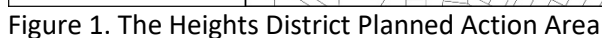
ATTACHMENT B

MITIGATION DOCUMENT



The State Environmental Policy Act (SEPA) requires all state agencies and local governments in Washington to consider impacts to environmental resources in decision making. The SEPA review process is intended to provide information to agencies and the public through the identification and evaluation of environmental impacts and the development of mitigation measures to reduce adverse environmental impacts. To comply with SEPA, the City of Vancouver (City) prepared an Environmental Impact Statement (EIS) to analyze the potential environmental impacts resulting from adoption of the Heights District Plan. The City issued the Draft EIS (DEIS) on January 22, 2020. Following a 120-day public comment period that closed on May 20, 2020, the City issued Final EIS on July 10, 2020. The Draft together with the Final EIS are referenced herein as the “EIS”. The EIS identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Heights District, together with a number of possible measures to mitigate those impacts.

This mitigation document summarizes the development thresholds under which future projects can qualify as planned actions and the specific mitigation measures to offset impacts identified in the EIS. The mitigation measures shall apply to future development proposals which qualify as planned actions (per VMC 20.790.530, Planned Action Review) and are located within the Heights District Planned Action Area, identified as the District Plan boundary on Figure 1. Projects proposed in the district may be subject to additional requirements established by city, state or federal regulatory programs.



2. Thresholds

The Heights District Plan anticipates that, with City of Vancouver investment in subarea and environmental planning, the Heights District will redevelop more intensively than was anticipated in the existing City of Vancouver Comprehensive Plan. To complete the analysis reflected in the EIS, land use, population, and job projections were established for the 20-year plan period.

The overall thresholds used to complete the SEPA analysis for the EIS, and as anticipated by the Heights District Plan for the 20-year plan period, are as follows:

Overall Thresholds

- 1,800 new residential units
- 204,000 square feet of commercial development
- 36,000 square feet of institutional development

Proposed development that would exceed these thresholds was not evaluated and would not qualify as a Planned Action and would require individual SEPA analysis.

3. Environmental Mitigation Measures

The EIS identifies measures to mitigate for probable significant environmental impacts for environmental elements addressed in the EIS. In order to qualify as a Planned Action, development must follow or incorporate the mitigation measures identified in this section. Mitigation consists of measures included within the project, compliance with established development regulations and additional actions. The following sections establish the mitigation measures. Please refer to the EIS for analysis and impacts associated with each element of the environment.

LAND USE

Mitigation Measures Designed into the Project

- Adoption and adherence to the standards included in a new HX zone and Heights Plan District to implement the Heights District Plan, including standards to address building height adjacent to residential zones.
- Adoption and adherence to the Heights District Urban Design Guidelines, which include standards to address building scale and mass, landscaping, lighting, and infrastructure design.
- Adherence to parking standards for the Heights Plan District included within the HX zone.

Existing Regulations and Other Mitigation

All development must comply with existing local regulations applicable to the Heights District including the following:

- The City of Vancouver Municipal Code (VMC) - Title 20, Land Use and Development Code, Title 11 Streets and Sidewalks, Chapter 12.04 Street Trees, Title 17 Building and Construction and Title 22 Uniform Enforcement Code.

AESTHETICS, LIGHT AND GLARE

Mitigation Measures Designed into the Project

The Heights District Plan Planned Action Ordinance
Attachment E: Mitigation Document

- Adoption and adherence to the Heights District Urban Design Guidelines and Heights Plan District

Existing Regulations and Other Mitigation

Compliance with applicable regulations and standards within the VMC, including:

- Site Plan Review (VMC 20.270)
- Landscaping (VMC 20.925)

HISTORIC AND CULTURAL RESOURCES

Mitigation Designed into the Project

The Heights District Plan does not identify any specific measures to address potential impacts to Historic and Cultural Resources. Existing regulations and other mitigation to offset potential impacts are identified below.

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards applicable to the Heights District, including the following:

City of Vancouver

- Historic Preservation (VMC 17.39)
- Archaeological Resource Protection (VMC 20.710)

State of Washington

- State Historical Societies-Historic Preservation (RCW 27.34)
- Indian Graves Records (RCW 27.44)
- Preservation of Historical Materials (RCW 27.48)
- Archaeological Sites and Resources (RCW 27.53)
- Archaeological Excavation and Removal Permit (WAC 25.48)
- Governor's Executive Order 05-05

Federal

- National Historic Preservation Act (Public Law 89-665; 54 United States Code [U.S.C.] 300101 et seq.)
- Native American Graves Protection and Repatriation Act (Public Law 101-601; 25 U.S.C. 3001-3013)
- Secretary of the Interiors Guidelines for Treatment of Historic Properties

For each of the following City owned parcels, an archaeological predetermination study is required prior to development, in accordance with VMC Chapter 20.710. For each city-owned parcel, at least a portion of the parcel is classified as high probability for archaeological resources according to the Clark County and/or statewide predictive models.

In addition to the requirements above, additional research is required for three resources (Park Hill Cemetery, Vancouver Heights United Methodist Church, and George C. Marshall Elementary School) to determine their eligibility for listing in the National Register of Historic Places prior to any future development.

TRANSPORTATION

Thresholds

The EIS Transportation analysis (beginning on page 50 of the EIS) assumed development in the Heights District as described by the Overall Thresholds. During the AM peak hour, 699 new vehicle trips are estimated, with 180 entering trips and 519 exiting trips. During the PM peak hour, 853 new vehicle trips are estimated, with 523 entering trips and 330 exiting trips.

To document compliance with the Height District Plan and traffic impacts evaluated in the EIS, a Transportation Compliance Letter shall be submitted to the City for review and approval as part of each development within the district. The Transportation Compliance Letter shall be completed by a licensed traffic engineer and shall include:

- Calculation of the cumulative AM and PM peak hour automobile trip generation and distribution;
- An assessment of whether overall trip general will remain within the trips allocated in the district;
- Identification of the intersections impacted by 10 or more additional PM peak hour trips;
- Safety analysis of proposed site access driveways; and
- Analysis of onsite pedestrian, bicycle and vehicular circulation and safety.

Mitigation Designed into the Project

The following motor vehicle, transit, and bicycle and pedestrian improvements will be completed by the City or others as appropriate to offset potential impacts associated with development in the Heights District. The City will establish proportionate share funding program(s) for the MacArthur Boulevard at N Devine Road and MacArthur at N. Andresen Road roundabout and MacArthur Boulevard/St Helens Avenue at N Lieser Road signalization projects identified below. Proportionate share agreements may be established for other projects. Development within the Heights District will be responsible for payment of the calculated fee based on the trip generation of the development.

Motor Vehicle

- Convert existing stop-controlled intersections on MacArthur Boulevard at N Andresen Road and N Devine Road to single lane roundabouts.
- Convert existing stop-controlled intersection on MacArthur Boulevard/St Helens Avenue at N Lieser Road to a signalized intersection.
- Reduce N Andresen Road to one travel lane in each direction from just south of the Mill Plain Boulevard intersection to Highland Drive with protected bike facilities.
- Signal timing optimization along the E Mill Plain Boulevard corridor and at the N Andresen Road at NE 18th Street intersection. Signal timing optimization includes 110 second cycle length for the AM peak and a 120 second cycle length for the PM peak (or half cycle lengths), as well as adjustments to splits, offsets, and lead/lag phasing for protected left turns.
- Provide protected/permitted left turns (flashing yellow arrow) at the E Mill Plain Boulevard and Garrison Road and N Andresen Road and NE 18th Street intersections.

Transit

- Coordinate with C-TRAN to ensure sidewalk and crosswalk improvements provide safe and convenient access with future BRT stations on Mill Plain Boulevard, preliminarily planned near the intersections with Devine Road and Andresen Road.
- Ensure sidewalk widths near and adjacent to planned BRT stations are sufficient to accommodate platforms, station amenities, and pedestrian through travel.
- Where possible, align additional crosswalks with bus stops to improve pedestrian access to and

from stops.

- Ensure ADA-compliant access to bus stops and stations throughout the Heights District.

Bicycle and Pedestrian

- Mill Plain Boulevard: Buffered bike lanes and continuous sidewalks with street trees, pedestrian lighting, and site furnishings.
- MacArthur Boulevard: Two-way protected bike facility and greenbelt with multiuse trail, lighting, and enhanced landscaping on the south side.
- Devine Road: Two-way protected bike facility on the west side of Devine Road through the Redevelopment Area.
- Buffered bike lanes on N Andresen Road between MacArthur Boulevard and Mill Plain Boulevard.
- Improved crosswalks along major arterials and added crosswalks and ADA curb ramps at key points within the Heights District.
- Landscaped pedestrian walkways and safe crosswalks to BRT stops and where feasible, weather protection.
- Increase access to Park Hill Cemetery and add pedestrian circulation improvements to create a more connected walkway network. Potential walkway connections include to Heights Shopping Center, Skyline Crest Apartments, Burdick Avenue/ Marshall Elementary School, Northcrest Community Church, and People's Church. Future connections shall be identified in individual redevelopment projects and provided where feasible.

In addition to the proposed bicycle and pedestrian facilities included within the Heights District, the plan includes the following connectivity improvements to improve the bicycle and pedestrian circulation in surrounding areas.

- Improved crossings on Kansas Street at Andresen Road and Idaho Street at Devine Road, which will improve connections between neighborhoods and MLK Elementary.
- Improved safety and connectivity on Blandford Drive, which could include on or off-street bicycle facilities to connect the Heights District to the Lower Grand Employment Area, neighborhoods to the south, and the Columbia River.
- Improved bicycle facilities on Devine Road north of Mill Plain to connect the Heights District to existing bike facilities (including Burnt Bridge Creek Trail and Evergreen Boulevard).
- Improve existing pedestrian walkways connecting adjacent neighborhoods with the Heights District, add ADA curb ramps where missing, and increase visibility of walkways through wayfinding signage and landscape maintenance.

Parking

In order to reduce the overall parking demand of future development, the City will develop a Heights District shared use parking plan and require uses within the Heights District to implement traffic demand management (TDM) techniques.

The City will actively manage the on-street parking system within the Heights District through time limits, metering, or other measures to ensure sufficient parking for visitors and guests. The City will also monitor parking demand as development occurs within the Heights District to determine if there is spillover parking into adjacent residential neighborhoods. If it is determined that spillover parking is occurring and is affecting the ability of residents to access adequate parking in proximity to their place of residence, then additional measures would be introduced to reduce the effects of spillover parking. Measures could include but are not limited to residential permit parking or time limits for on-street parking in affected areas.

Existing Regulations and Other Mitigation

All development must comply with the regulations applicable to the Heights District, including the following:

City of Vancouver

- Land Use and Development Code (VMC Title 20), including Transportation Impact Fees (VMC 20.915.040)
- Street Standards (VMC Title 11), including Transportation Concurrency (VMC 11.70.060) and the submittal of trip generation reports for projects
- City of Vancouver Transportation System Plan
- Commute Trip Reduction (VMC 18.12)

CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS

Mitigation Measures Designed into the Project

- Implementation of strategies to reduce GHG emissions from energy use such as, daylighting and green roofs, retaining mature trees and planting new trees to provide carbon sequestration, air purification, and cooling, and generating power on site (e.g., solar panels).
- Implementation of strategies to reduce vehicle miles traveled, such as increasing access to multi-modal transit options including improved access to BRT service and bicycle and pedestrian infrastructure improvements.
- Implementation of low impact development and Leadership in Energy and Environmental Design (LEED) standards (or equivalent)
- Implementation of a Heights-specific transportation demand management (TDM) program to encourage developers to provide TDM strategies such as subsidized transit passes, bike parking, and shared use vehicles on site.
- Implementation of and compliance with Heights District Plan Policies L-1, L-3, L-6, C-3, C-5, S-2, S-4, S-6, S-8 (policy text included in the Land Use, Access/Circulation, and Environmental Sustainability sections of the Heights District Plan).

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Heights District including the following:

City of Vancouver

- Commute Trip Reduction (VMC 18.12)
- Energy efficiency (VMC 17.09)
- Tree, vegetation, and soil conservation (VMC 20.770)
- Landscaping (VMC 20.925)

State of Washington

- Washington State Energy Code
- Evergreen Sustainability Development Standard for affordable housing

PUBLIC SERVICES AND UTILITIES

Fire and Emergency Medical Services

Mitigation Designed into the Project

- Adherence to the density and compact form of development proposed within the Heights District Plan, which could reduce growth in outlying areas of the City and result in more efficient service delivery.

Existing Regulations and Other Mitigation

All development must comply with the following regulations, as well as local, state, and federal safety regulations for on-site construction and coordinate with the Vancouver Fire Department (VFD) to maintain proper access during construction.

City of Vancouver

- Comprehensive Plan
- VMC Title 16, Fire; Title 11, Streets and Sidewalks; Title 14, Water and Sewers; Title 17, Buildings and Construction; Title 20, Land Use and Development

State of Washington

- RCW 35.103.040, which requires annual reporting of VFD service level performance

Police

Mitigation Measures Designed into the Project

- Adherence to the density and compact form of development proposed within the Heights District Plan, which could reduce growth in outlying areas of the City and result in more efficient service delivery.
- Implementation of Crime Prevention Through Environmental Design measures, such as orienting buildings towards the street and public spaces, providing public connections between buildings, and providing adequate lighting and visibility, to help reduce criminal activity and calls for service.

Existing Regulations and Other Mitigation

All development must comply with the following regulations, as well as local, state, and federal safety regulations for on-site construction and coordinate with the Vancouver Police Department (VPD) to maintain proper access during construction.

City of Vancouver

- Comprehensive Plan
- Public Peace and Safety ordinance (VMC Title 8)

Schools

Mitigation Measures Designed into the Project

- Compliance with the connectivity and walkability improvements included in the Heights District Plan to improve access and safety for students attending schools within the District.

Existing Regulations and Other Mitigation

All development must comply with the following regulations, as well as local, state, and federal safety

The Heights District Plan Planned Action Ordinance
Attachment E: Mitigation Document

regulations for on-site construction and coordinate with the Vancouver Public Schools to maintain proper access during construction.

City of Vancouver

- Comprehensive Plan
- VMC Title 20, including school impact fees (VMC 20.915.060)

Water Service

Mitigation Measures Designed into the Project

- Development of buildings and infrastructure that exceed sustainability benchmarks required to achieve LEED standards in order to support water conservation and reduce the impacts of water demand. All new publicly financed buildings are required to meet or exceed LEED Gold Certification.
- Installation of a 12-inch water mains in Devine Road and the proposed Loop roadway.
- Installation of 8-inch on site water lines to serve individual developments.

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Heights District including the following:

City of Vancouver

- Comprehensive Plan
- Comprehensive Water System Plan
- VMC Title 6, Health and Sanitation; Title 14, Water and Sewers; Title 16, Fire
- Payment of connection fees and system development charges to mitigate for development impacts to source, supply, and storage capacities.

State of Washington

- Department of Health Drinking Water standards

Sewer

Mitigation Measures Designed into the Project

- Encourage the implementation of greywater systems to collect gently-used water from bathroom sinks, showers, tubs, and washing machines for reuse as water for laundry and toilet flushing, as well as outdoor irrigation.
- Replacement of the 10-inch sewer in Devine Road with an 18-inch pipe to convey increased flow from the Heights District.

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Heights District including the following:

City of Vancouver

- Comprehensive Plan
- General Sewer Plan
- VMC Title 6, Health and Sanitation; Title 11, Streets and Sidewalks; Title 14, Water and Sewers; Title 16, Fire; Title 20, Land Use and Development

The Heights District Plan Planned Action Ordinance
Attachment E: Mitigation Document

In addition to existing regulations and mitigation designed into the project, the following measures are required to offset potential impacts.

- Development that would contribute wastewater flows to the 10-inch sewer in Devine Road shall provide an analysis of available capacity of the line consistent with the *General Requirements and Details for the Design and Construction of Public Sanitary Sewers*. The developer shall be responsible for replacement of the line with an 18-inch line if capacity is not available. Costs associated with the replacement may be eligible for reimbursement through VMC 14.04.285.
- Rehabilitation and structural strengthening (such as a cured-in place liner) of the existing trunk sewer located south across Mill Plain and a sewer easement will be required in conjunction with redevelopment on parcel 37910109, at the west end of the Redevelopment Area.

Franchise Utilities

No significant capital improvements were identified in the EIS to support franchise utility service for future development as outlined in the Heights District Plan and therefore, no specific measures to address potential impacts are incorporated into the project. Existing regulations to ensure adequate service are identified below.

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Subarea including the following:

City of Vancouver

- Comprehensive Plan
- VMC Title 17, Buildings and Construction, including Washington State's currently adopted International Building Code, adopted by reference under VMC 17.12.

In addition to existing regulations, the following measures are required to offset potential impacts.

- The undergrounding of existing overhead power lines will be required for development proposals within the District.

Parks and Recreational Facilities

Mitigation Measures Designed into the Project

The following park and recreation facility improvements are proposed within the Heights District Plan to offset potential impacts.

- A 1-acre civic plaza in the center of the Redevelopment Area that supports surrounding commercial and retail uses. The civic plaza will be designed with an event plaza, market stalls, retail supportive seating and café space, interactive water feature, and an adjacent festival street that could be closed to vehicular traffic during events.
- An approximately 1.5-acre neighborhood park spanning both sides of Devine Road. The west side of the park will be dedicated to community garden plots and an entry gateway. The east side of the park will be an off-leash dog park.
- A series of small pocket parks to support age-appropriate play areas, integrated into the residential areas of the Heights District.
- The MacArthur Greenbelt will be a corridor greenspace offering passive open space along the redesigned MacArthur Boulevard. The greenbelt will include benches, art installations, and interpretive signage.

- Passive recreation and pedestrian amenities along different segments of The Loop throughout the Redevelopment Area.
- Enhanced connectivity to and from the Park Hill Cemetery and ongoing maintenance of the cemetery road network as open, public pathways for light recreation.

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Heights District including the following:

City of Vancouver

- Comprehensive Plan
- Parks, Recreation, and Open Space Plan
- Land Use and Development Code (VMC Title 20), including park impact fees (VMC 20.915.060)

In addition to existing regulations and the park and recreation facility improvements designed into the Heights District Plan, the City shall pursue the following measures to further offset potential impacts.

- Pursue the acquisition of additional parks and recreation lands when available. Acquisition and development funds may be produced through a combination of park impact fees, real estate excise tax, grants, and/or other sources.
- Redesign and develop David Douglas and Bagley Parks for community park amenities.
- The VPRD will consider alternative park standards within the project boundaries. Typical acre-to-population ratios for park standards may be lower and impact fees higher than in lower density suburban settings. A Heights District-specific standard would accommodate a more intense urban form and allow for smaller parks with a higher development standard.
- VPRD shall continue to work closely with the City's Transportation Department to plan and create user-friendly pedestrian and bicycle systems and promote healthy lifestyle choices. This system will increase connectivity, improve the overall streetscape, enhance visual attractions to the project area, ensure public safety, and provide attractive parks, greenway, and open spaces and amenities.

AIR

Mitigation Measures Designed into the Project

- Implementation of and compliance with Heights District Plan Policies L-1, L-3, L-6, C-3, C-5, S-4, S-6 (policy text included in the Land Use, Access/Circulation, and Environmental Sustainability sections of the Heights District Plan).

Existing Regulations and Other Mitigation

All development, on-site construction, and demolition must comply with the regulations, goals, and standards, applicable to the Heights District including the following:

State/Regional

- Southwest Clean Air Agency (SWCAA) permitting program
- SWCAA 400 – General Regulations for Air Pollution Sources
- SWCAA 476 – Standards for Asbestos Control, Demolition, and Removal
- State Ambient Air Quality Standards

Federal

- National Ambient Air Quality Standards
- National Emission Standard for Asbestos (40 Code of Federal Regulations, Chapter 61, Subpart M)
- Other relevant federal air quality or transportation requirements

In addition to existing regulations and mitigation designed into the project, the following measures are required to offset potential impacts.

- Implementation of best management practices to reduce emissions related to construction.

WATER

Thresholds

The EIS analysis of Water (beginning on page 94 of the EIS) assumed development in the Heights District as described by the Overall Thresholds.

Mitigation Measures Designed into the Project

- Development of the proposed MacArthur Greenbelt to provide a continuous stormwater feature.
- Implementation of low-water use landscapes and bioswales in civic spaces, parks, open spaces, and streets
- Implementation of and compliance with Heights District Plan Policies S-4, S-5, S-11 (see the Environmental Sustainability section of the Heights District Plan for policy text)
- Implementation of stormwater and erosion control best management practices

Existing Regulations and Other Mitigation

All development must comply with the regulations, goals, and standards, applicable to the Heights District, including the following:

City of Vancouver

- Erosion Control Ordinance (VMC 14.24)
- Stormwater Control Ordinance (VMC 14.25)
- Water Resources Protection Ordinance (VMC 14.26)
- Water Conservation Standards (VMC 20.925.100)

State of Washington

- Washington State Stormwater Management Manual for Western Washington
- Washington State Water Pollution Control Act of 1971 (RCW 90.48)

Federal

- The Clean Water Act (33 U.S.C.) § 1251 et seq.)
- The Safe Drinking Water Act (42 U.S.C. §300f et seq.)
- National Pollution Discharge Elimination System (NPDES) permits

In addition to existing regulations and mitigation designed into the project, the following measures may be required to address site-specific impacts. The need to implement these measures will be addressed during permit review.

- Additional site investigations to determine the potential for contamination to be present on the property.
- Additional site investigations of soil and groundwater to evaluate the type, concentration, and extent of contamination, if present.
- Cleanup of contamination sources (e.g. removal of underground storage tanks, excavation of contaminated soil) in accordance with Ecology's current guidelines and regulations.
- Handling and disposing of contaminated soil and groundwater according to local and state regulations.

PLANTS AND ANIMALS

Thresholds

The EIS analysis of Plants and Animals (beginning on page 96 of the EIS) assumed development in the Heights District as described by the Overall Thresholds.

Mitigation Measures Designed into the Project

While no impacts to Plants and Animals are anticipated as a result of the Heights District Plan and no mitigation is required, the following measures designed into the project would have the potential to have a positive impact on priority species outside of the District.

- Limiting the amount of impervious surfacing
- Increasing green infrastructure and reducing stormwater runoff
- The addition of new parks, open space, and community gardens
- The use of native and adaptive plant species

Mitigation Required by Existing Regulations

All development must comply with the regulations, goals, and standards applicable to the Heights District, including the following:

City of Vancouver

- Critical Areas Protection (VMC 20.740)
- Tree, Vegetation, and Soil Conservation (VMC 20.770)
- SEPA Regulations (VMC 20.790)
- Landscaping (VMC 20.925)

State and Federal

- NPDES permits
- Endangered Species Act (16 U.S.C. §1531 et seq.)
- Migratory Bird Treaty Act (16 U.S.C. §§ 703–712)
- Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d)

07/19/21
08/02/21

ORDINANCE NO. _____

AN ORDINANCE lifting the temporary moratorium on the acceptance and processing of applications for permits for the development of new structures, the expansion of existing structures, or subdivisions in the Tower Mall area as defined herein; and establishing an effective date 30 days from adoption.

WHEREAS, the City of Vancouver has the authority to adopt temporary moratoria pursuant to RCW 36.70A.390 and 35.63.200; and

WHEREAS, the City adopted a subarea plan for the Heights District, which is identified in the 2011-2030 Comprehensive Plan. The Tower Mall area is within the Heights District and is bordered by East Mill Plain Blvd. on the north, North Devine Rd. on the east, and MacArthur Blvd. on the west and is depicted on the map attached hereto as Exhibit A; and

WHEREAS, the City Council found that in order to preserve the ability to implement the subarea plan that includes the Tower Mall area in alignment with the vision articulated therein, it was necessary to temporarily restrict development of new structures; the expansion of existing structures; and subdivisions within the Tower Mall area until new development regulations were established and zoning ordinances updated; and

WHEREAS, updated development regulations and zoning standards consistent with the City of Vancouver Comprehensive Plan and the Heights District subarea plan vision were adopted by the City Council, setting forth necessary implementation measures;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Temporary Moratorium. As authorized by RCW 36.70A.390 and RCW 35.63.200, the City Council hereby lifts the temporary moratorium on the acceptance, processing, and granting of applications for permits for the development of new structures; the expansion of existing structures; and subdivisions within the Tower Mall area.

Section 2. Effective date. This ordinance shall become effective 30 days from adoption of this ordinance.

Read the first time: July 19, 2021

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read the second time: August 2, 2021

Passed by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2021.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. M-_____

AN ORDINANCE lifting a temporary moratorium upon the acceptance and processing of applications for permits for the development of new or the expansion of existing structures and subdivisions in the Tower Mall area as defined herein; and establishing 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: PROPERTIES SUBJECT TO DEVELOPMENT MORATORIUM





MEMORANDUM

DATE: Friday, July 30, 2021
TO: City Councilmembers
FROM: Mayor McEnerny-Ogle
CC: Eric J. Holmes, City Manager
Shannon Ripp, Boards and Commissions

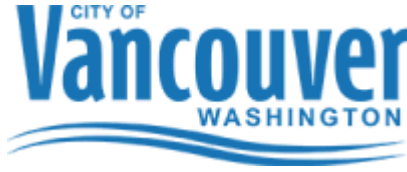
RE: Recommendations for Appointment to the Vancouver Housing Authority Board

The Vancouver Housing Authority Board is appointed by the Mayor to provide opportunities to people who experience barriers to housing because of income, disability or special needs in an environment which preserves personal dignity, and in a manner which maintains the public trust.

Mayor McEnerny-Ogle interviewed five applicants for one, mid-term position and recommends the appointment of Dominique Merriweather with a term beginning immediately and expiring February 1, 2022.

If there are no objections, I would like to make this appointment at the **Monday, August 2, 2021** Council meeting.

Attachments:
Application
Roster



City of Vancouver Boards and Commissions Application Form

City Hall • 415 W. 6th Street • Vancouver, WA 98660
City Manager/Mayor's Office • jill.brown@cityofvancouver.us
Voice 360-487-8641 • Fax 360-487-8625 •
www.cityofvancouver.us/boards

Submitted on Wednesday, June 16, 2021 - 4:02pm

Board or Commission you are applying for: Vancouver Housing Authority Board of Commissioners

Have you served on this board or commission in the past? No

If "Yes" please explain:

First Name: Dominique

Last Name: Merriweather

Home address: 18520 NE 26th Dr.

City: Vancouver

State: WA

Zip: 98684

Mailing address:

City:

State:

Zip:

Business address: Innovative Housing, Inc.

City: Portland

State: Oregon

Zip: 97209

Email address: dimerri@hotmail.com

Primary phone: 5033074749

Secondary phone:

Do you reside in the City limits? No

Length of residency in Vancouver:

Occupational status and background:

Director of Finance & Business Affairs, Innovative Housing, Inc. (Portland, OR)

I have resided in Clark County for the past 16 years. During this time, I have been actively involved in the community, having volunteered for many organizations focusing on community leadership, youth sports and mentoring, housing security, and diversity. Professionally, I've spent the majority of my career in the financial services industry. After developing a niche for

affordable housing finance, I recently joined Innovative Housing, Inc. as their CFO. I am married, with a blended family of six children and I like to spend my spare time cooking, perfecting BBQ recipes and traveling for his kid's sporting events or tropical respites.

What skills would you contribute to the committee or commission?:

As a member of this commission, I believe that I could contribute the following skills & experiences:

Leadership
Problem Solving
Project Management
Communications
Portfolio Administration
Finance & Banking
Team Building

Why are you seeking appointment?:

I am seeking appointment to the Vancouver Housing Authority Board of Commissioners as this will provide me with an avenue to bring my diverse and lived experience to the forefront of the affordable and stable housing conversations happening in our community. In addition to be an African-American, I have also experienced times of housing instability as a child and as an adult. I wish to help lead the conversation and participate in the process of creating and supporting increased housing stability in Vancouver and Southwest Washington.

Are you employed by the City of Vancouver? No

Do you, or does your firm or place of employment do business with the City of Vancouver? No

If yes, please describe:

If your employer does business with the City of Vancouver and you receive compensation other than salary (such as bonus, stock, commission) please explain:

Do you, your firm or place of employment, have business that may involve a contract with the City for land, materials, supplies, or services? No

If yes, please describe:

Organizational affiliations:

Partners in Careers Board Member, Current Member since 2021
Columbia Play Project Board Member, Current member since 2020
Council for the Homeless Board Member, Current member since 2019
Second Step Housing, Finance Committee, Current member since 2018
WSUV Diversity Advisory Board Member, Current member since 2013
Phi Beta Sigma Fraternity Inc., Step Up Mentoring Program since 2013
Board of Directors, Albina Roadrunners Track Club, September 2012 – December 2019
Partners in Careers, Program Committee, March 2016 – June 2018
Rotary Club of Greater Clark County, July 2013 – December 2016
Board of Directors, Leadership Clark County, July 2008 – June 2015

Board of Trustees, Clark County YMCA, January 2006 – June 2009
Big Brothers Big Sisters - Big Brother/Mentor, 2006 – 2007

Are you interested in serving on other Boards or Commissions? No

ROSTER

Vancouver Housing Authority Board of Commissioners

PURPOSE

The purpose of the Vancouver Housing Authority is to provide opportunities to people who experience barriers to housing because of income, disability or special needs in an environment which preserves personal dignity, and in a manner which maintains the public trust.

The members of this independent board establish policy for operation of low-income rental housing programs and low-income housing rehabilitation programs.

BOARD COMPOSITION

- 6 Members, one a Directly Assisted Commissioner *
- Appointed by Mayor

CURRENT BOARD MEMBERS

	Name & Address	Original Appointment Date	Reappointment Dates	Current Term Expiration	Contact Info
1.	Roy Heikkala 4518 NW Kauffman Ave. Vancouver, WA 98663 <i>*resigned 5/2021</i> <i>Recruiting in November 2021</i>	02/23/15 (mid)	1/23/17	2/11/22	360.921.8244 (c) royheikkala@gmail.com
2.	Carol Collier 4308 SW 5 th Ave. Camas, WA 98607	2/03/20		2/11/25	503.880.5807 carolcollier12345@gmail.com
3.	Joan Caley Vice Chair 8604 SE Sherley Ave. Vancouver, WA 98664	4/15/13	2/11/18	2/11/23	360.921.5941 (c) 360.695.2075 (w) joancaley@comcast.net
4.	Evelyn Hallett * 1405 Esther St., Apt. 302 Vancouver, WA 98660	9/8/14	2/11/19	2/11/24	360.696.8321 (h) evelynhallett@gmail.com
5.	Lloyd Halverson 2141 NW Benton St. Camas, WA 98607	2/09	1/27/14 2/11/19	2/11/24 (last term)	360.823.3573 (c) lnhalverson@aol.com
6.	Greg Kimsey 1615 NW 86 th Way Vancouver, WA 98665	2/09	1/27/14 2/11/24	2/11/24 (last term)	360.521.6685 (c) gkimsey@comcast.net greg.kimsey@clark.wa.gov

TERM LIMITS

Term: 5 Years

Term Limit: Max 3 consecutive

GOVERNING REFERENCES

- RCW 35.82.040; Charter section 8.04; VHA Resolution #2477

SPECIAL APPOINTMENT REQUIREMENTS

- Eligibility limited to a single reappointment - to be considered for further reappointment, eligible member must submit application as part of a full recruitment process.
- VHA Board reviews applications prior to forwarding recommendations to the Mayor for final consideration.
- *Directly Assisted (resident) Commissioner – can only serve as long as receiving VHA services (see bylaws)

MEETINGS

Occurrence	Time	Location
4 th Thursday of the month	10:00 a.m.	VHA Board Room 2500 Main St., Vancouver, WA

STAFF

Staff Liaison	Support Staff	Attorney
Roy Johnson VHA Executive Director 360.993.9500; 360.600.0883 roy.johnson@vhausa.com		Ted Gathe VHA General Counsel