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## DEPARTMENT OF COMMUNITY PLANNING

### STAFF REPORT

**TO:** Clark County Planning Commission

**FROM:** Oliver Orjiako, Community Planning Director

**PREPARED BY:** Mike Mabrey, Planner III

**HEARING DATE:** October 21, 2010

**SUBJECT:** CPZ 2010-00029 East Fairgrounds Urban Holding Phase I

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#### **SUMMARY**

The Comprehensive Plan text in Chapter 13 regarding the East Fairgrounds area requires a finding that critical transportation links and intersections are fully funded within six years prior to the release of urban holding. A traffic analysis has been prepared by county Transportation Concurrency staff, which concludes that there is adequate capacity at the nearby interchanges of Interstate 5 at 179<sup>th</sup> and 219<sup>th</sup> Streets to accommodate traffic from full development of the employment area east of I-5 between 199<sup>th</sup> and 209<sup>th</sup> Streets, as well as the Light Industrial area between I-5, NE 10<sup>th</sup> Avenue, NE 194<sup>th</sup> Street and NE 199<sup>th</sup> Street.

#### **BACKGROUND**

Urban Holding is applied to lands identified within Urban Growth Areas to prevent urban development until urban services are available and any needed sub-area or circulation plans are completed. It also assures the smaller cities that annexation will normally be required prior to development.

There are three distinct areas in the Vancouver Urban Growth Area with the urban holding overlay: East Vancouver, Orchards and the Three Creeks Special Planning area. The Three Creeks Special Planning area is divided into four urban holding sub-areas, with specific criteria that need to be met for the urban holding designation to be removed. The section of the VUGA under consideration is a portion of the area identified as "East Fairgrounds" in Chapter 13 of the Comprehensive Plan.

#### **PROPOSAL**

The proposal is to remove the Urban Holding overlay for a portion of the East Fairgrounds area. The affected area includes the following properties designated Employment Center (EC) with a zoning designation of Business Park (BP) that are east of Interstate 5 between NE 199<sup>th</sup> Street and NE 209<sup>th</sup> Street:

West of 10<sup>th</sup> Avenue, east of Interstate 5 between NE 199<sup>th</sup> and 209<sup>th</sup> Streets:

179350-000; 179352-000; 179354-000; 179355-000; 179356-000; 179380-000; 179393-000; 179414-000; 179414-005; 179414-010; 179416-000 & 179416-005

East of 10th Avenue, between NE 199th and 209th Streets:

179094-000; 179100-000; 179143-000; 179146-000; 179147-000; 179151-000; 179152-000; 179153-000; 179157-000; 179165-000; 179166-000; 179168-000; 179174-000; 179178-000; 179183-000; 179184-000 & 179191-000

The affected area also includes the following properties designated Light Industrial (ML) and zoned Light Industrial (ML) that are east of Interstate 5 and west of NE 10th Avenue between NE 194th Street and NE 199th Street:

117440-000; 117441-000; 117442-000; 117450-000; 117451-000; 117460-000; 117461-000; 117461-005; 117470-000; 117720-000; 117730-000; 117740-000; 117741-000; 117750-000; 117751-000; 117760-000; & 117761-000

**APPROVAL CRITERIA**

Removal of urban holding requires a Type IV process initiated by the county per UDC 40.560.010(K). The approval criteria are found in the Chapter 13 Procedural Guidelines of the Clark County Comprehensive Plan and UDC 40.560.020(G).

UDC 40.560.010(K) Rezones/Zone Changes

Rezone applications considered with a plan map amendment request shall be reviewed consistent with the plan matrix table and according to the procedures and timing specifications for plan map amendment specified in this section and shall comply with Section 40.560.020 and Chapter 40.510. Rezone applications proposing a change from urban holding to an urban zoning district that is consistent with the comprehensive plan map designation shall be processed through a Type IV process initiated by the county and consistent with the procedures and criteria identified in the special implementation procedures section in Chapter 13 of the comprehensive plan.

Chapter 13 Procedural Guidelines

The specific criteria for removing the urban holding overlay from the East fairgrounds area are:

- 1) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Program or through a development agreement; and
- 2) Execution, prior to preliminary development approval, of a generic covenant indicating that the owner or any subsequent owner of property shall support annexation to a city that provides urban services.

UDC 40.560.020(G)

Zone changes may be approved only when all of the following are met:

- 1. Requested zone change is consistent with the comprehensive plan map designation.

2. The requested zone change is consistent with the plan policies and locational criteria and the purpose statement of the zoning district.
3. The zone change either:
  - a. Responds to a substantial change in conditions applicable to the area within which the subject property lies;
  - b. Better implements applicable comprehensive plan policies than the current map designation; or
  - c. Corrects an obvious mapping error.
4. There are adequate public facilities and services to serve the requested zone change.

#### **UDC 40.560.010(K) Rezones/Zone Changes**

Findings: The proposed change from urban holding to an urban zoning district that is consistent with the comprehensive plan map designation has been processed through a Type IV process initiated by the county and is consistent with the procedures and criteria identified in the special implementation procedures section in Chapter 13 of the comprehensive plan.

#### **UDC 40.560.020(G) Rezone Approval Criteria**

Findings: The removal of the urban holding overlay would allow development to proceed using the underlying Business Park and Light Industrial zoning. These zoning designations are consistent with the comprehensive plan map designations. The underlying zones are consistent with the plan policies and locational criteria and the purpose statement of their respective zoning districts. The removal of urban holding better implements applicable comprehensive plan policies, because it allows for the development of this area based on the underlying zoning. The traffic analysis demonstrates that there are adequate public facilities and services to serve the requested zone change.

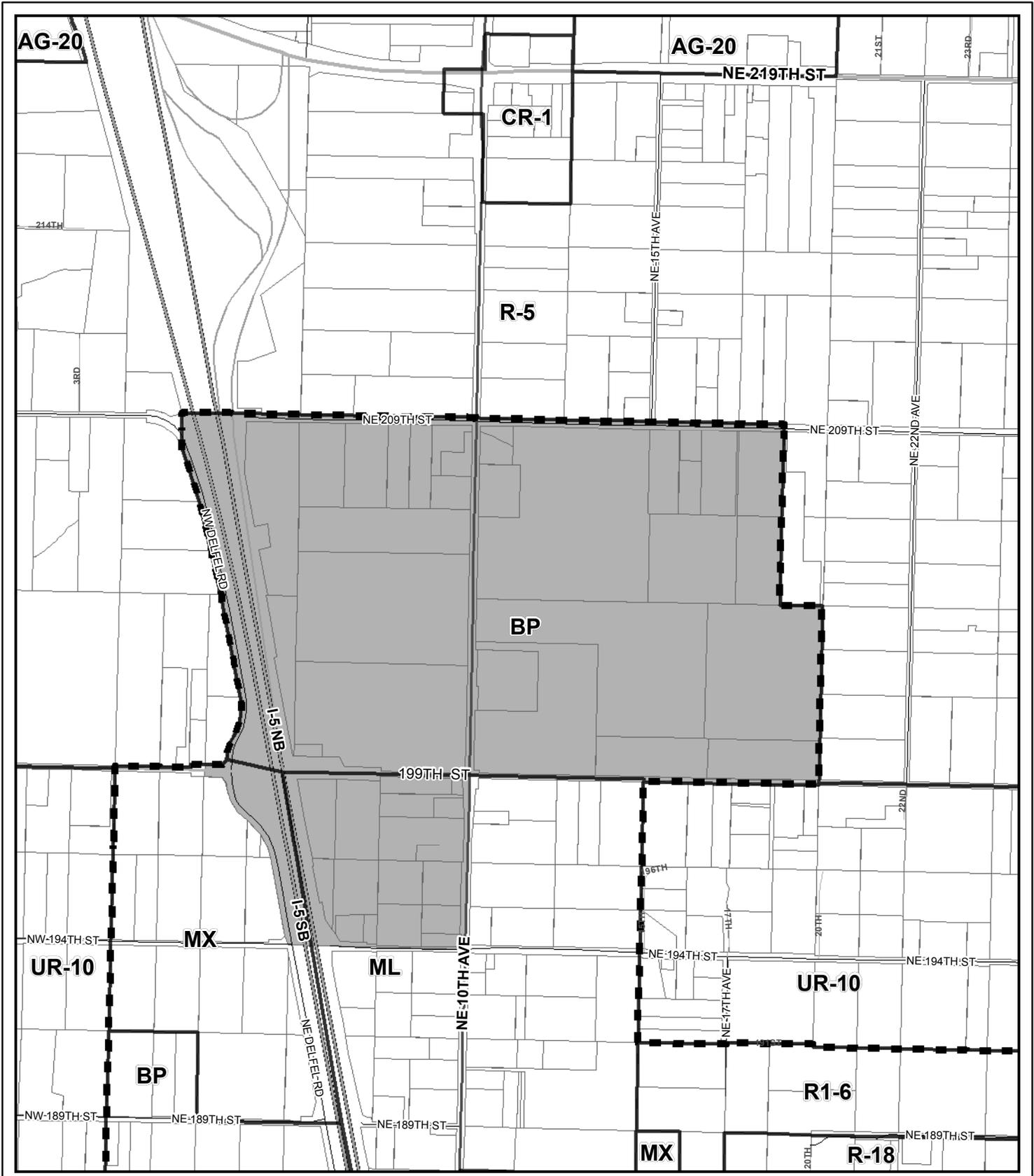
#### **Chapter 13 Procedural Guidelines**

A traffic analysis has been prepared by county Transportation Concurrency staff, which concludes that there is adequate capacity at the nearby interchanges of Interstate 5 at 179<sup>th</sup> and 219<sup>th</sup> Streets to accommodate traffic from full development of the subject area. These two interchange areas are considered the critical transportation links and intersections needed to serve this portion of the East Fairgrounds area.

Regarding the second criteria, Community Development staff has established a procedure to ensure that generic annexation covenants are executed prior to preliminary development approval in the North Orchards area.

#### **CONCLUSION**

Based on a finding that all of the approval criteria have been met, staff requests that the Planning Commission recommend that Urban Holding be removed from the East Fairgrounds Phase I area as depicted in Exhibit A.



**East Fairgrounds Urban Holding Phase I  
194th Street to 209th Street**

Location: T3N R1E SEC 2, 3, & 10

- East Fairgrounds Urban Holding Phase I
- Current Zoning
- Urban Growth Area (UGA) Boundary



1 inch = 1,000 feet