

06/03/2024 (Date of First Reading)
07/01/2024 (Date of Public Hearing)

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE rendering findings and issuing a decision on the South Cascade Terrace zone change from R-9 Lower Density Residential to R-17 Lower Density Residential; and a 60-lot subdivision; and providing for severability and an effective date.

WHEREAS, on April 16, 2024, a hearing was held before the Vancouver Hearings Examiner regarding the approval of the zone change from R-9 Lower Density Residential to R-17 Lower Density Residential and 60 lot subdivision for the South Cascade Terrace Subdivision and

WHEREAS, on May 9, 2024, the Vancouver Hearing Examiner recommended approval of the zone change from R-9 Lower Density Residential to R-17 Lower Density Residential and 60 lot subdivision for the South Cascade Terrace Subdivision under File PRJ-169060/LUP-83894; and

WHEREAS, the zone change and subdivision is consistent with the Comprehensive Plan and the underlying zoning of the property.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings.

- I. The Vancouver Hearing Examiner has found that all of the following criteria have been met, with conditions:

Pursuant to VMC 20.285.060, the approval criteria for a standalone zoning map amendment (i.e., a map amendment not involving a comprehensive plan amendment) require demonstration of the following:

1. How the proposal is more consistent with applicable policies of the Vancouver strategic plan and comprehensive plan than the existing designation; and
2. That a change in circumstances has occurred since the existing designation was established.

Pursuant to VMC 20.320.040, to obtain approval of a preliminary subdivision, the Applicants must demonstrate compliance with the following criteria:

A. Public facilities provision. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the City's current ordinances, standards and plans;

B. Proposed improvements. Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the City's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable;

C. Open space and dedications. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations;

D. Physical characteristics. The design of the proposed short subdivision or subdivision site has taken into consideration the physical features of the site, including but not limited, to topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;

E. Re-platting of existing subdivisions. When re-platting an existing subdivision, the short subdivision or subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval;

F. Compliance with all requirements of this title. The proposed short subdivision or subdivision complies with all applicable requirements of this title unless modified through the approval;

G. Compliance with State requirements. That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.

H. Narrow Lot Additional Criteria. Land divisions which contain one or more residential lots having a width of less than 40 feet shall meet additional criteria of VMC 20.927.030.A, B, and C.

Pursuant to VMC 20.927.030, in order for the City to grant approval of a preliminary short subdivision or subdivision that proposes narrow lots, the Applicant shall demonstrate compliance with the following criteria:

A. Conflicts on narrow lots shall be eliminated. The development has been designed to eliminate conflicts between on-site and off-site improvements and features associated with narrow lots. Specifically, the location, size, and design of features including driveways, public and private utilities (water, fire hydrants, sewer, roof infiltration, gas, cable, phone, electricity, etc.), on-street parking spaces, street trees, existing trees, light

poles, common mailboxes, street signs, etc., shall be considered in the design of the development and coordinated to eliminate conflicts with one another and meet minimum spacing requirements.

B. Adequate guest parking shall be provided. The development has been designed to provide for at least one guest parking space for every three narrow lots in the development. Such spaces may be located on-street (on local access or loop classification roadways only) or in common parking areas subject to the development standards of VMC 20.927.040.A(2).

C. Solid waste and recycling collection and access shall be provided. The development shall be designed to provide for safe access and maneuvering by solid waste and recycling collection vehicles to designated collection points for each lot.

II. City Council hereby adopts the foregoing findings and the findings of the Vancouver Hearings Examiner contained in the Findings, Conclusions, and Recommendation, which are attached hereto and hereby incorporated by reference, as its own.

III. City Council further finds that, consistent with the incorporated Hearings Examierns Findings, Conclusions, and Recommendation, that appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication.

Section 2. Legal Description.

The legal description of the lands referred to in the ordinance is as follows:

Tax Lots 177228010, 177228005 and 177228000, located in the SW Quarter of Section 32, Township 2N, Range 3E of the Willamette Meridian, Clark County, Washington.

Section 3. Approval Granted.

Based upon the foregoing findings, as well as the findings contained in Staff Report No. PRJ-169060/LUP-83894, which are hereby incorporated by reference, approval of the South Cascade Terrace zone change from R-9 Lower Density Residential to R-17 Lower Density Residential; and approval of a 60-lot subdivision is hereby granted, with the conditions outlined in the Hearing Examiner’s Findings, Conclusions, and Recommendation, incorporated above by reference.

Section 4. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder or the application of the provisions to other persons or circumstances is not affected.

Section 5. Effective Date.

This ordinance shall take effect fifteen (15) days after passage and publication.

DATE OF FINAL PASSAGE by the Vancouver City Council: _____.

SIGNED this _____ day of _____, 2024.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE rendering findings and issuing a decision on the South Cascade Terrace zone change from R-9 Lower Density Residential to R-17 Lower Density Residential; and a 60-lot subdivision. 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).