

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

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

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 McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

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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).