

RECORD AND RETURN TO:

City of Vancouver – City Clerk's Office

P O Box 1995

Vancouver, WA 98668-1995



DOCUMENT TITLE : Development Agreement

GRANTOR: Columbia Tech Center LLC

GRANTEE: City of Vancouve

LEGAL DESCRIPTION: E ½ OF SECTION 36 T2N R2E OF W ½ OF SECTION 31 T2N R3E

176822-132	176822-134	176822-136	176822-138	176822-140	176822-142
176822-144	176822-146	176822-148	176822-150	176822-152	176822-154
176822-156	176822-158	176822-160	176822-162	176822-164	176822-166
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176822-050	176822-052	176822-054	176822-056	176822-058	176822-060
176822-062	176822-064	176822-066	176822-068	176822-070	176822-072
176822-074	176822-076	176822-078	176822-080	176822-082	176822-084
176822-086	176822-088	176822-090	176822-092	176822-094	176822-096
176822-098	176822-100	176822-102	176822-104	176822-106	176822-108
176822-110	176822-112	176822-114	176822-116	176822-118	176822-120
176822-122	176822-124	115062-002	115062-004	115062-006	115062-008
115062-009	115062-010	115062-011	115062-012	115062-013	115062-014
115062-015	115062-016	115062-017	115062-018	115060-000	115061-000
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176596-000	176295-000				

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

### DEVELOPMENT AGREEMENT

Grantor : Columbia Tech Center, L.L.C.  
Grantees : Clark County, Washington; City of Vancouver, Washington  
Abbreviated Legal :  
Tax Parcel Nos. :  
Other Reference Nos :  

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1. Effective Date: NOV 20, 2000
2. Parties: COLUMBIA TECH CENTER, L.L.C., a  
Washington limited liability company  
(hereinafter referred to as "CTC LLC"); and  
  
THE CITY OF VANCOUVER,  
WASHINGTON, a Washington municipal  
corporation (hereinafter referred to as "the  
City").

3. Recitals:

A. CTC LLC owns certain property within the City legally described in Exhibit "A" attached hereto and incorporated fully by this reference, commonly known as the CTC Master Planned Development (hereinafter "CTC PUD").

B. CTC LLC owns approximately 120 acres of undeveloped property to the east of the CTC PUD, and currently within Clark County (hereinafter "Additional Property"), legally described in Exhibit "B" attached hereto and incorporated fully by this reference.

C. CTC LLC owns certain property to the west of the CTC PUD, and currently within the City, legally described in Exhibit "C" attached hereto and incorporated fully by this reference, previously known as the Hewlett-Packard North Campus (hereinafter "Former HP Site").

D. As of the effective date of this Development Agreement, CTC PUD and the Former HP Site are located within the City (Exhibits "A" and "C") and the Additional Property is



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located in Clark County (Exhibit "B"), and bordered on the east, south and west by the city limits of the City.

E. The Clark County Board of County Commissioners, in Resolution No. 1995-08-42, approved the CTC PUD pursuant to Clark County case files COV #95-001-3622, PUD #95-001-3622 and SUB #95-022-3622. A copy of Resolution No. 1995-08-42 is attached to this Development Agreement as Exhibit "D."

F. As part of the CTC PUD approval, CTC LLC executed a Covenant, recorded under Auditor's File No. 9512280329, records of Clark County, which states that CTC LLC's property as described herein, shall only be developed in accordance with the Master Plan approved under PUD #95-001-3622, and in compliance with the terms and conditions contained in Resolution No. 1995-08-42. The Master Plan includes certain Development Standards and Landscaping and Screening Standards (the "Standards").

G. The original CTC PUD is composed of Phases Ia, Ib, Ic and Phase II, as set forth on the Columbia Tech Center Development Plan, a copy of which is attached hereto as Exhibit "E" and incorporated herein by reference.

H. Since Clark County's approval of the CTC PUD, CTC LLC has commenced developing Phases Ia and Ic, and has commenced infrastructure development on Phase Ib of the CTC PUD. CTC LLC has not yet developed Phase II in accordance with the approval of the CTC PUD.

I. After annexation of the CTC PUD to the City, the City approved certain modifications to the CTC PUD in Case No. V97PD003, in a Final Order dated November 4, 1997, an Amended Final Order dated November 18, 1997, and a Second Amended Final Order dated December 9, 1997, copies of which are attached to this Development Agreement as Exhibit "F." As a result of this modification to the CTC PUD, the Standards approved by the City in February 1998 (the "1998 Standards") now control the development of the CTC PUD. A copy of the 1998 Standards is attached to this Development Agreement as Exhibit "G."

J. Clark County and CTC LLC previously entered into a Development Agreement, dated December 17, 1996, and recorded under Auditor's File No. 9612240334, to reserve capacity in the transportation system for certain developments within the CTC PUD for the purpose of meeting the concurrency requirements of Chapter 12.40 CCC. This 1996 Development Agreement is now binding on the City pursuant to RCW 36.70B.190, which provides that a development agreement is binding on the parties' successors, including a city that assumes jurisdiction through annexation.

K. On or about April 5, 2000, CTC LLC acquired the Former HP Site. In connection with CTC LLC's acquisition of the Former HP Site, CTC LLC and the City entered into a Letter of Agreement, on or about May 15, 2000, pursuant to which the City affirmed the allocation of 550 p.m. peak hour trips to the Former HP Site for future CTC uses. A copy of this Letter of Agreement is attached to this Development Agreement as Exhibit "H."

L. The parties desire to enter into this Development Agreement to further govern the development of the CTC PUD as well as govern the future development of the Additional Property and the Former HP Site.

M. Pursuant to RCW 36.70B.170(1), the parties are authorized to enter into a Development Agreement which sets forth development standards and other provisions that apply to and govern and vest the development and use of the development of the real property described in Exhibits "A," "B," and "C," which are legally described as a whole in Exhibit "P."

NOW, THEREFORE, the parties agree as follows:

**4. Purpose.** The purpose of this Development Agreement is to:

- (a) Apply the 1998 Standards to the Additional Property and Former HP Site, except as they are modified through this Development Agreement;
- (b) Provide for the extension of S.E. Mill Plain Boulevard to S.E. 192nd Avenue as outlined in Section 9 herein;
- (c) Provide for the mix of uses allowed by this document for development of Phase II, the Additional Property, and the Former HP Site;
- (d) Reserve transportation capacity for CTC LLC's future development of the property governed by this Development Agreement and affirm the allocation of vehicle trips to the Former HP Site;
- (e) Provide for transportation impact fee credits for CTC LLC's future development of the property governed by this Development Agreement;
- (f) Provide for sewer and water capacity for CTC LLC's development of Phase II and the Additional Property;
- (g) Provide for the annexation of the Additional Property to the City as further described herein;
- (h) Provide for the release of rezone covenants on a portion of the Additional Property and Former HP Site; and
- (i) Provide for vesting as provided in Section 22 below.

**5. Agreement.** This Development Agreement modifies Clark County's original approval in Resolution 1995-08-42 and the covenant recorded under Auditor's File No. 9512280329 as well as the City's 1997 approval of PUD modifications in Case No. V97PD003. In the event of any conflict between this Development Agreement and the County's and City's prior approvals, this Development Agreement shall control.

**6. Elimination of Strict Phasing Requirements.** The requirements in Clark County's 1995 approval that the sequence of the development of the CTC PUD was to proceed strictly in the

order of phasing and with certain limitations on the order of uses, are eliminated through this Development Agreement. So long as the development on the properties described in this Development Agreement meets the applicable standards and requirements, CTC LLC may proceed with a later phase without full completion of all prior phases. Provided, however, that no parcel described herein may be developed until all necessary supporting infrastructure has been constructed.

**7. Former HP Site.** Pursuant to this Section and Sections 4, 8, 13, 14, and 21 of this Development Agreement, the Former HP Site is hereby incorporated into the CTC development and made subject to the development standards, landscaping and screening standards, and all other provisions of this Development Agreement.

Prior to its annexation into the City, the Former HP Site received development permits from Clark County that confirmed Clark County's recognition of the use of the Former HP Site for office purposes. At the time of the City's annexation of the Former HP Site, the City applied its Light Industrial zone to the site, consistent with the County's prior Light Industrial zoning for the site, and issued site plan approval for improvements to the Former HP Site, confirming the site's continuing use for office purposes. Through separate City action occurring simultaneously with the adoption of this Development Agreement, the City will apply a Mixed Use overlay to the Former HP Site and thereby confirm the continuing use of the site for office purposes under the City's Mixed Use ordinance. Upon the execution of this Development Agreement, the future development of the Former HP Site will be governed by the provisions of this Agreement.

**8. Applicable Development Standards and Landscaping and Screening Standards.**

- (a) The parties agree that for consistency the entire CTC development as described in this Development Agreement should be reviewed under the same development and landscaping standards as described in this Section 8. The parties further agree that the entire development will be reviewed under the 1998 Standards, with some modifications to bring the standards into consistency with the Vancouver Municipal Code as described in Section (c). The City specifically agrees that the purpose and intent of its Tree Ordinance, codified at Chapter 20.96 of the VMC, and enacted after the initial approval of the CTC PUD, are sufficiently achieved through the CTC landscaping standards. All landscaping, screening, and maintenance shall be governed by the Standards described in this Section 8, and compliance with these Standards shall be deemed compliance with 20.96 VMC.
- (b) Consistent with Phases I and II, the development standards and landscaping and screening standards generally applicable to the Additional Property and Former HP Site shall be the 1998 Standards, except as they are modified in Section (c) of this Development Agreement. These 1998 Standards are contained in Exhibit "G," attached hereto and incorporated by this reference.
- (c) The 1998 Standards are modified through the Addenda to the 1998 Standards contained in Exhibit "I," which is attached hereto and incorporated by this reference. In the event there is any conflict between the 1998 Standards and the Addenda, the Addenda shall control.

**9. Extension of S.E. Mill Plain Boulevard to the east to S.E. 192nd Avenue.**

- (a) Upon execution of this Development Agreement, CTC LLC agrees to grant to the City and County when requested the right-of-way necessary for the frontage improvement, extension, and realignment of a portion of S.E. Mill Plain Boulevard from the existing intersection of S.E. 164<sup>th</sup> Avenue to the new intersection with S.E. 192<sup>nd</sup> Avenue, in accordance with the Columbia Tech Center Revised Master Plan attached hereto as Exhibit "L" and Proposed Street Sections attached hereto as Exhibit "J." CTC agrees to grant such Additional right-of-way as may be required at S.E. Mill Plain and S.E. 164<sup>th</sup> Avenue to construct sidewalks and a dual left turn lane for west to southbound travel.
- (b) The City, and CTC LLC agree to cooperate to immediately pursue alternative public funds, such as grants, to pay for the construction of S.E. Mill Plain Boulevard as shown in Exhibits "J" and "L."
- (c) In the event that public funding is not available from alternative sources, CTC LLC will construct the extension and realignment of the portion of S.E. Mill Plain Boulevard described in this Section 9, concurrent with its development of the properties described herein or as required by the City, but in no event later than October 31, 2006. In the event that the CTC LLC has completed excavation of the site prior to the above date, the roadway shall be constructed, in accordance with the following paragraph.

If public funds are available for the construction of S.E. Mill Plain Boulevard CTC LLC will provide their share of the total cost of roadway construction, to include but not be limited to the street, curbs, sidewalks, drainage, landscaping, lighting and traffic signals, at the conclusion of the construction acceptance by the City.

In the event public funds are not available, then CTC LLC may construct a three (3) lane core facility through the site between S.E. 172<sup>nd</sup> Avenue and S.E. 192<sup>nd</sup> Avenue. This shall include but not be limited to drainage improvements needed for the future roadway, all necessary engineered fill to bring the surrounding ground up to subgrade elevations, and construction, to City standards, of a three lane roadway complete with landscaped medians. As development occurs, frontage improvements that complete the roadway build-out will be required.

The construction of Mill Plain Boulevard through CTC shall include provisions for future traffic signal communication (interconnect) and up to four (4) future traffic signal locations as indicated in Exhibit "L." These and other future traffic signals shall be constructed by CTC LLC, when warranted.

All street and traffic signal construction shall comply with City standards in effect at the time of construction.

In connection with this extension of S.E. Mill Plain Boulevard, CTC LLC shall improve the intersection of S.E. Mill Plain Boulevard and S.E. 172<sup>nd</sup> Avenue, as set forth in the attached Exhibits "J" and "L."

In the event that grant funds are not available for the construction of S.E. Mill Plain Boulevard and CTC LLC is required to construct S.E. Mill Plain Boulevard solely at its expense, the City will execute a latecomers agreement that provides for the reimbursement of those costs in excess of CTC's proportionate share of the construction costs of S.E. Mill Plain Boulevard between S.E. 164<sup>th</sup> and S.E. 192<sup>nd</sup> Avenues. The basis of the calculation will be the number of daily vehicular trips using the roadway directly generated from and to CTC and those daily vehicular trips from outside the boundaries of CTC.

- (d) The City and County agree to grant access to S.E. Mill Plain Boulevard as indicated on Exhibits "J" and "L."
- (e) CTC LLC, at its expense, may be required to install and construct additional turn lanes at future traffic signal locations and other access points as required by future development or related traffic study.
- (f) The proposed full access to the Former HP Site at approximately S.E. 166<sup>th</sup> Avenue may be signalized in the future. Additional right-of-way and travel lane construction may also be required at this location and at the other right-in/right-out access points to this site. This right-of-way dedication, lane construction, and traffic signal installation shall occur at the request of the City. All costs associated with these improvements shall be borne by CTC LLC.

#### **10. S.E. 192<sup>nd</sup> Avenue Improvements**

- (a) Upon execution of this agreement CTC LLC shall construct or compensate the City for such construction, as part of the City's improvement to S.E. 192<sup>nd</sup> Avenue, traffic signals and a right turn pocket for the southbound movement at the future access to CTC as shown on Exhibit "L" located at approximate station 199+60. If the traffic signal is not needed at the time the S.E. 192<sup>nd</sup> Avenue improvements are made by the City, underground conduit and appurtenance shall be constructed or compensation made to the City for such construction by CTC LLC. The future cost and installation of the traffic signal shall be the responsibility of CTC LLC.
- (b) Upon execution of this agreement, CTC LLC shall immediately dedicate all right-of-way adjacent to SE 192<sup>nd</sup> Avenue as defined in Exhibit "J2."
- (c) The city shall credit the value of the additional right-of-way needed for the construction of S.E. 192<sup>nd</sup> Avenue to CTC LLC, toward the cost of the traffic signal and right turn lane improvements located at approximate station 199+60. If the value of the dedicated right-of-way exceeds the cost of the signalized

intersection improvements, the excess will be credited to CTC LLC in the form of T.I.F. credits.

**11. S.E. 1<sup>st</sup> Street improvements and right-of-way dedication.** CTC LLC agrees to dedicate and participate in the future improvement of SE 1<sup>st</sup> Street, where it abuts CTC. The improvement and right-of-way standards shall be in conformance with the principal arterial designation. The City will execute a latecomer agreement for those portions of S.E. 1<sup>st</sup> Street improved by CTC LLC that are beyond those improvements typically required of adjacent development.

**12. Future Street Alignments.** Several "proposed" street alignments are illustrated on Exhibit "L." These are shown for the purpose of illustrating intent only. CTC LLC and the City agree to work collectively to define future needs relative to development plans and needed traffic circulation. The City reserves the right to approve all proposed streets, circulation, access and classifications. CTC LLC will solely be responsible for their construction.

**13. Former HP Site Access Plan.** The City will provide access for the Former HP Site to S.E. 164<sup>th</sup> Avenue and to S.E. Mill Plain Boulevard as shown on the Access Plan attached hereto as Exhibit "K."

**14. Zoning and Use Categories.** The Phase II property and the Former HP Site (which are within the City) are now zoned Light Industrial. The Additional Property (which is currently within Clark County) is now zoned Urban Holding-20 and overlaid with the Surface Mining Combining District. The City shall adopt a Light Industrial Comprehensive Plan designation and Mixed Use Zone to the Additional Property in connection with its annexation of the Additional Property, as is contemplated in Section 20 of this Development Agreement. The uses to be developed on Phase II, the Additional Property, and the Former HP Site shall be developed by CTC LLC according to the Columbia Tech Center Revised Master Plan submitted to the City, attached to this Development Agreement as Exhibit "L." This Exhibit "L" shows the proposed parcel plan anticipated by CTC LLC which will accommodate the CTC zoning and composition set forth in Sections 14(a), 14(b), and 14(c) below. The parties to this Development Agreement recognize that the precise location of the CTC use categories is flexible and subject to CTC LLC's discretion, and agree that, so long as CTC LLC's Master Plan for the properties subject to this Development Agreement falls within the composition described in this Section 14, the location of the CTC use categories may be electively assigned by CTC LLC. The parties further agree that a parcel's designated CTC use category will be specified by CTC LLC at the time of pre-application for site plan review. Other uses on upper stories of a structure included as part of a Mixed Use development on a parcel will not be subject to the limitations described in this Section 14.

- (a) **Residential.** No more than 52.5 acres of the net developable acres in Phase II and the Additional Property shall be designated as single-family, multi-family, and mixed residential CTC zoning as defined in the 1998 Standards and Addenda attached as Exhibits "G" and "I" to this Development Agreement. The density of these residential uses shall be controlled by the 1998 Standards and Addenda attached as Exhibits "G" and "I" to this Development Agreement.

- (b) Commercial. No more than 52.5 acres of the net developable acres in Phase II and the Additional Property shall be designated as commercial CTC zoning as defined in the 1998 Standards and Addenda attached as Exhibits "G" and "I" to this Development Agreement.
- (c) Light Industrial. The Former HP Site (approximately 39 acres) and a minimum of 70 acres of the net developable acres in Phase II and the Additional Property shall be designated as light industrial CTC zoning according to the 1998 Standards and Addenda attached as Exhibits "G" and "I" to this Development Agreement.

Consistent with the mix of uses described in this Section 14, the City shall by separate action and concurrent with its adoption of this Development Agreement apply its Mixed Use Zone to the Former HP Site and Phase II. Furthermore, upon annexation of the Additional Property, the City shall apply its Mixed Use Zone to the Additional Property as described above in this Section 14. Consistent with the City's authority under RCW 36.70B.170 to apply development standards through adoption of a development agreement and because the City finds that the CTC development standards described in Section 8 of this Development Agreement already provide adequate or superior protection of the public health, safety, and welfare and will achieve the purpose of the City's zoning ordinance as described in VMC 20.01.200, the standards described in Section 8 of this Development Agreement shall control the CTC development in the event of any conflict with the standards of the City's Mixed Use zoning district.

#### **15. Reservation of Transportation Capacity.**

- (a) Pursuant to a prior Development Agreement, dated December 17, 1996, and recorded under Auditor's File No. 9612240334, capacity in the transportation system was reserved for CTC LLC for certain developments within the CTC PUD. As of the date of this Development Agreement, CTC LLC has exhausted the trips reserved in the 1996 Development Agreement. With the development of phases Ia and Ib, all previously vested trips have been used and accounted for in the City Concurrency Model. Thus, no further vesting exists.

Any future vesting of trips shall be made and incorporated herein, as part of this agreement.

- (b) In connection with CTC LLC's acquisition of the Former HP Site, CTC LLC and the City entered into a Letter of Agreement, on or about May 15, 2000, pursuant to which the City affirmed the existing allocation of 550 p.m. peak hour trips to the Former HP Site for future CTC uses. These trips were accounted for in the City's concurrency model as pre-existing trips attributable to the Former HP Site. Through this Development Agreement, the City affirms that the existing 550 p.m. peak hour trips will continue to be allocated to the Former HP Site for future CTC uses.
- (c) As part of the Columbia Tech Center Revised Master Plan for the development of the properties described herein, a traffic study was completed by CTC LLC to determine the average daily trips and p.m. peak hour trips generated by future



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CTC development. CTC LLC submitted this traffic study to the City in association with its applications for modifications to the planned unit development and rezones, which were technically complete as of August 11, 2000. The traffic study estimated that future development as contemplated herein will create 1,953 p.m. peak hour trips. For the purpose of vesting trips under this Development Agreement, 1,953 p.m. peak hour trips will be used as the vested amount of p.m. peak hour trips during the period of this Development Agreement and any extensions.

Specifically, future development will add 488 p.m. peak hour trips to the SE 164<sup>th</sup> Avenue corridor, 332 p.m. peak hour trips to the N.E. 162<sup>nd</sup> Avenue corridor, 430 p.m. peak hour trips to the SE 192<sup>nd</sup> Avenue corridor, and 469 p.m. peak hour trips to the SE Mill Plain Boulevard corridor as depicted in Exhibit "J3". The City hereby reserves for CTC LLC for use throughout the CTC PUD for the term of this Development Agreement, the following transportation capacity consistent with the number of trips calculated in the traffic study for purposes of transportation concurrency, Chapter 11.95 of the Vancouver Municipal Code: 488 trips in the SE 164<sup>th</sup> Avenue corridor, 332 trips in the N.E. 162<sup>nd</sup> Avenue corridor, and 430 trips in the SE 192<sup>nd</sup> Avenue corridor. In the event that the City's solution to the current closure of the SE Mill Plain Boulevard corridor involves a ranking of projects based on the date of submittal of a technically complete application, the relevant technically complete date for the CTC development described in this Development Agreement is August 11, 2000.

- (d) In the event that the City of Vancouver, proposes an alternative traffic capacity vesting mechanism acceptable to both parties, then the parties may mutually agree to modify certain provisions of this Section 15.

**16. Transportation Impact Fee Credits.** CTC LLC will receive transportation impact fee credits (TIF credits) as defined in the current TIF ordinance and accounting procedures. CTC LLC will be subject to the applicable TIF fees in effect at the time of application. TIF fees for any given roadway are limited to a core road facility, up to the amount the TIF's are based. TIF fees shall apply to any and all eligible transportation improvements, according to the Vancouver Municipal Code. Consistent with the vesting provisions of this Development Agreement, the TIF credits described in this Section 16 will be calculated according to VMC 20.97.170 (Ord. M-3224 § 36, 1996; Ord. M-3201 § 1, 1995), as it is in effect at the time this Development Agreement is executed.

**17. Sewer and Water Capacity.** The City shall provide sewer and water capacity and CTC LLC shall build facilities in accordance with the arrangements detailed in Exhibits "M" and "M2." It is the intent of these arrangements to provide for CTC LLC to be assured predictable sewer service capacity, not for CTC LLC to have "ownership rights" to said capacity. If CTC LLC does not develop the included properties in such manner as to fully utilize the capacity described in Exhibits "M" and "M2." The City may re-allocate any excess capacity to other areas.

**18. Utilities in General.** The layout of all major utilities required for the development of Phase II and the Additional Property is depicted in the Conceptual Utility Plan, excepting water and sewer facilities which shall be in accordance with Section 17, attached as Exhibit "N" to this Development Agreement subject to detailed engineering and grading plans.

**19. Additional Impact Fee Credits and Latecomer Fees.** Nothing contained in this Development Agreement shall preclude CTC LLC from receiving additional impact fee credits and system development charge credits to the extent available under the terms of the Vancouver Municipal Code and/or latecomer fees pursuant to a latecomer agreement.

**20. Future Annexation by the City.** The Additional Property currently lies immediately outside of the city limits of the City of Vancouver. CTC LLC agrees to sign a petition to initiate annexation proceedings for the eastern 80 acres of the Additional Property immediately upon approval of this Development Agreement by the Vancouver City Council. This 80-acre property is bounded by S.E. 192<sup>nd</sup> Ave. to the east and S.E. 1<sup>st</sup> Street to the north. CTC LLC and the City contemplate annexation of the Additional Property upon completion of excavation in preparation for development. CTC LLC agrees to sign a petition to initiate annexation proceedings for the western 40 acres of the Additional Property upon completion of excavation. The applicant shall not seek development approvals on the Additional Property prior to initiating annexation. All excavation shall be done according to the terms of Clark County's and City's prior approvals of the excavating and grading activities occurring to date. Current and pending Clark County grading permit(s) affecting any of the properties described herein shall become part of this agreement and incorporated herein by this reference. The terms of these permit(s) shall be applied to the relevant Additional Property as part of this Development Agreement. This Development Agreement shall continue to govern the Additional Property upon its annexation by the City.

**21. Covenants.**

- (a) A portion of the Additional Property is currently burdened by a rezone covenant recorded under Auditor's File No. 7806280216. This rezone covenant shall be released by the City under its authority described in VMC 20.03.120 in connection with the City's annexation of this portion of the Additional Property.
- (b) The Former HP Site is currently burdened by a rezone covenant recorded under Auditor's File No. 7907200146. The City will, prior to or simultaneously with its execution of this Development Agreement, take action to release this rezone covenant.
- (c) The easterly 80 acres of the Additional Property is burdened by a covenant recorded by Clark County, # 3102114, addressing compaction of fill. This covenant shall be retained by the City of Vancouver following annexation.
- (d) The terms of the rezone covenants described in this Section 21.a and Section 21.b shall be replaced by the terms of this Development Agreement.

**22. Vesting.** This Development Agreement and the development standards in this Development Agreement or incorporated by reference herein shall govern during the term of this

Development Agreement and may not be subject to an amendment to a zoning ordinance or development standards or regulation adopted after the effective date of this Development Agreement. Any permit or approval issued by the City after the execution of this Development Agreement must be consistent with this Development Agreement; provided, however, that CTC LLC reserves the right to elect to be subject to later enacted laws, regulations, and ordinances. Anything in this Agreement to the contrary notwithstanding, the City of Vancouver, shall have the authority to impose new or different regulations to the extent required by a serious threat to public health and safety as required by RCW 36.70B.170(4). Provided, however, that such action shall only be taken by legislative act of the City Council after appropriate public process.

23. **Run with the Land.** This Development Agreement shall be binding on the parties' successors and assigns. This Development Agreement shall be recorded with the Clark County Auditor.

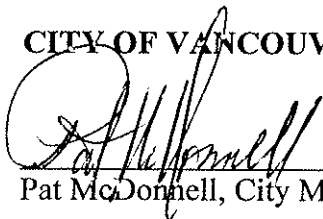
24. **Update Standards.** Upon approval by all parties, CTC LLC shall incorporate the PUD amendments contained in Exhibit "I" into a final document with copies provided to the City Development Review Services to aid in efficient development review by City staff in the future.

25. **Term.** The term of this Development Agreement shall be twenty-five (25) years. The parties may mutually agree to extend the term.


26. **Public Hearing.** The Vancouver City Council has approved execution of this Development Agreement by ordinance after a public hearing. This agreement will be presented to Clark County for review and approval subsequent to review and approval by the City of Vancouver. Failure of Clark County to grant approval shall not affect the City of Vancouver approvals, which shall remain in full force and affect.

DATED this 20 day of NOV, 2000.

**CITY OF VANCOUVER**

  
Pat McDonnell, City Manager

**COLUMBIA TECH CENTER, L.L.C.**

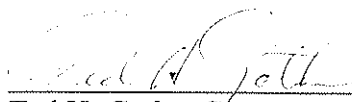
  
Pacific Realty Associates, L.P., Member



Attest:

  
Tim Viles, City Clerk

By: Pac Trust Realty, Inc., General Partner  
By: Peter F. Bechen  
Title: President and Chief Executive Officer

Approved as to form:

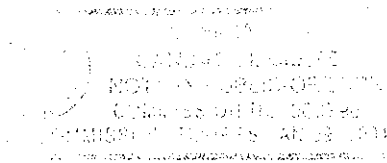
  
Ted H. Gathe, City Attorney

  
Jeffrey S. Gordon, member  
  
Steven L. Madison, Member

OREGON  
STATE OF WASHINGTON )  
County of ~~Clark~~ <sup>Washington</sup> : ss.  
)

I certify that Peter F. Bechen appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President and Chief Executive Officer of Pac Trust Realty, Inc., General Partner of Pacific Realty Associates, L.P., Member of Columbia Tech Center, L.L.C. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 9 day of December, 2000.

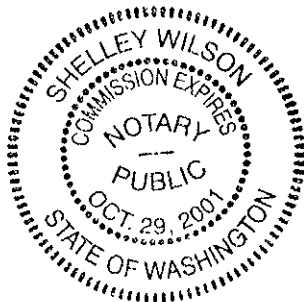


Candace J. Clardy  
NOTARY PUBLIC FOR WASHINGTON OREGON  
My Commission Expires: 1-9-2001

STATE OF WASHINGTON )  
County of Clark : ss.  
)

I certify that Steven L. Madison appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Member of Columbia Tech Center, L.L.C. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 26<sup>th</sup> day of December, 2000.

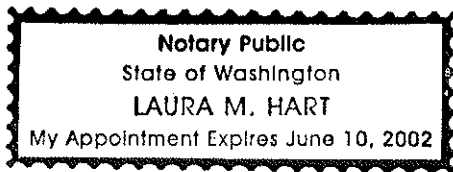


Shelley Wilson  
NOTARY PUBLIC FOR WASHINGTON  
My Commission Expires: 10/29/01

STATE OF WASHINGTON )  
: ss.  
County of Clark )

I certify that Jeffrey S. Gordon appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Member of Columbia Tech Center, L.L.C. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 29th day of December, 2000.

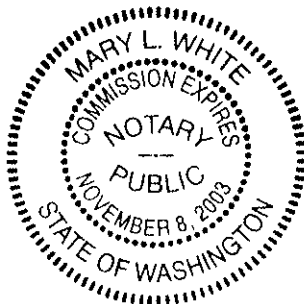


Laura M. Hart  
NOTARY PUBLIC FOR WASHINGTON  
My Commission Expires: 6/10/02

STATE OF WASHINGTON )  
: ss.  
County of Clark )

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

DATED this 22nd day of November, 2000.



Mary L. White  
NOTARY PUBLIC FOR WASHINGTON  
My Commission Expires: 11-8-03

**EXHIBIT "A"**

LEGAL DESCRIPTION  
OF  
CTC MASTER PLANNED DEVELOPMENT  
(CTC PUD)  
LOCATED IN CITY OF VANCOUVER



3305320

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04/03/2001 11:52A

174.00 Clark County, WA

## *Mackay & Sposito Inc.*



ENGINEERS

SURVEYORS

PLANNERS

1703 MAIN STREET

VANCOUVER, WASHINGTON 98660

WASHINGTON  
(360) 695-3411

FAX  
(360) 695-0833

OREGON  
(503) 289-6726

EMAIL  
msinc@mackaysposito.com

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**COLUMBIA TECH CENTER**  
**CURRENT PLANNED UNIT DEVELOPMENT**  
**VANCOUVER, WASHINGTON**

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, and the West half of Section 31, Township 2 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to C.T.C. Investments, L.L.C., from Tektronix, Inc., by deed recorded under Auditor's File No. 9512280327, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C. from Sharon Shaffer by deed recorded under Auditor's File No. 9702240256, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C., from Dalke by deed recorded under Auditor's File No. 9709160270, records of said county;

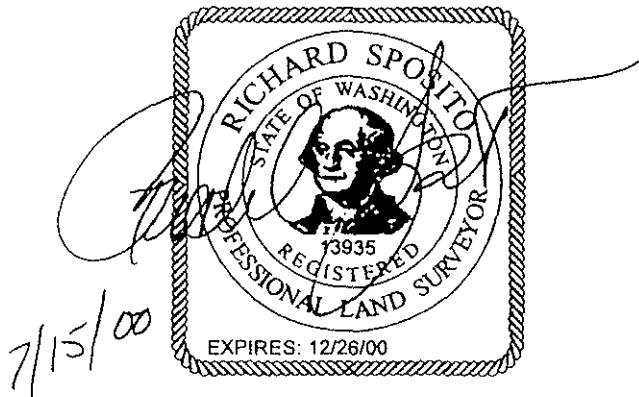
ALSO: the following described tract;

Beginning at the Southwest corner of Tract "D" of Columbia Tech Center Phase 1A, as shown on the plat recorded in Book J, at Page 416, records of said county; thence along the North line of said Plat North 88° 12' 48" West 696.11 feet to a point on the East line of that parcel conveyed to Wasser and Rood by deed recorded under Auditor's File No. 9312230594, records of said county; thence along the East and North lines of said parcel, the following courses:

EXHIBIT "A"

North  $00^{\circ} 02' 42''$  West 214.66 feet; thence North  $78^{\circ} 21' 28''$  West 41.59 feet;  
thence North  $88^{\circ} 23' 55''$  West 37.70 feet; thence South  $87^{\circ} 50' 35''$  West 113.88  
feet to a point on the East Right of Way line of S.E. 164th Avenue;

thence along said Right of Way line North  $00^{\circ} 02' 42''$  West 104.47 feet; thence South  $46^{\circ} 05' 21''$   
East 39.43 feet; thence North  $87^{\circ} 50' 35''$  East 79.73 feet to a point of curvature with a 611.00  
foot radius curve; thence along said curve to the right, through a central angle of  $32^{\circ} 11' 48''$ , an  
arc distance of 343.34 feet to a point of tangency; thence South  $59^{\circ} 57' 37''$  East 36.22 feet to a  
point of curvature with a 539.00 foot radius curve; thence along said curve to the left, through a  
central angle of  $60^{\circ} 53' 58''$ , an arc distance of 572.90 feet to a point of tangency; thence North  
 $59^{\circ} 08' 25''$  East 129.65 feet to a point on the arc of a 550.00 foot radius curve, said point also  
being on the Northwestern line of Tract "D", as shown on said plat; thence from a tangent  
bearing of South  $59^{\circ} 08' 25''$  West, along said curve to the left, and along said Northwestern line,  
through a central angle of  $40^{\circ} 03' 14''$ , an arc distance of 384.49 feet to the point of beginning.



## *Mackay & Sposito Inc.*

<b>M &amp;S</b>	ENGINEERS	SURVEYORS	PLANNERS
	1703 MAIN STREET VANCOUVER, WASHINGTON 98660		
	WASHINGTON (360) 695-3411	FAX (360) 695-0833	OREGON (503) 289-6726
		EMAIL msinc@mackaysposito.com	

LEGAL DESCRIPTION  
COLUMBIA TECH CENTER  
PHASE 1  
VANCOUVER, WASHINGTON

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, and the West half of Section 31, Township 2 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to Columbia Tech Center, L.L.C. from Sharon Shaffer by deed recorded under Auditor's File No. 9702240256, records of said county;

**ALSO:** That property conveyed to Columbia Tech Center, L.L.C., from Dalke by deed recorded under Auditor's File No. 9709160270, records of said county;

**ALSO:** That property conveyed to Columbia Tech Center, L.L.C., from Hewlett-Packard Company, by deed recorded under Auditor's File No. 3001330, records of said county;

**ALSO:** That property conveyed to C.T.C. Investments, L.L.C., from Tektronix, Inc., by deed recorded under Auditor's File No. 9512280327, records of said county, **EXCEPT** the following:

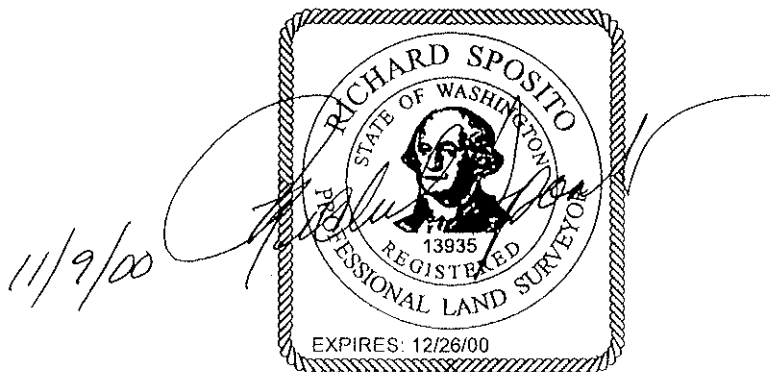
Real property situated in the City of Vancouver, Clark County, Washington, being a portion of that property conveyed to C.T.C. Investments, L.L.C., from Tektronix, Inc., by deed recorded under Auditor's File No. 9512280327, records of said county, lying in the Southeast quarter of the Northeast quarter of Section 36, Township 2 North, Range 2 East and the West half of Section 31, Township 2 North, Range 3 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Northwest corner of Lot 8 of Columbia Heights Phase 2, according to the plat thereof, recorded in Book 310 of plats, at Page 572, records of said county; thence North 39° 35' 54" West 151.71 feet; thence North 69° 21' 41" West 179.44 feet; thence North 89° 13' 17" West 74.04 feet; thence South 79° 44' 41" west 112.84 feet to a point of curvature with a 550.00 foot radius curve; thence along said curve to the right, through a central angle of 42° 31' 42", an arc distance of 408.24 feet to a point of tangency; thence North 57° 43' 37" West 104.08 feet; thence

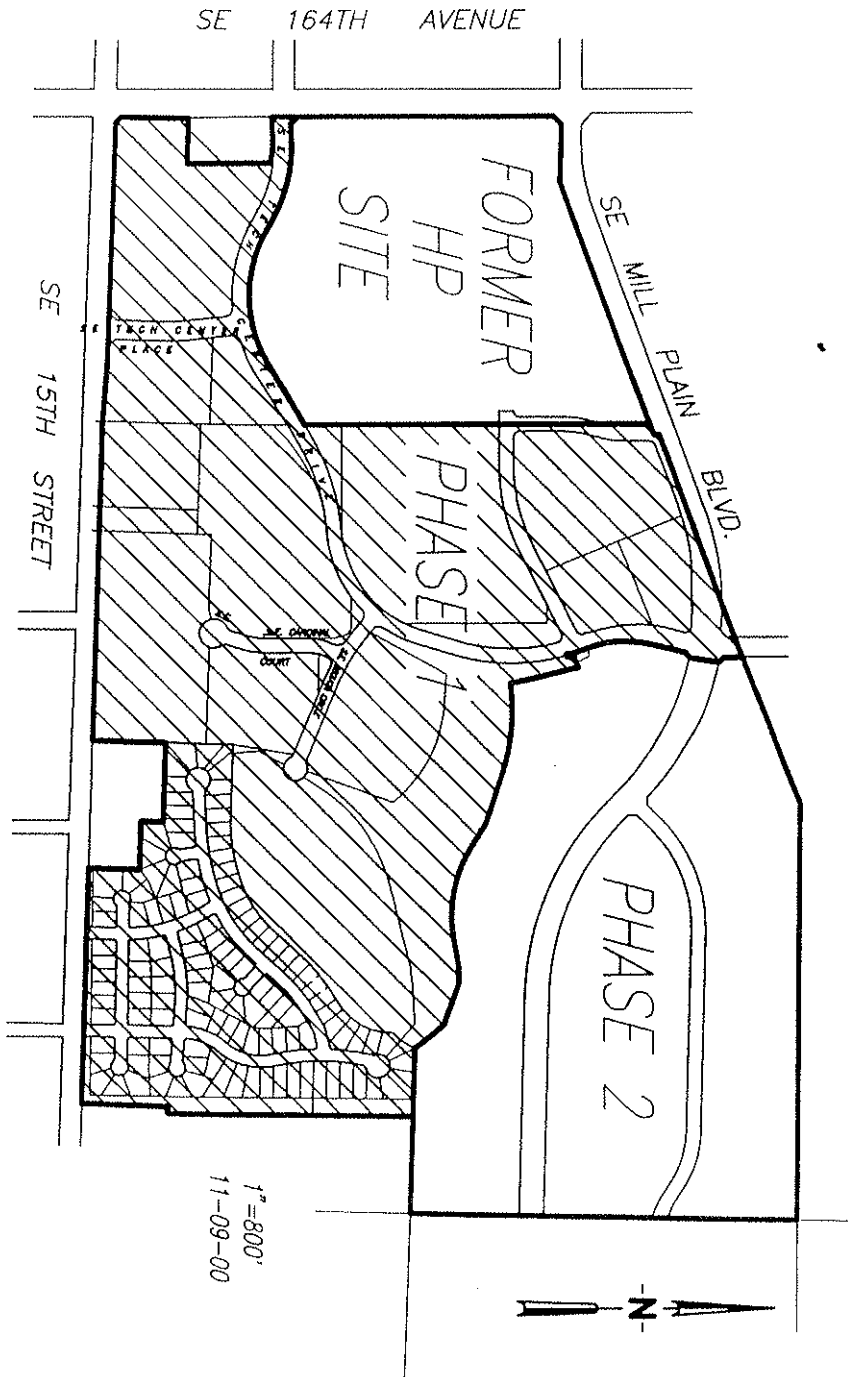
North 69° 55' 06" West 56.60 feet; thence North 72° 16' 48" West 163.32 feet to a point of curvature with a 850.00 foot radius curve; thence along said curve to the left, through a central angle of 25° 30' 10", an arc distance of 378.34 feet; thence North 13° 31' 35" West 289.72 feet; thence South 62° 58' 35" West 38.02 feet to a point of curvature with a 30.00 foot radius curve; thence along said curve to the left, through a central angle of 78° 55' 59", an arc distance of 41.33 feet to a point on the arc of a 830.00 foot radius curve, said point being on the East line of Columbia Tech Center Phase 1C-1, according to the plat thereof, recorded in Book 310 of plats, at Page 649, records of said county; thence along said East line from a tangent bearing of North 15° 57' 24" West, along said curve to the left, through a central angle of 05° 20' 26", an arc distance of 77.36 feet to a point of reverse curvature with a 545.00 foot radius curve; thence continuing along said East line and it's continuation thereof and along said curve to the right, through a central angle of 09° 33' 32", an arc distance of 90.92 feet to a point of compound curvature with a 414.54 foot radius curve; thence along said curve to the right, through a central angle of 22° 34' 46", an arc distance of 163.36 feet to a point of tangency; thence North 10° 50' 28" East 50.09 feet to a point of curvature with a 535.00 foot radius curve; thence along said curve to the right, through a central angle of 06° 19' 03", an arc distance of 58.99 feet to a point of reverse curvature with a 615.00 foot radius curve; thence along said curve to the left, through a central angle of 06° 10' 01", an arc distance of 66.19 feet; thence North 54° 07' 59" East 27.35 feet; thence North 08° 40' 58" East 125.18 feet; thence North 42° 52' 47" West 27.15 feet; thence North 02° 07' 21" West 76.35 feet to a point on the North line of said property conveyed to C.T.C. Investments, L.L.C.; thence along said North line and the East line of said property the following courses:

North 68° 17' 58" East 654.97 feet; thence South 89° 22' 18" East 1734.37 feet; thence South 01° 02' 40" West 1595.57 feet

to a point on the North line of the William M. Bennington Donation Land Claim; thence along said North line North 88° 25' 31" West 407.37 feet to the Northeast corner of said plat of Columbia Heights Phase 2; thence along the North line of said plat North 88° 25' 31" West 285.69 feet to the Point of Beginning.



# COLUMBIA TECH CENTER PLANNED UNIT DEVELOPMENT AREAS



**3305320**

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CITY OF VANCOUVER

AGR

174.00 Clark County, WA

# *MacKay & Sposito Inc.*



ENGINEERS

SURVEYORS

PLANNERS

**1703 MAIN STREET****VANCOUVER, WASHINGTON 98660**WASHINGTON  
(360) 695-3411FAX  
(360) 695-0833OREGON  
(503) 289-6726EMAIL  
msinc@mackaysposito.com

**LEGAL DESCRIPTION**  
**COLUMBIA TECH CENTER**  
**PHASE 2**  
**VANCOUVER, WASHINGTON**

Real property situated in the City of Vancouver, Clark County, Washington, being a portion of that property conveyed to C.T.C. Investments, L.L.C., from Tektronix, Inc., by deed recorded under Auditor's File No. 9512280327, records of said county, lying in the Southeast quarter of the Northeast quarter of Section 36, Township 2 North, Range 2 East and the West half of Section 31, Township 2 North, Range 3 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Northwest corner of Lot 8 of Columbia Heights Phase 2, according to the plat thereof, recorded in Book 310 of plats, at Page 572, records of said county; thence North 39° 35' 54" West 151.71 feet; thence North 69° 21' 41" West 179.44 feet; thence North 89° 13' 17" West 74.04 feet; thence South 79° 44' 41" West 112.84 feet to a point of curvature with a 550.00 foot radius curve; thence along said curve to the right, through a central angle of 42° 31' 42", an arc distance of 408.24 feet to a point of tangency; thence North 57° 43' 37" West 104.08 feet; thence North 69° 55' 06" West 56.60 feet; thence North 72° 16' 48" West 163.32 feet to a point of curvature with a 850.00 foot radius curve; thence along said curve to the left, through a central angle of 25° 30' 10", an arc distance of 378.34 feet; thence North 13° 31' 35" West 289.72 feet; thence South 62° 58' 35" West 38.02 feet to a point of curvature with a 30.00 foot radius curve; thence along said curve to the left, through a central angle of 78° 55' 59", an arc distance of 41.33 feet to a point on the arc of a 830.00 foot radius curve, said point being on the East line of Columbia Tech Center Phase 1C-1, according to the plat thereof, recorded in Book 310 of plats, at Page 649, records of said county; thence along said East line from a tangent bearing of North 15° 57' 24" West, along said curve to the left, through a central angle of 05° 20' 26", an arc distance of 77.36 feet to a point of reverse curvature with a 545.00 foot radius curve; thence continuing along said East line and it's continuation thereof and along said curve to the right, through a central angle of 09° 33' 32", an arc distance of 90.92 feet to a point of compound curvature with a 414.54 foot radius curve; thence along said curve to



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174.00 Clark County, WA

CITY OF VANCOUVER

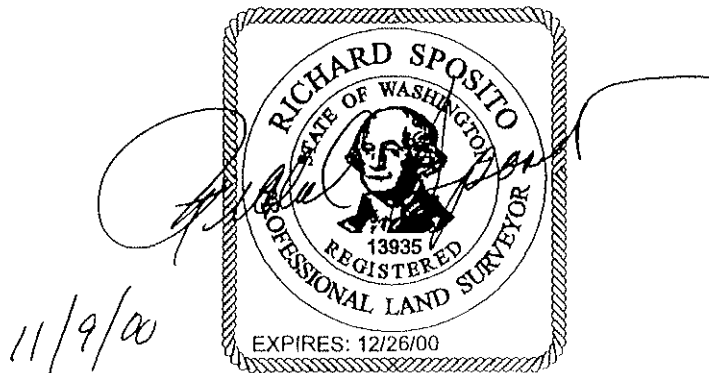
AGR

the right, through a central angle of  $22^{\circ} 34' 46''$ , an arc distance of 163.36 feet to a point of tangency; thence North  $10^{\circ} 50' 28''$  East 50.09 feet to a point of curvature with a 535.00 foot radius curve; thence along said curve to the right, through a central angle of  $06^{\circ} 19' 03''$ , an arc distance of 58.99 feet to a point of reverse curvature with a 615.00 foot radius curve; thence along said curve to the left, through a central angle of  $06^{\circ} 10' 01''$ , an arc distance of 66.19 feet; thence North  $54^{\circ} 07' 59''$  East 27.35 feet; thence North  $08^{\circ} 40' 58''$  East 125.18 feet; thence North  $42^{\circ} 52' 47''$  West 27.15 feet; thence North  $02^{\circ} 07' 21''$  West 76.35 feet to a point on the North line of said property conveyed to C.T.C. Investments, L.L.C.; thence along said North line and the East line of said property the following courses:

North  $68^{\circ} 17' 58''$  East 654.97 feet; thence South  $89^{\circ} 22' 18''$  East 1734.37 feet; thence South  $01^{\circ} 02' 40''$  West 1595.57 feet

to a point on the North line of the William M. Bennington Donation Land Claim; thence along said North line North  $88^{\circ} 25' 31''$  West 407.37 feet to the Northeast corner of said plat of Columbia Heights Phase 2; thence along the North line of said plat North  $88^{\circ} 25' 31''$  West 285.69 feet to the Point of Beginning.

Subject to easements and restrictions of record.





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CITY OF VANCOUVER

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# COLUMBIA TECH CENTER PLANNED UNIT DEVELOPMENT AREAS



1"=800'  
11-09-00



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CITY OF VANCOUVER

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174.00 Clark County, WA

## EXHIBIT "B"

LEGAL DESCRIPTION  
OF  
UNDEVELOPED PROPERTY TO THE EAST OF CTC PUD  
(ADDITIONAL PROPERTY)  
LOCATED IN CLARK COUNTY

# *Mackay & Sposito Inc.*

**M & S** ENGINEERS SURVEYORS PLANNERS  
1703 MAIN STREET VANCOUVER, WASHINGTON 98660  
WASHINGTON FAX OREGON EMAIL  
(360) 695-3411 (360) 695-0833 (503) 289-6726 msinc@mackaysposito.com

EXHIBIT B  
LEGAL DESCRIPTION  
COLUMBIA TECH CENTER  
"ADDITIONAL PROPERTIES"  
CLARK COUNTY, WASHINGTON

Real property lying within the East half of Section 31, Township 2 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

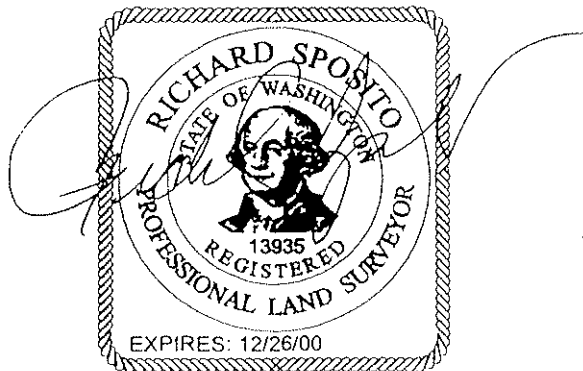
All of that property conveyed to Columbia Tech Center, L.L.C., from Walter L. Musa, Jr., Christopher Musa and Deanna Browning, by deed recorded under Auditor's File No. 9806150265, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C., from Pacific Rock Products, L.L.C., by deed recorded under Auditor's File No. 9806300542, records of said county;

EXCEPT any portion lying within S.E. 1<sup>st</sup> Street and within S.E. 192<sup>ND</sup> Avenue.

Containing approximately 119.8 acres

Subject to easements and restrictions of record.



**Phase 3 (Frost)**  
**LEGAL DESCRIPTION**  
**COLUMBIA TECH CENTER PLANNED UNIT DEVELOPMENT**

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, and Section 31, Township 2 North Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to Columbia Tech Center, L.L.C., from Pacific Rock Products, L.L.C., by deed recorded under Auditor's File No. 9806300542, records of said county;

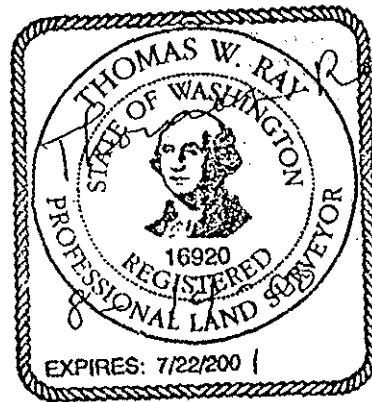
Subject to easements and restrictions of record.

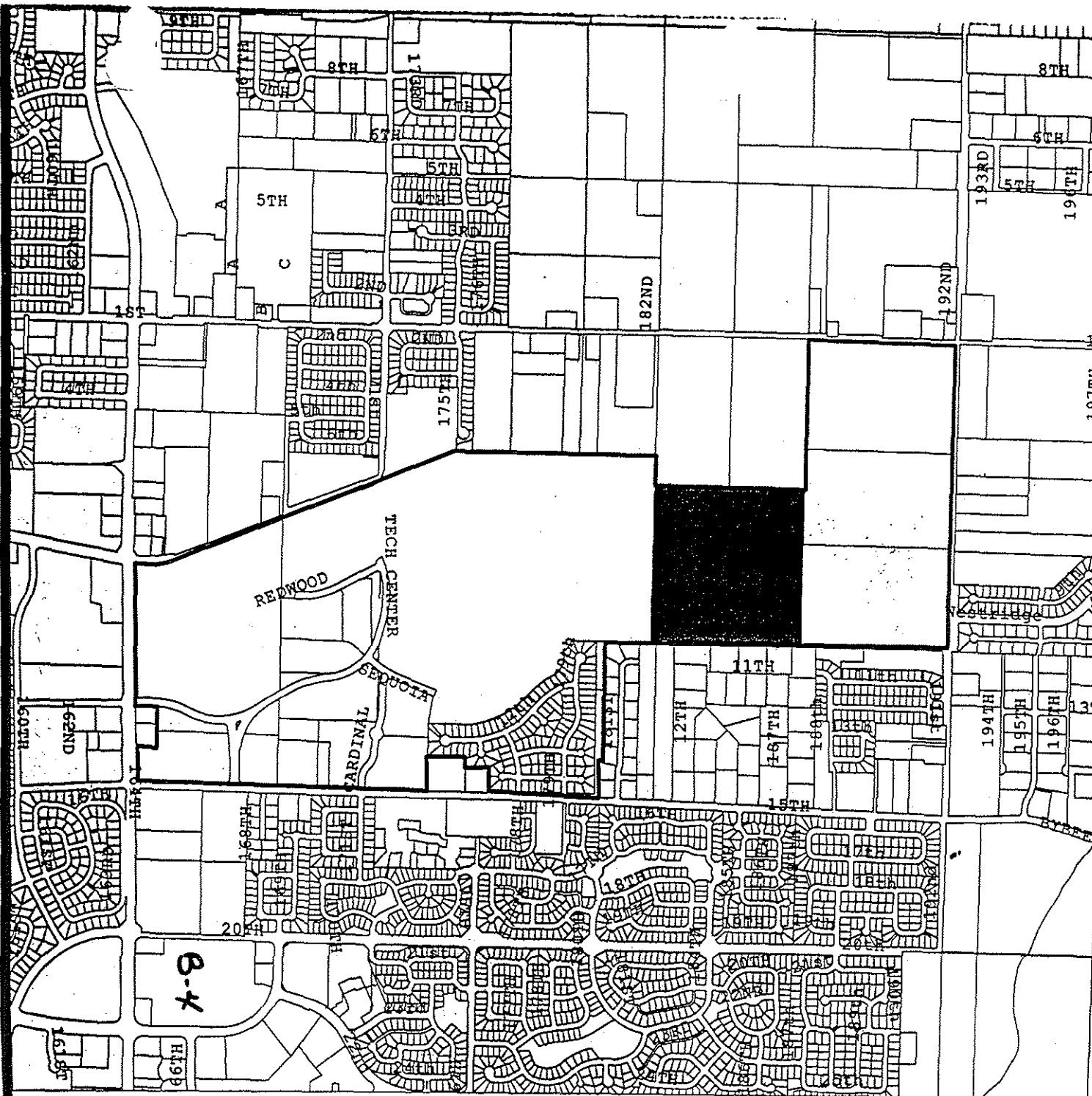
B-2

COLUMBIA TECH. #3  
LEGAL DESCRIPTION

A tract of land lying in the NE ¼ and the SE ¼ of Section 31, T 2 N, R 3 E of the Willamette Meridian in Clark County, Washington and being described as follows:

Beginning at the North one-quarter corner of said Section 31, thence South 1° 02' 40" West 1320 feet more or less along the West line of said Northeast ¼ of Section 31 to the Northwest corner of Government Lot 5 as shown on Book 44 of Surveys, page 10 and to the true point of beginning; thence South 1° 02' 40" West 1320 feet more or less along the West line of said Government Lot 5 and the existing City boundary, to a point of intersection with the North line of the W. M. Bennington Donation Land Claim (D.L.C.); thence South 88° 25' 31" East 1320 feet more or less along the South line of said Government Lot 5 and said D.L.C. line, and the existing City boundary to a point of intersection with the East line of said Government Lot 5; thence North 1° 07' 07" East 1320 feet more or less along said East line to a point of intersection with the North line of said Government Lot 5; thence North 88° 46' 55" West 1318.94 feet along said North line to the true point of beginning.





Columbia Center

Phase 3 (Proposed)

NW 1/4 of Section 31 T2R3E WM

# Roads

City of Vancouver DRS



CITY OF VANCOUVER

Plot Date: Nov 2, 2000

Map produced by: scw

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuracies that may be present.

(Scale 1:14894.9) 1000 0 1000 2000 3000 4000 Feet

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P.O. Box 1995  
Vancouver, WA 98668-1995



[www.ci.vancouver.wa.us](http://www.ci.vancouver.wa.us)

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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit B-4 CTC Phase 3 (Frost) Map

Date: 01/24/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

This page of the document is non-recordable. Original is filed in Central Records.

**Phase 4 (Musa)**  
**LEGAL DESCRIPTION**  
**COLUMBIA TECH CENTER PLANNED UNIT DEVELOPMENT**

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, and Section 31, Township 2 North Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to Columbia Tech Center, L.L.C., from Walter L. Musa, Jr., Christopher Musa and Deanna Browning, by deed recorded under Auditor's File No. 9806150265, records of said county;

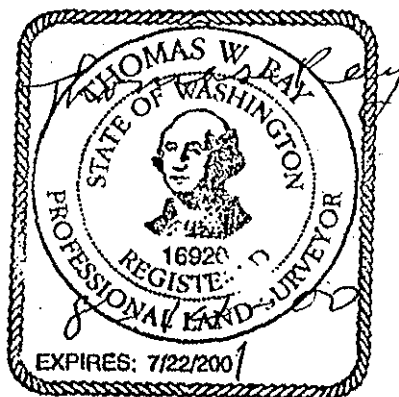
Subject to easements and restrictions of record.



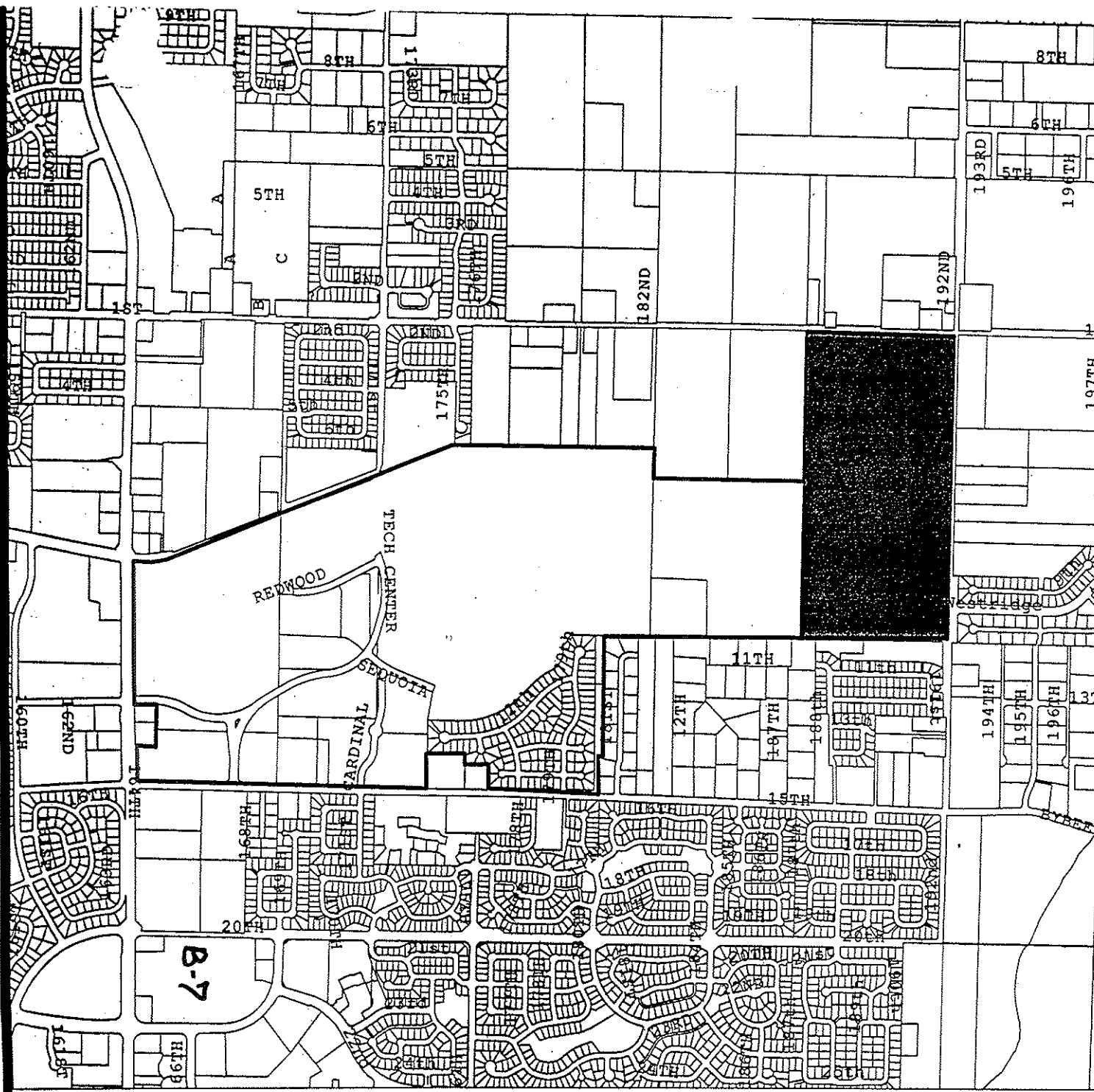
COLUMBIA TECH. #4  
LEGAL DESCRIPTION

A tract of land lying in the Southeast  $\frac{1}{4}$  of Section 30 and the Northeast  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of Section 31, T 2 N, R 3 E of the Willamette Meridian in Clark county, Washington and being described as follows:

Beginning at the Northeast corner of said Section 31 thence South  $1^{\circ} 11' 35''$  West 2686.25 feet along the East line of said Section 31 and the existing City boundary as shown on Book 44 of Surveys, page 10, to a point of intersection with the North line of the W. M. Bennington Donation Land Claim (D. L. C.); thence North  $88^{\circ} 25' 31''$  West 1320 feet more or less along said North line and the existing City boundary to a point of intersection with the East line of Government Lot 5; thence North  $1^{\circ} 07' 07''$  East 2680 feet more or less along said East line and the northerly extension thereof to a point of intersection with the North line of SE 1<sup>st</sup> Street and to the existing City boundary; thence South  $88^{\circ} 37' 22''$  East 1320 feet more or less along said North line and the existing City boundary to a point of intersection with the East line of said Section 30; thence South 20 feet more or less to the point of beginning.



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# Columbia Tech Center

## Phase 4 (Musa)

NW 1/4 of Section 31 T2R3E WM

### Roads

City of Vancouver DRS



Plot Date: Nov 2, 2000  
Map produced by: scw

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuracies that may be present.

(Scale 1:14894.9) 1000 0 1000 2000 3000 4000 Feet

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P.O. Box 1995  
Vancouver, WA 98668-1995

[www.ci.vancouver.wa.us](http://www.ci.vancouver.wa.us)

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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit B-7 CTC Phase 4 (Musa) Map

Date: 01/24/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

This page of the document is non-recordable. Original is filed in Central Records.



CITY OF VANCOUVER

AGR

174.00 Clark County, WA

**3305320**

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**EXHIBIT "C"**

LEGAL DESCRIPTION  
OF  
HEWLETT-PACKARD NORTH CAMPUS  
(FORMER HP SITE)  
LOCATED IN THE CITY OF VANCOUVER

# *Mackay & Sposito Inc.*



ENGINEERS SURVEYORS PLANNERS  
1703 MAIN STREET VANCOUVER, WASHINGTON 98660  
WASHINGTON FAX OREGON EMAIL  
(360) 695-3411 (360) 695-0833 (503) 289-6726 msinc@mackaysposito.com

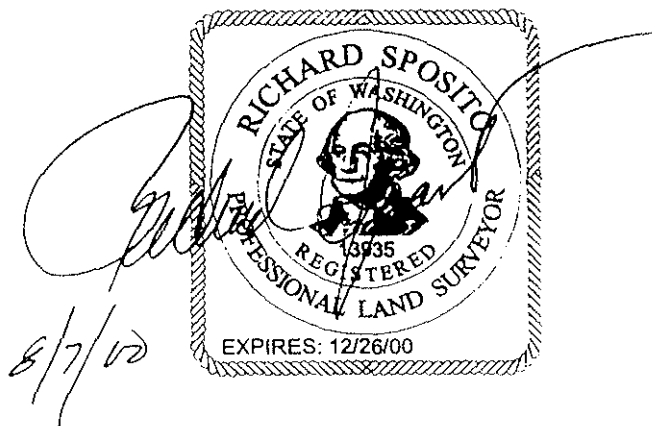
**EXHIBIT C**  
**LEGAL DESCRIPTION**  
**COLUMBIA TECH CENTER**  
**FORMER HP SITE**  
**CLARK COUNTY, WASHINGTON**

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to Columbia Tech Center, L.L.C., from Hewlett Packard Company, by deed recorded under Auditor's File No. 3208308, records of said county;

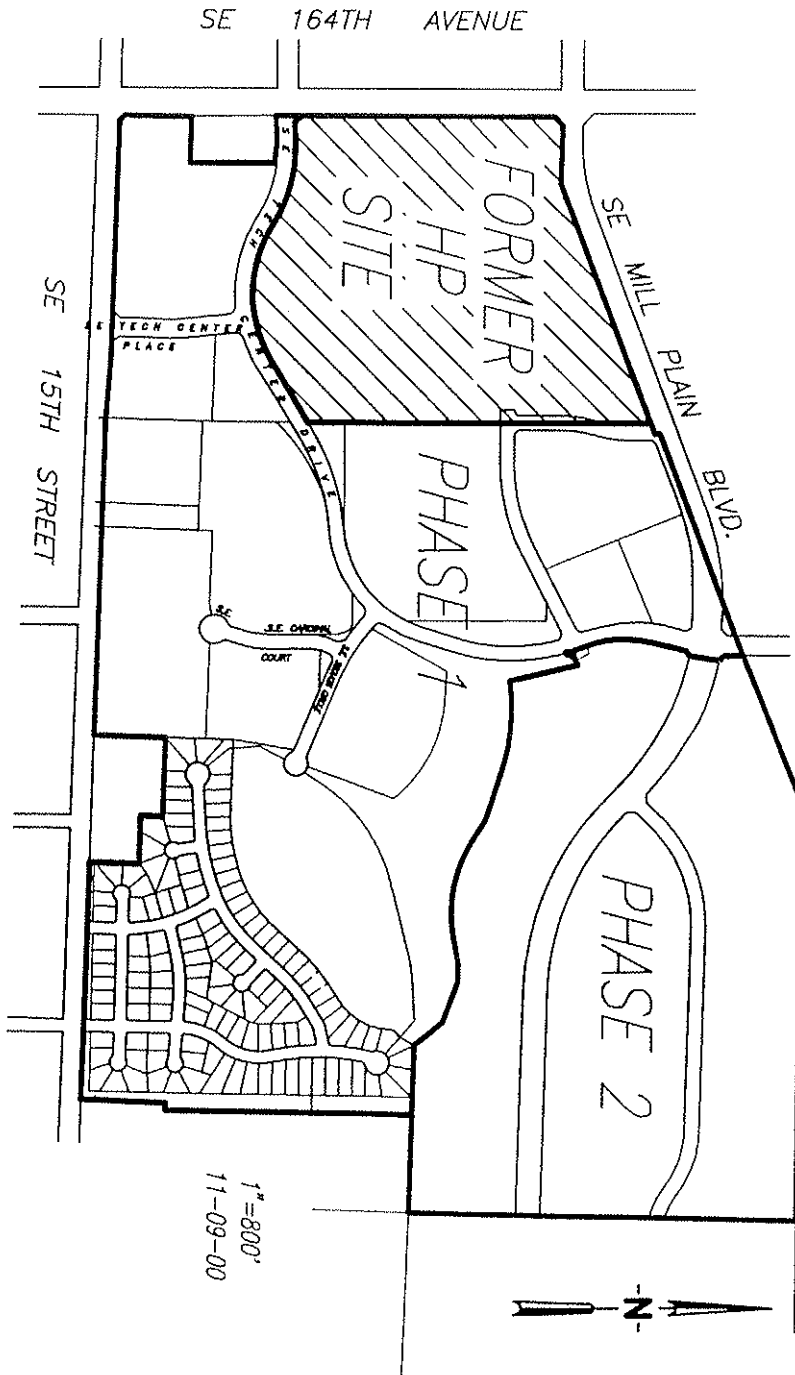
Containing approximately 39.06 acres.

Subject to easements and restrictions of record.





# COLUMBIA TECH CENTER PLANNED UNIT DEVELOPMENT AREAS





**3305320**

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CITY OF VANCOUVER

AGR

174.00 Clark County, WA

**EXHIBIT "D"**

CLARK COUNTY RESOLUTION NO. 1995-08-42

**RESOLUTION NO. 1995-08-42**

A Resolution relating to Land Use, approving those certain applications that constitute the Columbia Tech Center (herein "CTC"), specifically the concomitant rezone covenant modification to release the provisions of the original rezone agreement (Resolution #1979-07-71) and bind the site with the provisions of the CTC Master Plan, Case Files COV #95-001-3622, PUD #95-001-3622 and SUB #95-022-3622 (Columbia Tech Center); located north of S.E. 15th Street, South of S.E. Mill Plain Road, approximately 1,200 feet east of S.E. 164th Avenue; in the west half of Section 36, Township 2 North, Range 2 East, and the east half of Section 31 Township 2 North, Range 3 East, Willamette Meridian; in unincorporated Clark County, Washington (herein "Site").

WHEREAS, in 1979 the Site was rezoned by Resolution #1979-06-106 and Resolution #1979-07-71 from Rural Use (FX) to Light Industrial (ML) pursuant to the then current zoning code; and

WHEREAS, Adoption of the 1994 20-Year Growth Management Plan (herein "Plan") designations in 1994 established the Site as Light Industrial and Mixed Use, with the mixed use designation not intended to be site specific, but to allow flexibility in site planning supportive of more intensive industrial uses on the site; and

WHEREAS, specific policies in the Plan required master planning approved by the Board of Commissioners (herein "Board") for the Tektronix site; and

WHEREAS, On April 14, 1995, CTC Investments, LLC (herein "Applicant") made application for a 200.9 acre mixed use light industrial planned unit development (PUD), subdivision and covenant modification for the Site (PUD #95-001-3622, SUB #95-022-3622, COV #95-001-3622), with the use mix consisting of: 116.9 acres of light industrial, 19.8 acres of single family, 17.0 acres of Commercial/Mixed Use, 16.3 acres of Open Space, and 10.7 acres of Multi Family. Pursuant to Clark County Code Section 18.405, the PUD was the mechanism to establish a mix of industrial, commercial, residential and open space uses on the site, pursuant to and consistent with the applicable Comprehensive Plan Policies; and

WHEREAS, On June 8, 1995, a duly advertised public hearing was held before the Clark County Land Use Hearings Examiner. The written record was held open until June 15, 1995, during which time an appeal to the County's SEPA threshold determination was filed. On July 13, 1995, the Hearings Examiner issued a written decision to deny the SEPA appeal and conditionally approve the package of applications, subject to master plan approval by the Board of County Commissioners; and

WHEREAS, On August 3, 1995, an appeal of the Hearings Examiner's approval was filed by Mr. John Karpinski, representing Clark County natural Resources Council (CCNRC) with the Board of County Commissioners, appealing three things: the Hearings Examiner's application of SEPA to the proposal, the multi-family density, and the phasing plan for the overall development; and

WHEREAS, On August 4, 1995, notification was published in a newspaper of general local circulation, and parties of record were notified of a public hearing before the Board of Commissioners to hear the Master Plan to be held on August 15, 1995. This notice did not



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include the appeal, and the Board concluded that hearing the master plan and considering the appeal at the same meeting would provide a more thorough forum for review of the issues at hand; and

WHEREAS, On August 15, 1995, the Board opened and immediately continued the public hearing on the master plan to August 21, 1995; and

WHEREAS, between the time that the appeal was filed by CCNRC and the time of the hearing before the Board, the Applicant and CCNRC reached an agreement to modify certain provisions of the master plan which satisfy the concerns raised in the appeal. These areas of agreement are as follows:

1. The minimum multi family density shall be increased from 8 units per acre to 10 units per acre;
2. The phasing plan shall be amended to ensure that all phases shall be constructed in a linear fashion, and each phase shall be fully developed prior to moving on to the next phase, PROVIDED, that the limitation shall not prohibit industrial development from occurring in any phase at any time, and shall not apply to excavation activities;
3. The stormwater treatment and control facilities throughout the site shall be designed to treat and dispose of the runoff from the 1 year storm event instead of the 6 month storm event;
4. The landscaping plan and standards shall be amended to use native vegetation to the greatest extend practical and feasible, particularly in any improvements to Tract B;

5. The applicant stipulates that the Hearings Examiner incorrectly applied SEPA as it relates to the project specific (Phase I) portion of the master plan; and

WHEREAS, on August 21, 1995, the board held a duly advertised public hearing to consider the master plan, which incorporated the following minor alterations, as required by the Hearings Examiner, and proposed planning staff and the Applicant:

1. Establishment of a public cross circulation road (S.E. 169th Avenue) located along the western boundary of the site, from S.E. Mill plain Road south to the outparcel at the southern boundary (condition K.6);
2. Realignment of 172nd Avenues to the west to intersect with S.E. 15th Street in and alignment consistent with 171st Avenue to the south (condition K.4);
3. Revise the location of the Phase Ia entrance to the site to be 930 feet east of 164th Avenue, thus eliminating the need for dual back to back left turn lanes, and narrowing the required width of 15th Street.
4. Revise the master grading plan to assure that the cross circulation opportunities are preserved throughout the site, particularly along the north and east boundaries of Phase II;
5. Revise the boundary of the master plan map to include the area south of the northern right-of-way line the roadway which traverses the Tektronix property connecting the Phase Ia commercial area to the balance of the master plan;
6. Require pedestrian connections from within the single family area to Tract B if the applicant improves Tract B with a pedestrian facility;

7. Clarify that if grading is going to take place outside of any site plan or subdivision engineering approval, the applicant shall submit an application for a single grading permit for all anticipated grading. The permit should be subjected to all conditions imposed upon the master plan approval relating to grading such as noise, air emissions, hours of operation, equipment, area of excavation, etc.;
8. Clarify Condition G.1. and G.4. of the Examiners Decision to allow a "rolling" 20 acre area, allowing an equal amount of new excavated area to be opened as is finished. The conditions governing site excavation should be revised as recommended in the report to the Board; and

WHEREAS, the Board found that the Examiner erred in his application of SEPA by using the industrial buildout as the baseline for determining the projects environmental significance, and the significance of the project should be determined by comparing it to the site's current state. Based upon this finding CCRNC agreed to withdraw its appeal, but in doing so did not acquiesce that the SEPA threshold determination resulting from the analysis is correct. The Board found that the SEPA analysis and threshold determination prepared and issued by the Planning Director thoroughly, adequately and accurately examined the environmental impacts of the development, and no EIS is warranted; and

WHEREAS, the Board, in the context of the master plan hearing, accepted and incorporated the provisions of the agreement entered into between the Applicant and CCNRC, as well as those recommendations made by staff, finding that incorporation of these provisions, as well as all other aspects of the master plan are consistent with and further the intent of the policies contained in the Plan; and

WHEREAS, based upon the Boards acceptance of the provisions of the agreement between the Applicant and CCNRC, as well as the finding that the Examiner erred in his application of SEPA, CCNRC withdrew their appeal; now, therefore

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

Based upon the Master Plan's compliance with the policies of the Comprehensive Plan, and the findings contained in the Hearings Examiner's decision regarding implementation of the master plan, the Board hereby APPROVES the Master Plan for the Columbia Tech Center (PUD #95-001-3622, SUB #95-022-3622, COV #95-001-3622), releasing the existing rezone covenant and imposing the new covenant on the site, binding it with the following conditions of the master plan:

A. Prior to releasing the covenant pursuant to Resolution 1979-06-106 and 1979-07-71, the applicant shall record with the County Auditor a revised rezone covenant for the site, approved by the County Prosecutor, in substantial conformance with Attachment A.

B. Zoning:

1. Within three years of the effective date of any approval action by the Board of County Commissioners of the Master Plan, the applicant shall submit an applications for preliminary subdivision, final subdivision or site plan approval, as appropriate for each phase area within the PUD site. Each subdivision or site plan shall identify specific land use areas (building types and density), common open spaces, pedestrian paths, public rights-of-way, lots and drainage systems. The subdivisions and site plan reviews shall be fully consistent with the proposed

densities, lots design standards, site plans and Columbia Tech Center Development Standards, Exhibit 20 of the Hearings Examiner Record, except as otherwise authorized herein or as otherwise authorized by law.

2. The PUD shall be developed in two distinct Phases. The overall development shall result in a minimum of 1,284,300 square feet of gross industrial floor area, a maximum of 295,000 square feet of gross commercial floor area, a maximum of 125 single family residential units and a minimum of 107 multi family residential units. The location and mix of uses shall be in substantial conformance with the Master plan, Attachment B. The sequence of development shall proceed strictly in the order of phasing, e.g., no development will occur in Phase Ib until the completion of all infrastructure, building pads and landscaping in Phase Ia has been completed, provided that this proviso shall not be construed to limit industrial development in any phase at any time or the development of open space, parks or the water feature at any time. The excavation and grading activities on the site may occur in advance of the phasing upon completion of the landscaping of Tract B, which shall be part of Phase Ia. The phasing plan shall be as follows:

- i. Phase I shall include approximately 134.4 acres and a maximum of 138 lots. The light industrial portion of Phase I shall be built to contain a minimum of 691,200 square feet of gross floor area. The square footage of the commercial portion of Phase I shall not exceed 167,000 square feet of gross floor area. Phase I shall consist of three subphases, Phase Ia, Ib



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and Ic. Each subphase shall be developed in succession of the other, as denoted by a, b or c.

- ii. Phase Ia shall contain a maximum of 131 lots. A maximum of 125 of these (lots 1-125) shall be for single family residential on a maximum of 25.1 gross acres. A maximum of 2 lots (lots 13 & 131) shall be used for Commercial, which shall be developed with a maximum of 100,000 square feet of commercial uses on 12.4 gross acres. A maximum of 4 lots (lots 126-129) shall be used for industrial on a minimum of 21.5 gross acres. The single family residential lot sizes shall be between 5,000 and 12,000 square feet, with the largest lots located along the eastern boundary and becoming progressively smaller as they approach the multi family designation. Tracts B, C, D & E shall be established as shown on the preliminary plan.
- iii. Phase Ib shall contain a maximum of 4 lots on 14.6 gross acres, all of which shall be used for light industrial.
- iv. Phase Ic shall contain a maximum of 3 lots and a single tract for open space (Tract "A"). Lot 1 shall be for light industrial development only. Lot 2 shall be for commercial development only, and shall be constructed with a maximum of 67,000 square feet gross floor area of commercial uses on 6 gross acres. Lot 3, 10.7 acres shall be for multi-family development only, and shall be built to a minimum density of 10 units per

acre. Tract "A" shall contain a minimum of 14.1 gross acres of improved open space.

v. Prior to site plan approval of the for the final lot within Phase Ic, Tract "A" shall be improved with the following:

- a. An 8.05 acre man made water feature. The lake shall be constructed with a system of streams and water features to ensure continuous aeration and water circulation.
- b. A comprehensive, interconnected trails and pathways system, connecting the single family, multi-family, light industrial and commercial uses, surrounding the lake.
- c. An improved park area, located adjacent to the single and multi-family areas along the eastern boundary of the lake.
- d. An amphitheater along the western boundary of the lake.

Tract "A" shall be maintained in private ownership by the Master Association.

3. Phase II shall include approximately 65.2 acres, 3.1 of which shall be used for commercial constructed to a maximum of 128,000 square feet of gross commercial floor area. The light industrial portion of Phase II shall be built to contain a minimum of 593,100 square feet of gross floor area. The location and mix of uses in Phase II shall be in substantial conformance with Attachment B. The future development of Phase II shall provide cross circulation on accordance with the Clark County Road Standards based upon then development pattern on abutting property. Approval of the PUD and Master Plan as indicated in

Attachment 6 in no way approves the road configuration or circulation for Phase II.

4. Alterations to the phasing plan shall be subject to the provisions of CCC 17.301.
5. The single family residential portion of the final plat shall achieve a minimum of 56 percent solar compliance.
6. Development of the site, including landscaping and screening, lot development standards, and signage, shall be in conformance with the CTC Development Standards, Exhibit 20 of the Hearings Examiner decision, as amended by incorporating the provisions of CCC 18.409.020 (H-M) (Signs) into Section 7.b. of the CTC Development Standards, and increasing the minimum multi-family density to 10 units per acre. A revised set of the Development Standards incorporating this change shall be submitted to the Planning Director prior to finalization of any phase or subphase of the development.
7. The applicant shall submit bylaws and articles of incorporation for a Master Association, empowered and funded to maintain the common open spaces such as the proposed open space, landscape, streetscape and entry features and pedestrian paths, and shall file approved bylaws and articles with the County. All common open spaces related to each phase of development shall be improved prior to site plan approval of the final lot within that subphase. The County shall have enforcement rights to any and all sections of the CC&Rs which require formation of participation in and implementation of a Transportation Management association and Transportation Demand Management & Commute Trip Reduction measures.

8. Each final subdivision or site plan approval shall be accompanied by the appropriate Impact Fee notation or payment, as appropriate. Impact fees shall be calculated pursuant to the then current ordinance. There shall be no impact fee credit for the park land donation.
9. Any alteration to the PUD, phasing plan, development standards or master plan shall be subject to the Post Decision Review procedures for a Type III application contained in CCC 18.600, with the exception of changes to the Master Plan which result in an increase in residential or commercial density, or a decrease in industrial density, which shall be subject to approval by the Board of County Commissioners in a public hearing. Any such changes shall be consistent with the Growth Management Act and shall not have the effect of reducing the floor area ratios of the industrial uses for the site considered in total.

C. Fire Protection:

1. Prior to final plat approval for the single-family portion of Phase Ia, the applicant shall install 7 or more hydrants, in locations and numbers approved by Clark County Fire District 5/ Vancouver Fire Department. The required fire flow for the single family residential portion of this project is 1,000 gallon per minute for a minimum of 2 hours duration at a minimum residual pressure of 20 pounds per square inch. The maximum spacing allowed for fire hydrants is 700 feet with no building in excess of 500 feet from a fire hydrant. A 3-foot unobstructed working space should be provided around the hydrant.
2. Fire protection measures for the light industrial, commercial and multi-family uses shall be determined at the time of site plan review.

D. Vegetation Clearing Management:

1. All provisions of the Landscape Standards adopted herewith shall be implemented prior to final plat approval or issuance of occupancy permits, as appropriate, provided that native species are used whenever possible, specifically in Tract B, which shall be landscaped concurrent with other landscape infrastructure improvements in Phase Ia.
2. If more than 5,000 board feet of marketable timber is to be removed from the site, the applicant shall obtain a forest practices permit from the Department of Natural Resources.

E. Sewage Treatment: The applicant shall extend public sewer to serve the development. The existing residence shall connect to public sewer. Proof of connection of the existing residence as well as adequacy and availability for new residences to connect shall be provided to the Planning Director prior to final plat approval. Any existing on site sewage disposal system shall be properly abandoned prior to final plat approval.

F. Stormwater and Erosion Control:

1. Final erosion and stormwater control plans, designed to treat the one (1) year, twenty-four (24) hour storm event and in accordance with all other provisions of CCC 13.25 and 13.27, shall be submitted and approved by the director prior to construction. The plan shall cover construction on individual lots. A copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final platting for any phase of the development.

2. All requirements of CCC 13.25 Stormwater Control Ordinance and 13.27 Erosion Control Ordinance shall be met, with the exception of the minimum design storm, which shall be for the one (1) year, twenty-four (24) hour storm event.
- G. Water Supply: The applicant shall extend public water supply to each individual lot, and any structure which utilizes water shall connect. Any existing wells on the site shall be abandoned to minimize the potential for future groundwater degradation. If there are no wells on the site, a notarized statement to that effect shall be submitted to the Planning Director prior to final plat approval.
- H. Earth:
1. As grading activity occurs on the site, no more than 20 acres of land shall be actively excavated at any given time for the purpose of preparing below grade building pads. This area limitation shall not restrict the installation of infrastructure approved for construction nor the excavation or preparation or preparation of a lot that has received site plan or building permit approval, and such areas shall not be included in the calculation of each 20 acre area.
  2. Grades at any point shall not exceed a 1:1 slope. Finish grades shall not exceed a 2:1 slope.
  3. Excavation throughout the site shall be in general conformance with the proposed preliminary grading plan. The maximum depth of cut on the overall site shall be 35 feet (bottom of lake). All other cut depths shall not exceed that indicated on the preliminary grading plan.



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4. Areas excavated for development shall be substantially prepared for finish construction prior to any subsequent area of excavation commenced. Substantially prepared for finish construction shall include, but is not limited to: finish grade for building pads, infrastructure installed, berming and landscaping installed and side slopes stabilized with topsoil and landscaping. As portions of each 20 acre cell are developed, an equal amount of area may be excavated to allow a natural progression of excavation through the site, provided the 20 acre threshold is observed at all times.
5. The applicant shall not operate more than one portable conveyor and not more than two scrapers or equivalent excavation machines at any given time. All excavated material shall be removed from the site by the single conveyor, with the exception of that material too large to be moved by the conveyor. Such material may be trucked off site at a frequency of a single truck, once per week.
6. The grading of the site shall be in general conformance with the proposed master grading plan (Attachments C). The maximum depth of excavation shall be 35 feet at the bottom of the lake.
7. Grading associated with infrastructure which has received engineering plan approval for construction shall not require a grading permit. The balance of the grading on the site may be accomplished through a single grading permit, provided it is conditioned to be in compliance with the conditions of this PUD approval.

I. Air:

1. Spray bars, mounted on the scrapers, and other dust control measures, such as periodically wetting exposed soils during grading in dry months and decreasing the duration which soils are exposed, shall be used during site excavation.
  2. The applicant shall form a Transportation Management Association, as described in the application material, to establish and adopt a Commute Trip Reduction and Transportation Demand Management plan prior to finalization of any commercial or industrial portion of the PUD. To ensure that such measures will be compatible with the existing transportation system, any CTR/TDM plan shall be reviewed and approved by the County Engineer prior to implementation or adoption by the proposed Transportation Management Association.
- J. Plants: To ensure that all landscape planting survive, the applicant shall conduct a three year monitoring program commencing from the date of initial landscape planting, supplemented with replanting, to ensure a 90 percent survival rate for shrubs and grasses and a 100 percent survival rate for trees.
- K. Noise:
1. The applicant shall provide a noise study, prepared by a qualified professional, prior to commencement of excavation each time the excavation is moved to a new area on the site. The study shall measure the noise impacts on adjacent properties surrounding the site. Such a study shall be provided prior to commencement of excavation in any new area, and shall include mitigation recommendations, if necessary, to ensure noise levels at the receiving property do not exceed those listed in WAC 173-60-040.

2. The applicant may excavate and undertake permitted hauling between 7:00 a.m. to 5:00 p.m. on weekdays, and from 8 a.m. to 5 p.m. on Saturdays, subject to the standards in WAC 173-60-040. The applicant may excavate and undertake permitted hauling between 5:00 p.m. and 9:00 p.m. or dusk, whichever is earlier, on weekdays from April 1 through September 30 annually, provided the noise level at the property line east and south of the site does not exceed 50 dBA. The Planning Director may require the applicant to perform or pay for performance of one or more noise measurements to show the applicant continues to comply with this condition. No excavation or hauling shall occur on Sundays.
3. A noise barrier shall be installed along the southern perimeter of the excavated area of Phase Ia. The noise barrier may consist of berming and/or acoustical fencing, but shall reach a minimum height of 8 feet. Such a barrier shall be required unless the applicant can provide a noise study, prepared by a qualified acoustical expert, which indicates that no or a lesser barrier is needed to ensure that the noise impact to the adjacent residential use will not exceed that identified in WAC 173-60-040.

L. Shoreline and Land Use:

1. The minimum density for the multi-family area shall be 10 units per acre.
2. The following note shall appear on the face of the final plat: "Developments on lots within this development may be subject to excavation noise impacts for an extended period of time."

M. Roads: The applicant shall complete the following improvements, except to the extent modified by the Director of Public Works or his duly authorized official, after consultation with the Planning Director, and pursuant to law:

1. For SE 164th Avenue, abutting the site, the applicant shall: Dedicate, as needed, a minimum 60-foot half-width right-of-way. Separate any proposed road intersections with SE 164th Avenue by a minimum 600 feet and comply with the sight distance requirements of CCC 12.05.360. Note on the face of the plat: No driveway shall enter SE 164th Avenue from this site.
2. For SE Mill Plain Road, abutting the site, the applicant shall: Dedicate, as needed, a minimum 50-foot half-width right-of-way. Construct, as needed, a minimum 35-foot half-width paved roadway. Comply with the additional design criteria listed in Table #1 for an urban 4-lane principal arterial with center turn lane and bike lanes. Separate any proposed road intersections with SE Mill Plain Road by a minimum 600 feet and comply with the sight distance requirements of CCC 12.05.360. Note on the face of the plat: No driveway shall enter SE Mill Plain Road from this site.
3. For SE 15th Street, abutting the site, the applicant shall: Dedicate, as needed, a minimum 30-foot half-width right-of-way and construct, as needed, a minimum 19-foot half-width paved roadway. Comply with the additional design criteria listed in Table #1 for an urban 2-lane collector. Comply with the driveway requirements of CCC 12.05.385. Comply with the sight distance requirements of CCC 12.05.360. Table #1 of the Road Standards requires that road

intersections with SE 15th Street be separated by a minimum 275 feet. The separation between the intersections of existing SE 171st Avenue and proposed SE 172nd Avenue with SE 15th Street is approximately 200 feet.

4. For SE 172nd Avenue, on-site, the applicant shall: Dedicate right-of-way and construct improvements, as described above in the analysis. 172nd Avenue shall be constructed on site from S.E. Mill Plain Road to the southern on site intersection of the internal loop road. Only right-of-way shall be dedicated for 172nd Avenue south of this intersection. Access to lots 126 through 129 from S.E. 15th Street shall be limited to visitor and employee traffic only, with driveways located in accordance with the Road Standards. Construct the structural section of the road to comply with an urban collector. Comply with the sight distance requirements of CCC 12.05.360.
5. For the proposed on-site urban residential roads and on-site urban multi-family roads, the applicant shall: Dedicate right-of-way and construct improvements, as needed, which comply with the standards of Table #3. Note that Table #3 limits cul-de-sacs to a 600-foot length. Dedicate right-of-way and construct improvements, as needed, so that the paved roadway width at the two intersections with SE 15th Street comply with urban local access road standards of Table #3. Comply with the sight distance requirements of CCC 12.05.360. Note on the face of the plat or site plan: Driveways entering residential roads in this development shall comply with CCC 12.05.316. Note on the face of the plat: No residential lot shall have a driveway which enters SE 15th Street.

6. For the remaining on-site loop roads (except the residential roads and SE 172nd Avenue), the applicant shall: Dedicate right-of-way and construct improvements, as described above in the analysis. Construct the structural section of the road to comply with an urban collector. Comply with the sight distance requirements of CCC 12.05.360.
7. Occupancy of the site, (Area A, Phase 1) shall not occur until the planned improvements by Clark County are implemented along SE 164th Avenue from McGillivray Blvd. to Mill Plain Road.
8. The applicant shall construct dual left turn lane for vehicles entering the site at the Area A mixed-use driveway on SE 15th Street
9. Striping for SE 15th Street is shown on the sketches attached to the June 6, 1995 memorandum from Murl Jones, Transportation to Eric Holmes, Planning. Phase one will require one westbound left-turn lane as shown on the attached phase I sketch. Phase II will require the additional westbound left-turn lane, as shown on the attached Phase II sketch. The sketch entitled 'ultimate phase' will be used when the commercial property located south of this site is developed in the future.
10. Pedestrian walkways shall be clearly delineated on the preliminary plat for review and approval. (A pedestrian walkway standard drawing is available from Parks and Recreation Division.)
11. Prior to construction, the applicant shall submit for County review and approval road plans and profiles prepared by an engineer licensed in the State of Washington.

12. Drainage from road improvements must be incorporated into the final drainage plans.
13. Existing roads and driveways affected by the construction of this development shall be maintained to provide safe, convenient, and adequate access at all times.
14. Prior to any development activity in any phase other than Phase Ia, the applicant shall submit for review and approval a traffic study for the phase contemplated for development which addresses the then current traffic conditions and appropriate mitigations.
15. This review and recommendation in no way approves the road configuration show in Phase II of the Master Plan, Attachment 6. The road configuration for Phase II shall be determined at the time of subdivision or site plan approval for Phase II. No right-of-way dedication shall occur with this plat which sets any intersection location from Phase II onto the arterial system.
16. The applicant shall enter into a signal participation agreement for future signalization of the primary entrance to the development when other properties in the area develop.
17. If Tract B is improved with pedestrian facilities, the applicant shall dedicate and improve pedestrian access easements extending to Tract B from within the single family residential area. There shall be a minimum of three access points, spaces approximately equally along the eastern boundary of the single family residential area. These pedestrian paths shall connect to any pedestrian facility constructed within Tract B.

M. The face of the final plat shall be amended as follows:

1. Note that: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this plat. Each lot owner having access to a private road shall participate in a private road maintenance agreement."
2. Note on the final plat that: "Pursuant to Chapter 18.65 of Clark County Code, the Park, Traffic and School Impact Fees for the single family residential portion of this plat shall be fixed for a period of three years following the date of preliminary plat approval, dated (insert date of preliminary plat approval), and expiring on (insert date three years following preliminary plat approval date). Impact fees shall be recalculated using the then current regulations and fee schedule. Fees shall be imposed on a per lot basis at the time of building permit application. These fees do not constitute liens against the lots in this subdivision, but are collected as a condition of initial building permit issuance.

URBAN PARKS: Urban Park District #4 with a current fee of \$926.00 per single family unit and \$677.00 per multi-family unit. PIFs may be reduced pursuant to 18.65 for provision of private open space.

TRANSPORTATION: South County Traffic Impact Fee Area. Per trip fee for this area is \$113.00. The fee for single family residential lots for this area is \$917.00, and \$621.00 for multi-family residential.


SCHOOLS: Evergreen School District #114, with a current fee of \$931.00 per single family residence, and \$406.00 per multi-family.

2. Note that: "Multi family residential and non-residential developments within this plat shall be subject to Park, School and traffic Impact fees at the time of site plan review for the respective uses."
  3. Note that: "Driveways serving the lots described on this plat shall comply with CCC 12.05.316."
  4. Note that: "No individual residential lot shall have direct access onto S.E. 15th Street. No individual lot shall have direct access onto S.E. Mill plain Road, or any extension thereof. No individual lot shall have direct access to 164th Avenue."
  5. Note that: "Development on all single family residential lots shall be subject to CCC 18.420, Solar Balance Point, at time of building permit issuance."
  6. Note that: "Developments on all lots shall comply with Columbia Tech Center Master Plan and Development Standards and the provisions of PUD #95-001-36/3122."
- O. Effective Date. This resolution shall not go into effect until a covenant as approved by the Clark County Prosecutor, in substantially the form as Attachment A, and recorded with the Auditor.

- Attachments: A. Rezone Covenant  
B. Master Land Use Plan  
C. Master Grading plan

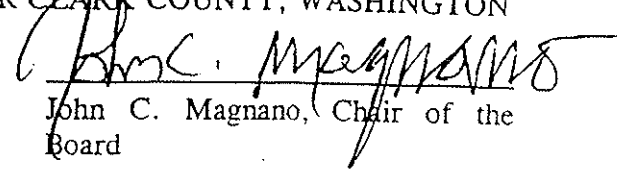
ADOPTED this 29<sup>th</sup> day of August, 1995.

Attest:

  
Clerk to the Board

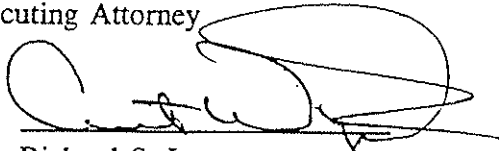
BOARD OF COUNTY COMMISSIONERS  
FOR CLARK COUNTY, WASHINGTON

By

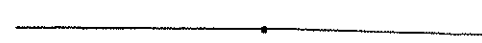
  
John C. Magnano, Chair of the  
Board

Approved as to Form Only  
ARTHUR D. CURTIS  
Prosecuting Attorney

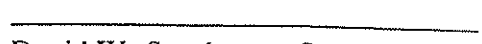
By

  
Richard S. Lowry  
Senior Deputy Prosecuting Attorney

By

  
Mel Gordon, Commissioner

By

  
David W. Sturdevant, Commissioner

COVENANT RUNNING WITH THE LAND

THIS COVENANT is made and effective this 29 day of August 1995, is by C.T.C. INVESTMENTS, LLC, a Washington Limited Liability Company to CLARK COUNTY, State of Washington (hereinafter "COUNTY").

RECITALS:

1. APPLICANT is the owner or party in interest of certain real property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (hereinafter "SITE");
2. APPLICANT'S predecessor in interest covenanted with the COUNTY to rezone the SITE from F-X (Rural Use) to M-L (Light Industrial), which rezone was adopted by Resolution No. 1979-06-106 and which covenant was adopted by Resolution No. 1979-07-71 (hereinafter "FORMER COVENANT");
3. APPLICANT desires to release the FORMER COVENANT and Master Plan the SITE in accordance with the COUNTY Comprehensive Plan adopted December 20, 1995 by Resolution No. 1994-12-52;
4. COUNTY desires to bring the SITE into conformance with the Comprehensive Plan and desires APPLICANT to covenant and agree to the conditions herein described;
5. APPLICANT and COUNTY agree that the COUNTY Planned Unit Development

**ATTACHMENT A**



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procedures provided for in the COUNTY Code is the preferred method and process for the approval of a Master Plan for the SITE as of the date of the adoption of this COVENANT.

NOW THEREFORE, APPLICANT covenants and agrees, on behalf of themselves and all of their heirs, successors and assigns, as follows:

1. APPLICANT is the sole and exclusive owner or party in interest of the SITE in Clark County, State of Washington, described in Exhibit "A" hereto ("SITE").

2. APPLICANT herein covenants and agrees to COUNTY on behalf of themselves and all of their heirs, assigns and successors in interest into whose ownership the SITE might pass that if the FORMER COVENANT is released, the SITE will only be developed in accordance with the Master Plan approved under PUD #95-001-3622, and in compliance with the terms and conditions contained in Resolution No. 1995-08-42 which are adopted and incorporated herein.

3. It is specifically covenanted and agreed that this is a covenant running with the land.

4. Enforcement. This Agreement may be enforced by COUNTY, or any of its citizens who have standing to do so, through any remedy provided by law or in equity. In addition, the County may refuse to issue site plan approval, building permits and/or occupancy permits in case this covenant is not fulfilled in the construction, development and use of the real

property by applicant or successor.

5. Recording. A copy of this Agreement will be filed with the Clark County Auditor in his recording department so as to appear as a covenant within the chain of title for the SITE before or immediately upon passage of the change of zone upon which this Agreement is predicated.

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

7. Authority. Those signatories hereto who sign on behalf of a corporation are expressly vested by the by-laws of the corporation which they purport to represent with the authority to bind such corporation in the manner in which such signatories have purported to bind their principal herein.

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

9. Performance. That at such time as any signator hereto shall cease to have legal right of control over the use and development of the SITE, such signator shall not be bound to the extent of the loss of such control to perform any contractual duties hereunder arising after the cessation of such right of control, but such signator shall continue to be bound to perform contractual duties arising during such right of control and shall continue to be liable hereunder for breaches of such prior contractual duties.

10. Succession. This Agreement, and all of its provisions, shall be binding upon APPLICANTS and any and all of their heirs, assigns and successors in interest into whose ownership SITE may pass, and any obligations made herein by APPLICANT, shall be enforceable against all of their heirs, assigns and successors in interest into whose ownership SITE may pass, and all of them, except as this Agreement shall expressly provide to the contrary.

11. Amendment. The provisions of this Agreement may be modified or rescinded only upon execution of an appropriate written instrument by the Board of Clark County Commissioners and the APPLICANT or their then existing successors and assigns: Provided, that no such modification or rescission which materially alters the original purpose of the provisions of this covenant shall be made until the Board of County Commissioners has held a public hearing thereon giving such notice as is given for rezone applications.

DATED this 29<sup>th</sup> day of August 1995.

C.T.C. INVESTMENTS, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF WASHINGTON )

:ss.

COUNTY OF CLARK )

On this \_\_\_\_ day of \_\_\_\_, 1995, before me, the undersigned a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me known to be members of C.T.C. INVESTMENTS, LLC, respectively, the corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

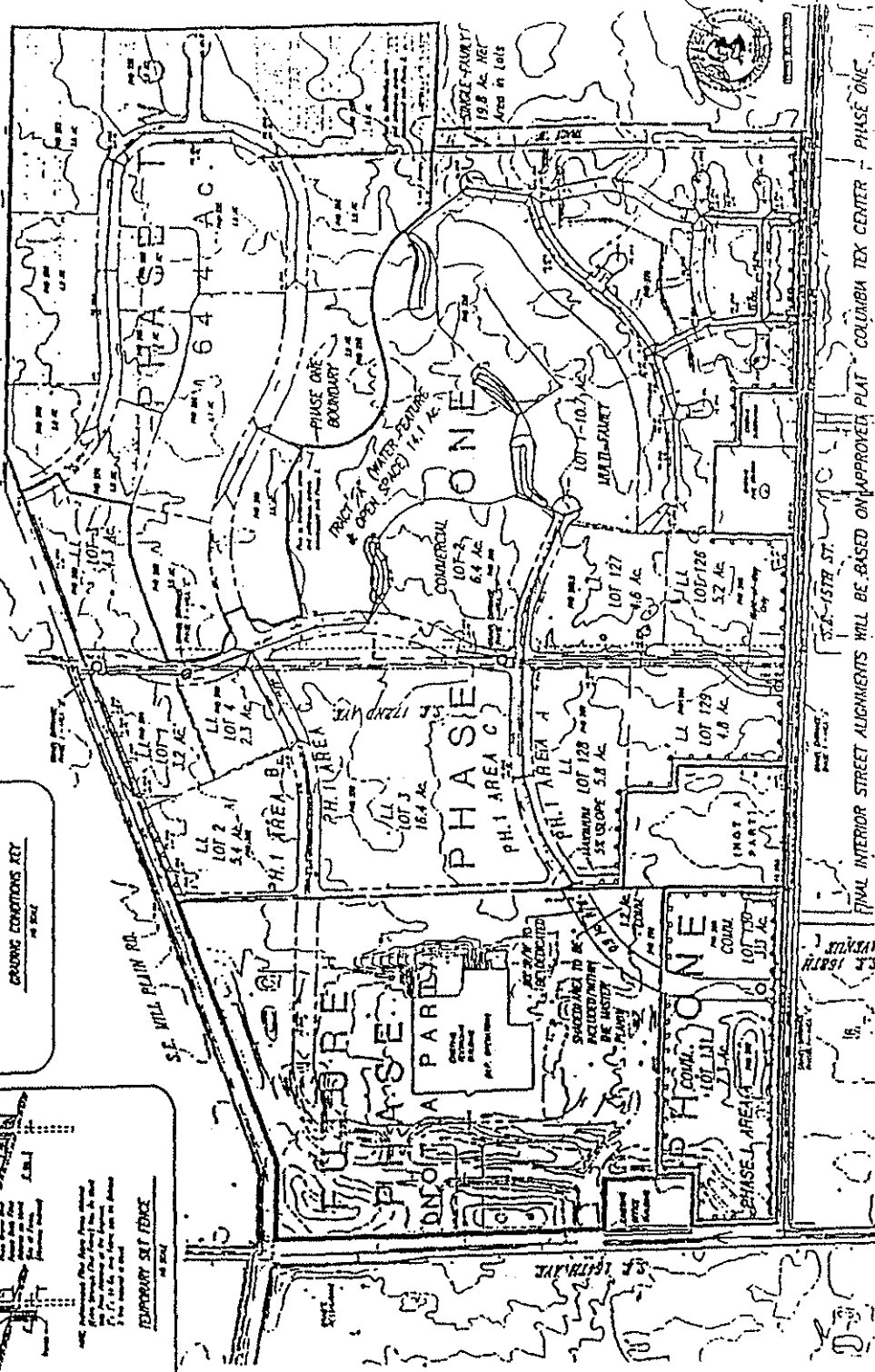
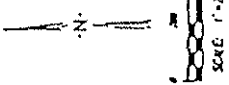
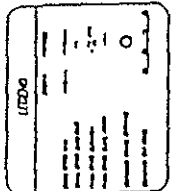
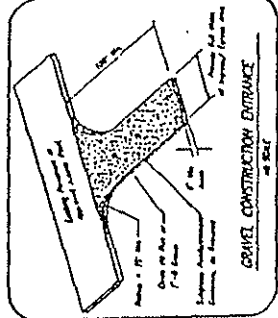
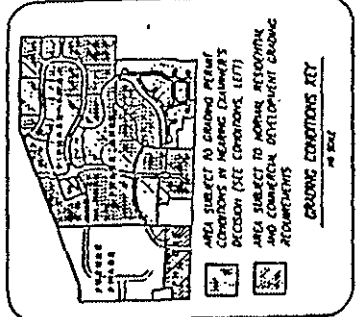
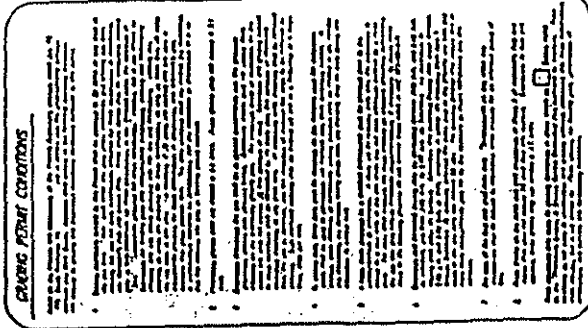
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_.  
My Commission Expires:

Approved as to Form Only  
ARTHUR D. CURTIS  
Prosecuting Attorney

By

Richard S. Lowry  
Richard S. Lowry  
Senior Deputy Prosecuting Attorney



[illegible][illegible]



P.O. Box 1995  
Vancouver, WA 98668-1995

[www.ci.vancouver.wa.us](http://www.ci.vancouver.wa.us)

## MEMORANDUM

From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit D – Attachment B Phase One (Preliminary Plat)  
Exhibit D – Attachment B Phase I & II

Date: 01/24/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

This page of the document is non-recordable. Original is filed in Central Records.

**EXHIBIT "E"**

**COLUMBIA TECH CENTER DEVELOPMENT PLAN**



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# COLUMBIA TECH CENTER

## DEVELOPMENT PLAN

C.T.C. PHASE 2  
DEVELOPMENT PATTERN  
NOT ESTABLISHED

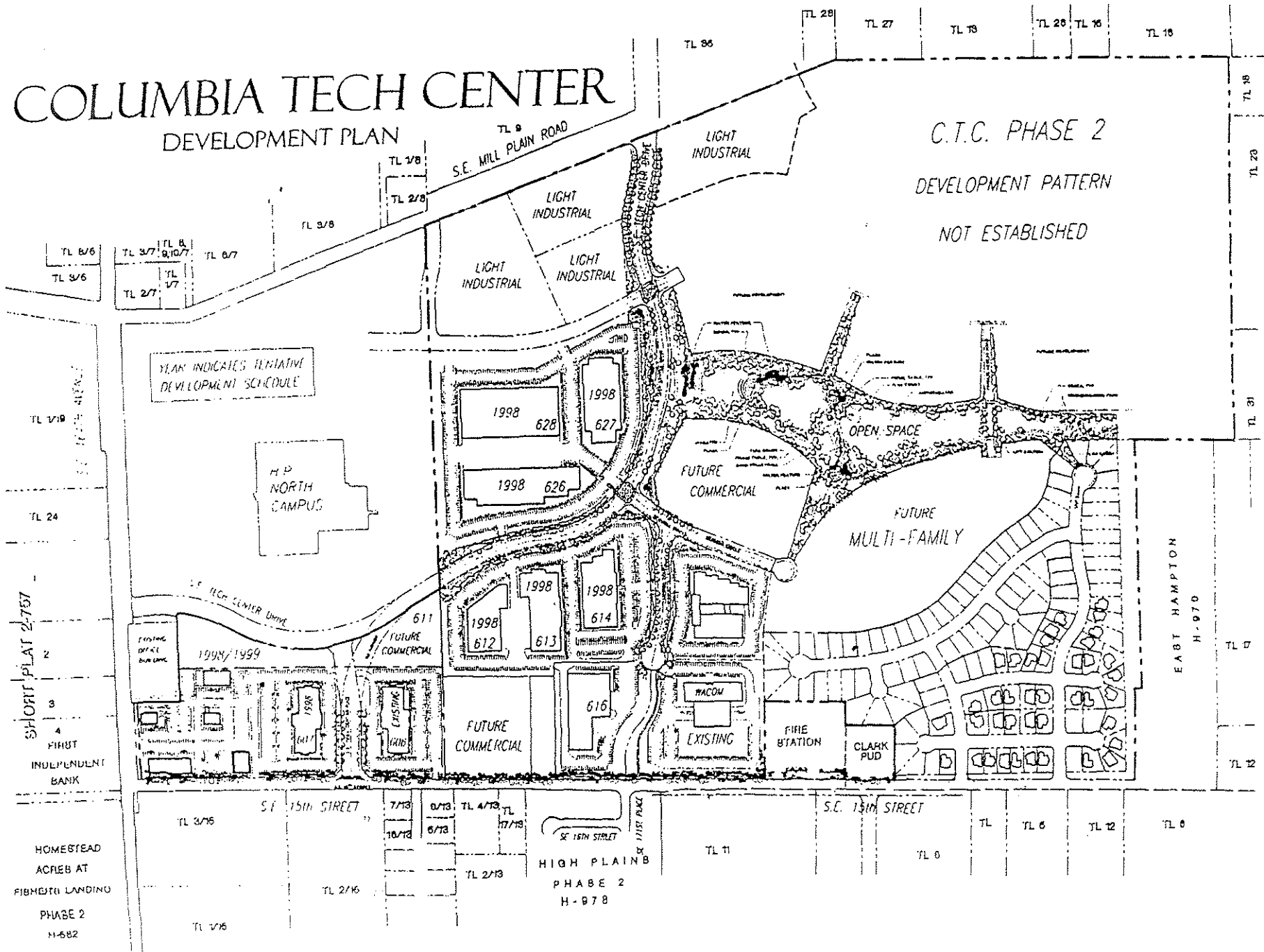


Exhibit E

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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit E – Development Plan – Phase II Map

Date: 01/24/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

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**EXHIBIT "F"**

MODIFICATIONS TO CTC PUD  
CASE NO. V97PD003

FINAL ORDER DATED NOVEMBER 4, 1997  
AMENDED FINAL ORDER DATED NOVEMBER 18, 1997  
AND  
SECOND AMENDED FINAL ORDER DATED DECEMBER 9, 1997



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## FINDINGS, CONCLUSIONS, AND DECISION OF THE HEARINGS EXAMINER FOR THE CITY OF VANCOUVER

In the Matter of the Application of Columbia  
Tech Center, LLC For Approval of Planned  
Development Modifications.

NO. V97PD003

AMENDED FINAL ORDER

### I. PROPOSAL/BACKGROUND

**1.1 Proposal.** Steve Madison and Columbia Tech Center, LLC ("Applicant/Owner") have requested City of Vancouver approval of ten (10) modifications to the Clark County approved Columbia Tech Center Planned Unit Development ("CTC PUD").

The property consists of approximately 198 acres located south of S.E. Mill Plain Boulevard, east of S.E. 164<sup>th</sup> Avenue, north of S.E. 15<sup>th</sup> Street, and 1,900 feet west of S.E. 192<sup>nd</sup> Avenue.

The zoning designation is Light Industrial (LI), and the Comprehensive Plan designation is also Light Industrial (LI).

The Applicant/Owner has requested that the City approve the following ten (10) modifications to the approved Columbia Tech Center Planned Unit Development ("CTC PUD"):

- Modification No. 1: Increase Final Grade Depth from twenty-five (25) feet to forty (40) feet.
- Modification No. 2: Increase twenty (20) Acre Active Grading Limitation to forty (40) acres.
- Modification No. 3: Modify Landscaping Standards.
- Modification No. 4: Incorporate 9.4 acres into CTC PUD.
- Modification No. 5: Eliminate Commercial Square Footage Limitation.
- Modification No. 6: Modify Development Standards.
- Modification No. 7: Eliminate Large Water Feature and Redesign Open Space.
- Modification No. 8: Vacate Recorded Right-of-Way to S.E. 15<sup>th</sup> Street.
- Modification No. 9: Eliminate S.E. 169<sup>th</sup> Avenue.
- Modification No. 10: Eliminate Reservation for Potential Street.

**1.2 Site and Vicinity.** The 198 acre CTC PUD is located south of S.E. Mill Plain Boulevard, east of S.E. 164<sup>th</sup> Avenue, north of S.E. 15<sup>th</sup> Street, and 1,900 feet west of S.E. 192<sup>nd</sup> Avenue.

The site's topography varies gradually from zero (0) to twenty (20) feet below grade from west to east. A portion of the site along S.E. 15<sup>th</sup> Street between S.E. Tech Center Drive and

S.E. 181<sup>st</sup> Avenue has a 2:1 slope. This portion of the development is located approximately fifteen feet below the grade of S.E. 15<sup>th</sup> Street.

The approved CTC PUD has a series of overlay zones which designate portions of the site for development other than light industrial. The site is designated for the following development:

<u>Land Use Designation</u>	<u>Acres</u>
Light Industrial	116.9
Commercial	17.8
Multi-Family Residential	10.7
Single-Family Residential	19.8
Open Space	15.9
Right-of-Way	17.7
Total	198.8

Zoning designations and current land uses surrounding the site include the following:

<u>Zoning Designation</u>	<u>Current Land Use</u>
North R1-6, R-18, Office Campus and Light Industrial	Single-Family Residential and Vacant Land
East R1-6 within the City. Light Industrial with Surface Mining Overlay within the County	Single-Family Residential and Vacant Land
South R1-6, R-12 and Community Commercial	Single-Family Residential and Vacant Land
West Community Commercial	Restaurant, Bank, and Vacant Land

**1.3 Procedures Followed.** The CTC PUD was approved by the Clark County Board of County Commissioners ("BOCC") on August 29, 1995 pursuant to Resolution No. 1995-08-42 (Exhibit 23). Section B. Zoning, Paragraph 9 of the Resolution required:

"Any alteration to the PUD, phasing plan, development standards or master plan shall be subject to the Post Decision Review procedures for a Type III application contained in Clark County Code (CCC) 18.600, with the exception of changes to the Master Plan which result in an increase in residential or commercial density, or a decrease in industrial density, which shall be subject to approval by the Board of County Commissioners in a public

hearing. Any such changes shall be consistent with the Growth Management Act and shall not have the effect of reducing the floor area ratios of industrial uses for the site considered in total." Resolution No. 1995-08-42 at page 11.

The "Staff Report and Recommendation to the Hearings Examiner Case V97PD003" was forwarded to the Hearings Examiner in advance of the Hearing. The Staff Report recommended approval with conditions. The Hearings Examiner's Hearing was held on Tuesday, October 21<sup>st</sup>, 1997 at 7:00 P.M. at the Vancouver City Hall Council Chambers.

At the Hearing, the Staff Report was presented by Melissa Remick, Senior Planner. She described the project, the site, and the surrounding neighborhood. She stated staff believes the criteria for recommending approval of the requested modifications have been met by the Applicant/Owner.

Mr. John D. White, representing the Applicant/Owner, submitted into evidence a document entitled "Columbia Tech Center Hearings Examiner Information" (Exhibit 35). Mr. White also testified regarding clarifying and/or suggesting new language on the Staff's recommended conditions of approval. The Examiner incorporates by reference pages 1,2 and 3 of Exhibit 35 as though fully set forth, and as set forth below.

Exhibit 33 of the record includes a request by the Washington State Department of Natural Resources that the City condition any approval to the filing of a modified/revised reclamation plan. However, the Hearings Examiner does not have jurisdiction over grading for site preparation purposes pursuant to RCW 78.44.031.

## 11. FINDINGS

### 2.1 Modification No. 1: Increase Final Grade Depth from 25 feet to 40 feet.

2.1.1 This request modifies an adopted SEPA Mitigation Measure and BOCC condition of approval. The original approval permitted grading for site development to a depth of twenty-five (25) feet below grade in Phase II. The amount of mineral resource to be removed by a single conveyor belt within Phase II was approximately 1.6 million cubic yards. The requested modification of an additional 15 foot depth will result in the removal of an additional 1.5 million cubic yards. The requested modification will result in substantially the same level of environmental impacts to the earth as the prior approved CTC PUD.

2.1.2 As set forth under the mitigation measures included in the "Earth", "Air", "Environmental Health", and "Transportation" sections of the Staff Report, at pages 19 through 22, the Hearings Examiner finds that increasing the depth of final grade from twenty-five (25) feet to a maximum of forty (40) feet in Phase II will not result in probable significant adverse environmental impacts.



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2.1.3 The Hearings Examiner also finds that the Applicant/Owner's requested change(s) to the conditions as set forth in Exhibit 35 and the Staff recommended Condition 1.2 are approved and shall be incorporated below as appropriate conditions of approval.

2.1.4 The Applicant/Owner is requesting to lower Phase II to a depth of forty (40) feet as a transition from Phase II to future phases to the east (Phase III), which is outside of the City's jurisdiction.

**2.2 Modification No. 2: Increase 20 Acre Active Grading Limitation to 40 Acres.**

2.2.1 This request also modifies an adopted SEPA Mitigation Measure and BOCC Condition of Approval.

2.2.2 The proposed SEPA mitigation measures are set forth in the "Earth" and "Environmental Health Hazards" on pages 19 and 21 of the Staff Report. The Hearings Examiner finds that increasing the open and active grading area from twenty (20) acres to forty (40) acres will not result in a probable significant environmental impact subject to Staff recommended Conditions of Approval No. 2.1 and 2.2 as set forth hereinbelow.

**2.3 Modification No. 3: Modify Landscaping Standards.**

2.3.1 Condition B. Zoning 6 of BOCC Resolution No. 1995-08-42 states:

"Development of the site, including landscaping and screening, lot development standards and signage, shall be in conformance with the CTC Development Standards, Exhibit 20 of the Hearings Examiner decision..."

The CTC Development Standards (Exhibit 4) includes 3 sections, one of which is the Landscaping and Screening Standards, dated May 30, 1995. The Applicant/Owner is requesting to amend numerous sections of these Landscaping and Screening Standards.

2.3.2 "Appendix 1C: Modification to Landscaping Standards" submitted by the Applicant/Owner includes a summary of the requested additions (pages 1C1 through 1C-3) and deletions (pages 1C-4 through 1C-5).

2.3.3 "Appendix 1A: Landscaping and Screening Standards Red-Lined Version" sets forth the Applicant/Owner's requested changes.

2.3.4 The BOCC Resolution allows changes to the CTC Development Standards after an open record public hearing is held for such purposes.

2.3.5 The BOCC Resolution at page 3, paragraph 4 states as follows:



"The landscaping plan and standards shall be amended to use native vegetation to the greatest extent practical and feasible, particularly in any improvements to Tract B."

The Hearings Examiner has reviewed the existing CTC plant palette and the proposed changes to the palette contained in Appendices 1A and 1C of the CTC Development Standards (Exhibit 4). The existing plant palette includes a significant listing of both native and non-native vegetation. Although the requested changes include the elimination of several native plant species such as Big Leaf Maple, Oregon Grape, Black Cottonwood and Elderberry, the removal of these species will not significantly reduce the amount of native vegetation permitted throughout the CTC PUD.

**2.3.6** The proposed changes to the CTC Landscaping and Screening Standards exceed the requirements of VMC 20.83.200.

**2.3.7** The Staff's proposed Condition 3.1 and the Applicant/Owner's proposed Condition 3.2 are consistent with the appropriate approval standards and shall be adopted hereinbelow.

#### **2.4 Modification No. 4: Incorporate Four Out-Parcels Into CTC PUD.**

**2.4.1** The Applicant/Owner is requesting to add four (4) additional parcels amounting to approximately 9.4 acres to the CTC PUD. The following table sets forth a breakdown of the land use designation by acreage and percentage:

<u>Land Use Designation</u>	<u>Existing Acres</u>	<u>%</u>	<u>Proposed Acres</u>	<u>%</u>
Light Industrial	116.9	58.8	119.4	57.3
Commercial	17.8	8.9	24.7	11.8
Multi-Family Residential	10.7	5.3	10.7	5.1
Single-Family Residential	19.8	10.0	19.8	9.5
Open Space	15.9	7.9	15.9	7.6
Right-of-Way	17.7	8.9	15.9	7.7
Totals	198.8	100.0%	206.4	100.0%

**2.4.2** BOCC Resolution No. 1995-08-42 did not preclude the addition of new land to the CTC PUD. The requested modification will not require a change in the City's underlying Comprehensive Plan and Zoning designations of Light Industrial (LI).

**2.4.3** The proposed modifications may exceed the County-allocated 767 plus an additional 280 trips pursuant to the applicable Concurrency Ordinance. If no County allocated trips remain, then the Applicant/Owner will be required to obtain a City Certificate of Concurrency prior to the issuance of site plan approval.

2.4.4 The Staff recommended conditions of approval Nos. 4.1, 4.2, and 4.3 meet the terms and conditions of the appropriate City approval standards.

## 2.5 Modification No. 5: Eliminate Commercial Square-Footage Limitations.

2.5.1 The Applicant/Owner proposes to eliminate a commercial square footage limitation of 167,000 square feet as set forth under the BOCC Resolution.

2.5.2 The Commercial development allowed under the CTC PUD is similar to development permitted within the City's Community Commercial Zoning District. A maximum building coverage of one hundred percent (100 %) would be permitted under VMC Table 20.21.310 if this development was reviewed as a new project in the City.

2.5.3 This requested modification would also be subject to the City's Concurrency Ordinance if no County-allocated trips remain.

## 2.6 Modification No. 6: Modify Development Standards.

2.6.1 The Development Standards include three sections, of which the Applicant/Owner requests (1) to eliminate the section titled "CTC Design Guidelines" dated August 2, 1994, located in the back of Appendix 2A: Development Standards and Design Guidelines; (2) to modify the section title "Columbia Tech Center Development Standards" located in the front of Appendix 2A: Development Standards and Design Guidelines; and (3) modify "Landscaping and Screening Standards" (see Modification No. 3). The Applicant/Owner has submitted a further revised set of development standards (Exhibit No. 5). This request modifies an adopted BOCC condition of approval.

2.6.2 The BOCC Resolution permitted amendments to the CTC Development Standards if the process outlined in Condition B. Zoning 9 was followed. The Applicant/Owner has followed this process. The proposed changes are consistent with the BOCC Resolution and do not substantially alter the intent of the overall concept of the CTC PUD. The development standards replace many sections of the Vancouver Municipal Code pertaining to site plan review. These proposed changes in the development standards do not substantially conflict with the Vancouver Municipal Code.

2.6.3 The Applicant/Owner has proposed unlimited temporary signage with a maximum sign area of sixteen (16) square feet throughout the CTC PUD. VMC 20.82 requires that such signs, depending on land use, be limited to a maximum of ten (10) square feet in area, and one (1) sign per function per street frontage. The proposed standard may result in numerous oversized signs to be placed for up to eighteen (18) months at a time. The result may be impaired public safety for drivers and emergency service personnel. The proposed standard should be revised to be consistent with VMC 20.82 and such a condition is warranted.

The Applicant/Owner has also proposed to construct monument signs and directories without City review, approval or criteria. Such signs are regulated as Business Complex Signs in VMC 20.82.

**2.7 Modification No.7: Eliminate Large Water Feature and Redesign of Open Space.**

**2.7.1** The approved open space area encompasses fourteen (14) acres and includes a large water feature and passive recreational opportunities. The Applicant/Owner's request is to eliminate the large water feature, redistribute one (1) acre of the open space along S.E. Tech Center Drive, and redesign the open space area to include active recreational opportunities. This request modifies an adopted BOCC Condition of Approval.

**2.7.2** The BOCC Resolution permitted amendments to the CTC Development Standards if the process outlined in Condition B. Zoning 9 was followed. As stated earlier, the Applicant/Owner has followed this process. The proposed changes are consistent with the BOCC Resolution and do not substantially alter the intent of the overall concept of the CTC PUD. The open space area will continue to be an integral part of the CTC PUD and provide open space and recreational opportunities for the public.

**2.8 Modification No. 8: Vacation of Recorded Right-of-Way to S.E. 15<sup>th</sup> Street.**

**2.8.1** As required by BOCC Resolution No. 1995-08-42, the Applicant/Owner dedicated approximately 430 lineal feet of right-of-way to the City of Vancouver. At the time of CTC PUD approval, the County determined that the right-of-way was needed for future extension of S.E. Cardinal Court (previously named S.E. 172<sup>nd</sup> Avenue) to S.E. 15<sup>th</sup> Street. Both Cardinal Court and S.E. 15<sup>th</sup> Street are public roads. The Applicant/Owner now requests that the City vacate this right-of-way. This request modifies an adopted BOCC Condition of Approval.

**2.8.2** Thayer Rorabaugh, City of Vancouver Manager of Transportation Engineering, has recommended vacation of the existing right-of-way in an April 24, 1997 letter to Mr. John White (Exhibit No.24), conditioned upon the provision of pedestrian circulation. A condition of approval to this effect is warranted. The Hewlett-Packard Company recently received conceptual approval from Clark County to construct a new roadway (S.E. 11<sup>th</sup> Street) from S.E. 164<sup>th</sup> Avenue east to S.E. Tech Center Drive. These changes in the main access through the development (S.E. Tech Center Drive) and intersection with S.E. 164<sup>th</sup> Avenue, eliminate the need for the future street.

**2.9 Modification No. 9: Elimination of S.E. 169<sup>th</sup> Avenue.**

**2.9.1** Currently, the Applicant/Owner is required to construct S.E. 169<sup>th</sup> Avenue from S.E. Mill Plain Boulevard to S.E. Tech Center Drive. The Applicant/Owner requests to modify this BOCC Condition of Approval and construct only a portion of S.E. 169<sup>th</sup> Avenue from S.E. Mill Plain Boulevard to a future east-west roadway north of Lot 3.

2.9.2 Thayer Rorabaugh, City of Vancouver Manager of Transportation Engineering, has recommended elimination of this reservation in an April 24, 1997 letter to Mr. John White (Exhibit No. 24) by stating that reasonable circulation can still be maintained after S.E. 169<sup>th</sup> Avenue is eliminated. The Hearings Examiner concurs with the recommendation.

**2.10 Modification No.10: Eliminate Reservation for Potential Street.**

2.10.1 As required by the Hearings Examiner Final Order (Exhibit 22), a portion of the west end of Lot 128 of the CTC PUD was reserved at the time of the CTC PUD approval for the future extension of S.E. 169<sup>th</sup> Avenue to the south. The Applicant/Owner requests to eliminate this requirement.

2.10.2 Thayer Rorabaugh, City of Vancouver Manager of Transportation Engineering, has recommended elimination of the reservation in an April 24 1997 letter to Mr. John White (Exhibit No. 24) based upon the fact that there will be reasonable circulation in the area. The Hearings Examiner concurs with the recommendation.

2.11 A Mitigated Determination of Nonsignificance (MDNS) was issued on May 8, 1995, by Clark County for the approved Columbia Tech Center Planned Unit Development (Exhibit No. 21). Consistent with WAC 197-110630, the City adopted the existing MDNS on September 18, 1997 (Exhibit No. 20).

This request includes ten (10) modifications to the original approved CTC PUD project. Eight (8) of the modifications do not substantially change the existing MDNS. Consistent with WAC 197-110625, the Applicant/Owner prepared a SEPA Addendum (Exhibit No. 4, Appendices G and H) to provide additional information and analysis regarding the (8) modifications. The analysis in the SEPA Addendum does not substantially change the analysis of significant impacts and alternatives in the existing MDNS.

As proposed, the remaining two (2) modifications (Modifications No. 1 and 2) do substantially change the previous analysis of significant impacts and mitigation in the MDNS. For these two (2) requests, the Applicant/Owner prepared a new SEPA Environmental Checklist for Modifications No. 1 and 2.

As lead agency, City Staff reviewed the SEPA Environmental Checklist and issued a threshold determination of Mitigated Determination of Nonsignificance. Staff determined, and the Hearings Examiner finds, that Modifications No. 1 and 2, as mitigated, will not have a probable significant adverse environmental impact. These mitigation measures have been incorporated by the Hearings Examiner into the Conditions of Approval as set forth below.

2.12 The Examiner further finds that approving the requested ten (10) modifications will not adversely affect the City's Comprehensive Plan. As conditioned, the modifications will comply with all applicable provisions of the Vancouver Municipal Code.

2.13 Any Conclusion hereinbelow which may be deemed a Finding is hereby adopted as such.

### III. CONCLUSIONS

3.1 The Hearing Examiner has jurisdiction over the subject matter and persons of this application.

3.2 The requirements of SEPA have been and shall be satisfied.

3.3 The applicable approval regulations that govern the Examiner decision are as follows:

3.3.1 Clark County Board of County Commissioners Resolution No. 1995-08-42;

3.3.2 Hearings Examiner Final Order for CTC PUD;

3.3.3 Visions for the Vancouver Urban Area - Volume II, Growth Management Plan;

3.3.4 Vancouver Municipal Code (VMC) Title 11 (Streets and Sidewalks);

3.3.5 VMC Title 12 (Trees and Vegetation);

3.3.6 VMC Title 14 (Water, Sewer, Stormwater and Erosion Control);

3.3.7 VMC Title 16 (Fire);

3.3.8 VMC Title 17 (Buildings and Construction);

3.3.9 VMC Title 20 (Zoning); and

3.3.10 VMC Title 21 (SEPA).

3.4 The Findings above support a conclusion that the Applicant/Owner's request for ten (10) modifications to the Clark County approved Columbia Tech Center Planned Unit Development (CTC PUD) would be consistent with the approval criteria and all significant environmental impacts have been mitigated, if the following conditions are imposed and complied with by the Applicant/Owner:

**A. Modification No. 1: Increase Final Grade Depth from 25 feet to 40 feet.**

(1) Preliminary grades at any point shall not exceed a 1:1 slope. Finish grades shall not exceed a 2:1 slope.

(2) The Applicant/Owner shall revise the preliminary grading plan to incorporate Modification No. 1. Excavation throughout the site shall be in general conformance with the preliminary grading plan. The maximum final grade within Phase II shall be 40 feet below grade.

(3) The Applicant/Owner shall not operate more than one portable conveyor and not more than two scrapers or equivalent excavation machines at any given time. Only that equipment used for the excavation of the site, limited by the forty (40) acre restriction, shall be limited at any given time. Moreover, excavated material shall be removed from the site by a single conveyor with the exception of non-structural organic topsoil, and oversize rock too large for the conveyor. The oversize rock may be trucked off the site at a frequency of a single truck, once per week. Topsoil strippings shall be trucked off the site regularly, as needed, so as not to create an abundance of stockpiles on-site.

(4) To control dust, spray bars shall be mounted on the scrapers used for excavation which shall be used to periodically wet exposed soils when conditions warrant. In addition, other methods of periodically wetting exposed soils as needed in dry months and decreasing the duration which soils are exposed, shall be used during site excavation to control dust.

(5) Excavation may be conducted between the hours of 7:00 A.M. to 5:00 P.M. on weekdays, and from 8 A.M. to 5 P.M. on Saturdays. No excavation shall occur on Sundays. Excavation may occur from 7:00 A.M. until 5:00 P.M. or dusk, whichever is later, on weekdays from April 1<sup>st</sup> to September 30<sup>th</sup>, annually, provided the noise level at the property line east and south of the site does not exceed 50 d.b.a. The Planning Director may require one or more noise measurements paid for by the Applicant/Owner to insure compliance with this condition.

(6) Finish grades on the north and east boundary of Phase II of the Applicant/Owner's PUD and Master Plan shall not exceed five percent (5%) until the City has approved a cross circulation plan for vehicular, pedestrian, and bicycle access from Phase II to the adjoining properties. Subsequent to an approved plan, finish grades may not exceed a 2:1 slope.

**B. Modification No. 2: Increase 20 Acre Active Grading Limitation to 40 Acres.**

(1) The area subject to grading on the site in preparation for development shall be limited to forty (40) acres or less open at any one time. This area limitation shall not restrict the installation of infrastructure approved for construction, nor the excavation or preparation of a lot that has received site plan or building permit approval.

(2) The Applicant/Owner shall provide a noise study, prepared by a qualified professional, prior to commencement of excavation each time the excavation is moved to a new area on the site. The study shall measure the noise impacts on adjacent properties surrounding the site. Such a study shall be provided prior to commencement of excavation in any new area, and shall include mitigation recommendations, if necessary, to ensure noise levels at the receiving property do not exceed those listed in WAC 173-60-040.

**C. Modification No. 3: Modify Landscaping Standards.**

(1) The Applicant/Owner shall revise the proposed landscaping standards to read:

"The landscape plans required for submission by the Applicant/Owner must be prepared by a landscape architect, architect, or engineer registered in the State of Washington and proficient in landscaping."

(2) Root barriers shall be installed for "Small Tree Species" as indicated in the City of Vancouver Urban Forestry Program, dated July of 1997, within 2.5 feet of curbs, paving, and sidewalks. Root barriers shall be installed for other trees within 3.5 feet of curbs, paving, and sidewalks.

**D. Modification No. 4: Incorporate Four Out-Parcels Into CTC PUD.**

(1) The Applicant/Owner shall submit documents to the Community Development Department establishing that either Columbia Tech Center, LLC owns all of the subject parcels or has authorization from all of the property owners to include the subject parcels in the CTC PUD. (See Exhibit 35 under "Ownership Information".)

(2) Prior to approval of any site plan which includes portions of the out-parcels within the site area, the Applicant/Owner shall record a new Final Plat for Phase IA encompassing the out-parcels. If it is found that a new Final Plat is not required, then the Applicant/Owner shall complete any other necessary process to officially include the out-parcels into Phase IA.

(3) If no previously-allocated trips from Clark County for Phase IA remain at the time of site plan application for any and all developments on the 4 outparcels, the Applicant/Owner shall obtain a Certificate of Concurrency consistent with the City of Vancouver Concurrency Ordinance in effect at the time of site plan application prior to a site plan determination of technically complete.

**E. Modification No. 5: Eliminate Commercial Square-Footage Limitations.**

If no previously-allocated trips from Clark County for Phase IA remain at the time of site plan application for any and all development on commercially designated properties in Phase I, the Applicant/Owner shall obtain a Certificate of Concurrency consistent with the City of Vancouver Concurrency Ordinance in effect at the time of site plan application prior to site plan determination of technically complete.

**F. Modification No. 6: Modify Development Standards.**

(1) The Applicant/Owner shall, within thirty (30) days of issuance of this Final Order, revise Appendix 2B: Development Standards to reflect the changes: (1) shown in Exhibit No. 5; (2) required by Conditions of Approval F(2) and F(3); and (3) required by the Hearings

Examiner as set forth under Table 1: Modification to Development Standards set forth in Exhibit 35.

(2) The Applicant/Owner shall revise Section 7. Signs (d) Signs Unrestricted by CTC Zoning District (5) to read:

"For the purposes of public safety, access and directions, and protection of property, temporary (mounted in the same location for less than 18 months) unlighted signs are permitted, each of which does not exceed ten (10) square feet in area with one (1) per function per legal lot street frontage."

(3) The Applicant/Owner shall revise Section 7. Signs (d) Signs Unrestricted by CTC Zoning District (8) to read:

**"CTC PUD Free-Standing Entry Monuments:** (1) Allowable area 300 square feet; (2) One sign per major entrance; (3) Maximum height of sign thirty (30) feet to be measured from grade to top of sign; (4) Copy limited to project name and logos, however, additional text may be submitted to the Architectural Review Committee "ARC" for approval.

**CTC PUD Free Standing Directories:** (1) Allowable area 300 square feet; (2) One sign per major entrance; (3) Maximum height of sign thirty (30) feet to be measured from grade to top of sign; (4) Copy limited to location map, tenant names, and tenant addresses. Additional text may be submitted to the ARC for final approval."

**G. Modification No.7: Eliminate Large Water Feature and Redesign of Open Space.**

Modification No. 7 is approved.

**H. Modification No. 8: Vacation of Recorded Right-of-Way to S.E. 15<sup>th</sup> Street.**

Prior to vacation of the existing 430 lineal feet of right-of-way between S.E. Cardinal Court and S.E. 15<sup>th</sup> Street, the Applicant/Owner shall construct a ten (10) foot wide paved bike and pedestrian path within the existing right-of-way. The paved path shall have a maximum slope of 5% and shall have two (2) foot wide graded areas on each side of the ten (10) foot path consistent with the Guide for the Development of Bicycle Facilities prepared in August, 1991, by the AASHTO Task Force on Geometric Design. The path shall fully connect S.E. 15<sup>th</sup> Street directly across from S.E. 171<sup>st</sup> Avenue with the terminus of S.E. Cardinal Court. Upon completion of construction of the paved path, the City shall vacate all remaining right-of-way on either side of the path.

**I. Modification No. 9: Elimination of S.E. 169<sup>th</sup> Avenue.**

Modification No. 9 is approved.

**J. Modification No.10: Eliminate Reservation for Potential Street.**

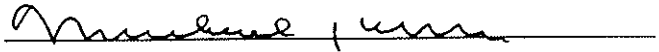
Modification No. 10 is approved.

3.5 Any Finding hereinabove which may be deemed a Conclusion is hereby adopted as such.

**IV. DECISION**

The Hearings Examiner approves the proposed modifications with conditions and recommends approval of Modification No. 5 to the City Council, subject to the conditions set forth in Conclusion 3.4 above.

*ENTERED THIS* 18<sup>th</sup> day of November, 1997.



**Michael J. Wynne**  
Hearings Examiner  
7700 N.E. 26<sup>th</sup> Avenue  
Vancouver, WA 98665  
360-574-1600  
360-574-3688 (Fax)

## NOTICE OF RIGHT TO APPEAL

(PURSUANT TO VMC 2.51.150)

Decisions of the Hearings Examiner are appealable to the City Council within fourteen (14) calendar days from the date of the Hearings Examiner's decision. Appeals must be made in writing to the Community Development Department, P.O. Box 1995, Vancouver, WA 98668-1995. The appeal should show how the Examiner erred in his decision. A check in the amount of \$1,000.00 made payable to the City of Vancouver must accompany the appeal. However, if the aggrieved party is a recognized neighborhood association, the fee assessed is \$75.00.

## LIST OF EXHIBITS

1. Application.
2. JD White Company letter regarding CTC Excavation Modification.
3. Vicinity map.
4. Columbia Tech Center Master Plan Modifications Narrative.
5. Columbia Tech Center Exhibit C: Development Standards.
6. Notice of Application.
7. Notice of Public Hearing.
8. Notice of Rescheduled Public Hearing.
9. Comment Letter - Washington State Department of Natural Resources.
10. Comment Letter - Larry and Barb Murray.
11. Comment Letter - Julie Hukee.
12. Comment Letter - Julie Hukee.
13. Comment Letter - Glenn Siemer.
14. Comment Letter - Mark Rood.
15. Comment Letter - William and LuAnn Wu.
16. Staff Report No. 269-96.
17. SEPA Environmental Checklist for Modifications No. 1 and 2.
18. City letter regarding SEPA Environmental Checklist.
19. JD White Company letter regarding SEPA Environmental Checklist.
20. Adoption of Existing Environmental Document.
21. Mitigated Determination of Nonsignificance (Clark County, May 8, 1995).
22. Hearings Examiner Final Order (Clark County, July 13, 1995).
23. Board of County Commissioners (BOCC) Resolution No. 1995-08-42 (Clark County).
24. City letter regarding elimination of roadways.
25. \* Staff Report and Recommendation to the Hearings Examiner (Clark County, May 23, 1995).
26. \* Addendum to the Staff Report and Recommendation to the Hearings Examiner (Clark County, June 5, 1995).
27. \* Staff Report and Recommendation to Clark County Board of Commissioners (Clark County, August 9, 1995).
28. \* Staff Report and Recommendation to Clark County Board of Commissioners (Clark County, August 15, 1995).
29. \* Preliminary Rough Grading Plan (Clark County, 1995).
30. \* Preliminary Grading/Phasing Plan (Clark County, 1995).
31. \* Preliminary Plat Columbia Tech Center Phase One (Oversize).
32. \* Final Plat Columbia Tech Center Phase IA (Oversize).
33. Washington State Department of Natural Resources letter dated October 14, 1997.
34. Letter dated October 3, 1997 from Vernon E. Stoner, City Manager, to Julie Hukee.
35. Columbia Tech Center Hearings Examiner Information dated October 21, 1997 prepared by J.D. White.



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CITY OF VANCOUVER

AGR

174.00 Clark County, WA

\* These Exhibits were provided to the Hearings Examiner and are available for review at the City of Vancouver, Community Development Department.

**FINDINGS, CONCLUSIONS, AND DECISION OF THE  
HEARINGS EXAMINER FOR THE CITY OF VANCOUVER**

In the Matter of the Application of Columbia  
Tech Center, LLC For Approval of Planned  
Development Modifications.

NO. V97PD003

**SECOND AMENDED  
FINAL ORDER**

On December 5, 1997, the Hearings Examiner received a request from the J.D. White Company, as the representative for Columbia Tech Center, to modify the language of Condition "H" as set forth in the Amended Final Order. The requested change is set forth on Exhibit "36" attached hereto. Staff recommends approval pursuant to a Memorandum addressed to the Hearings Examiner dated December 2, 1997 (Exhibit "37").

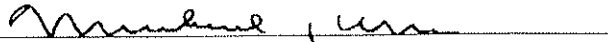
After reviewing the request and being satisfied that it does not make a substantive change to the Final Order, the Hearings Examiner approves the requested modification as follows:

**"H. Modification No. 8: Vacation of Recorded Right-of-Way to S.E. 15<sup>th</sup> Street.**

Prior to vacation of the existing 430 lineal feet of right-of-way between S.E. Cardinal Court and S.E. 15<sup>th</sup> Street, the Applicant/Owner shall construct a ten (10) foot wide paved bike and pedestrian path linking S.E. Cardinal Court and S.E. 15<sup>th</sup> Street. The paved path shall have two (2) foot wide graded areas on each side of the ten (10) foot path consistent with the Guide for the Development of Bicycle Facilities prepared in August, 1991, by the AASHTO Task Force on Geometric Design. The path shall fully connect S.E. 15<sup>th</sup> Street directly across from S.E. 171<sup>st</sup> Avenue with the terminus of S.E. Cardinal Court, with the exception of the 2:1 slope located north of S.E. 15<sup>th</sup> Street. A stairwell with bicycle groove may be constructed along the slope to connect S.E. 15<sup>th</sup> Street with the pedestrian and bike path. Upon completion of construction of the paved path and stairwell, and dedication of a public access easement to the City, the City shall vacate the existing right-of-way from S.E. Cardinal Court to S.E. 15<sup>th</sup> Street."

Except as modified herein, all other remaining terms and conditions of the Final Order dated November 4, 1997 and the Amended Final Order dated November 18, 1997 shall remain in full force and effect.

ENTERED THIS 9<sup>th</sup> day of December, 1997.



Michael J. Wynne  
Hearings Examiner  
7700 N.E. 26<sup>th</sup> Avenue  
Vancouver, WA 98665  
360-574-1600  
360-574-3688 (Fax)



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## EXHIBIT "G"

1998 STANDARDS

APPROVED BY THE CITY  
FEBRUARY 1998



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CITY OF VANCOUVER

AGR

174.00 Clark County, WA

# COLUMBIA TECH CENTER



## Development Standards

Approved November 4, 1997

CITY OF VANCOUVER CITY OF VANCOUVER  
ZONING APPROVAL ZONING APPROVAL

~~011-2-2-1000~~

FEB 02 1998

BY: Ray Vasey  
Dept. of Community Preservation & Development

# CITY OF VANCOUVER

Post Office Box 1995 - Vancouver, Washington 98668-1995



February 3, 1998

Jason Jordan  
JD White Company Inc.  
1111 Main Street, Suite 300  
Vancouver, WA 98660

V97PD003 - CTC PUD Modifications

This letter will inform you that Planned Development Modifications 3 and 6 approval CONDITIONS for the above-named project have been met and the Landscape and Development Standards have been approved by the zoning staff. Enclosed are two (2) sets of the approved standards.

If you should have any questions in regard to this approval, do not hesitate to call me at 735-8873, extension 8480.

Larry Vasquez, Associate Planner  
Development Services Division  
Community Development Department

Enclosure

c File  
Marcia Atkinson, Permit Specialist



CITY OF VANCOUVER

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174.00 Clark County, WA

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## COLUMBIA TECH CENTER DEVELOPMENT STANDARDS

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APPENDIX B: Variance Application

CITY OF VANCOUVER  
ZONING APPROVAL  
FEB 02 1998  
BY: *[Signature]*  
Dept. of Community Planning & Development

**I. DEVELOPMENT STANDARDS**

**A. ZONING DISTRICTS**

**1. Single Family (SF)**

**a) Purpose.**

This use category is intended to recognize the need for and provide full community integration of medium density single family residences in a livable, traditional style neighborhood.

**b) Permitted Uses.**

- (1) Single family dwellings, detached.
- (2) Public and private parks and recreation facilities.
- (3) Accessory uses and structures normal to a residential environment, including detached garages.
- (4) Accessory dwelling units above a garage.

**c) Uses Allowed by Review and Approval of the CTC Architectural Review Committee (ARC).**

- (1) Home occupations.

**d) Lot Requirements.**

The lot requirements shall be those set out in Table 1.

**TABLE 1: Lot Requirements**

Subject	Requirement
Minimum density	5.4 dwelling units / acre
Maximum density	7.9 dwelling units / acre
Minimum lot area	5,000 square feet
Average lot width	45 feet
Average lot depth	90 feet
Minimum front yard setback, dwelling	10 feet (6 foot utility easement)*
Rear yard setback	6 feet (6 foot utility easement)*
Side yard setback	5 feet (3 foot utility easement)*
Interior side yard setback	5 feet
Maximum building height (excluding garage)	35 feet
Maximum garage height without accessory dwelling	18 feet
Maximum garage height with accessory dwelling	35 feet

\*utility easement within setbacks

2. **Multi-family (MF)**

a) **Purpose.**

This district is intended to recognize the need for and provide for exclusively multiple-family residential development based upon consistency with the CTC Master Plan and compatibility with surrounding land uses.

b) **Permitted Uses.**

- (1) Duplex and other multiple dwellings.
- (2) Accessory uses and structures normal to a residential environment.
- (3) Public and private park and recreational facilities.

c) **Uses Allowed by Review and Approval of the CTC Architectural Review Committee (ARC).**

- (1) Structures exceeding 45 feet in height.
- (2) Home occupations.

d) **Development Regulations.**

New lots and structures and additions to structures subject to these development standards shall comply with the applicable standards for minimum and maximum density, lots, building height, yards, setbacks and building separation in Table 2. The established minimum densities requirements will be achieved by all proposed land divisions. The density must be demonstrated and identified on the face of the final plat and / or the site plan to assure the requirements are met.

**TABLE 2: Standards For Minimum And Maximum Density, Lots, Building Height, Yards, Setbacks and Building Separation**

Subject	Requirement
Minimum density	12 units per acre
Maximum density	25 units per acre
Minimum lot area	3,000 square feet
Average minimum lot width	16 feet
Average minimum lot depth	60 feet
Minimum front yard setback	10 feet
Rear yard setback	10 feet
Street side yard setback	10 feet
Interior side yard setback	0 feet
Maximum building coverage*	70%

TABLE 2: continued

Subject	Requirement
Uses allowed by review and approval of the CTC ARC	Structures exceeding 45 feet in height
Minimum landscaped area	15%
Maximum building height	45 feet.

\*Building footprint only

e) **Signs.**

Signs shall be permitted according to the sign standards included in these development standards.

f) **Off Street Parking Standards.**

Off street parking shall be provided according to the parking standards included in these development standards.

g) **Landscaping Standards.**

Landscaping shall be provided in accordance with the landscaping standards included in these development standards.

3. **Commercial (CO)**

a) **Purpose.**

This use category is intended to recognize the need for and provide for support retail and commercial services, designed to primarily serve the local population.

b) **Permitted Uses.**

(1) *Retail Sales - Food.*

- (a) Markets - <5,000 to 25,000 square feet gross floor area.
- (b) Delicatessen.
- (c) Other specialized food stores.
- (d) Bakery - baked foods manufactured elsewhere are sold on premises or baked foods manufactured on premises.

(2) *Retail Sales - Apparel and Accessories*

- (a) Apparel and accessory stores - men's, women's, and children's, shoe stores, tailor shops and furrier shops.

(3) *Retail Sales - General merchandise.*

- (a) Mail order houses.
- (b) General merchandise stores.



- (c) Specialty stores including building, home improvement, hardware and drug/variety /garden center (located within an enclosed building).
- (4) *Retail Sales - Restaurants.*
  - (a) Restaurants.
  - (b) Cafés.
  - (c) Bars.
- (5) *Retail Sales - Furniture, Home Furnishings and Equipment.*
  - (a) Household furniture, home furnishing and home equipment stores.
  - (b) Household appliance stores.
  - (c) Radio, television and music stores.
- (6) *Retail Sales - Building Material and Farm Equipment.*
  - (a) Paint, glass and wallpaper store.
  - (b) Electrical supplies store.
  - (c) Hardware store.
- (7) *Retail Sales - Miscellaneous stores.*
  - (a) Antique, stamp and coin shops.
  - (b) Bicycles.
  - (c) Book and stationery.
  - (d) Camera and photographic supplies.
  - (e) Drug and proprietary.
  - (f) Fabric (yard goods).
  - (g) Farm and garden supplies, including nurseries (located within an enclosed building).
  - (h) Florists.
  - (i) Gift, novelty and souvenirs.
  - (j) Jewelry.
  - (k) Liquor.
  - (l) News and magazine dealers.
  - (m) Pharmacies.
  - (n) Sporting goods.
  - (o) Tobacco and smoker supplies.
  - (p) Yarn shops.

(8) *Services - Personal.*

- (a) Self-service laundries and cleaning places.
- (b) Laundry and cleaning drop-off and pick-up places.
- (c) Pressing, alteration and garment repair.
- (d) Barber and beauty shops.
- (e) Shoe repair shops.
- (f) Photographic studios.
- (g) Clothing rental establishments.
- (h) US Post Offices.

(9) *Services - Business.*

- (a) Adjustment and collection agencies.
- (b) Advertising agencies, including commercial artists.
- (c) Business and management services.
- (d) Credit agencies.
- (e) Duplicating, addressing, blueprint, photocopying, mailing and stenographic services.
- (f) Employment agencies.
- (g) Offices housing personnel who provide special services to business.
- (h) Off-street parking facilities.
- (i) Telephone answering services.
- (j) Miscellaneous business services, including auctioneers, bondsmen, drafting, detective agencies, notary public and other like services.

(10) *Services - Finance.*

- (a) Financial and banking institutions.
- (b) Insurance and bond carriers, agents, brokers and services.
- (c) Real estate brokers, agents and services.
- (d) Branch banks.

(11) *Services - Lodging places.*

- (a) Hotels.
- (b) Motels.

(12) *Services - Medical and health.*

- (a) Medical and dental laboratories.
- (b) Orthopedic equipment and supplies, rental, sales and services.
- (c) Ambulance services.
- (d) Health / athletic clubs.

(13) *Services - Professional Office.*

- (a) Accounting, auditing and bookkeeping.
- (b) Architectural.
- (c) Artists studios.
- (d) Engineering, including surveying.
- (e) Law.
- (f) Landscape architecture.
- (g) Clinic, outpatient.
- (h) Professional, other.

(14) *Services - Amusement.*

- (a) Art galleries.
- (b) Dance studios and dance schools.
- (c) Skating rinks, ice and / or roller.
- (d) Outdoor amphitheater.

(15) *Services - Educational.*

- (a) Nurseries, commercial daycare centers, preschools.
- (b) Mini daycare centers.
- (c) Libraries.
- (d) Vocational schools.
- (e) Music schools.
- (f) Public parks, parkways, recreation facilities, trails and related facilities.

(16) *Services - Membership Organizations.*

- (a) Business and professional.
- (b) Civic, social and fraternal.
- (c) Charitable.
- (d) Labor.
- (e) Political.



- (f) Religious, not including churches.
- (g) Public Facilities and Services.
- (h) Sewer, water and utility transmission lines.
- (i) Food and fiber production.
- (j) Agriculture.
- (k) Silviculture.

c) **Uses Allowed by Review and Approval of the CTC Architectural Review Committee (ARC).**

- (1) *Residential (not on the ground floor of a structure).*
- (2) *Retail Sales - Automotive and related.*
  - (a) Car washes.
  - (b) Service stations.
- (3) *Retail sales - Restaurants, Drinking Places.*
  - (a) Restaurants - take out.
  - (b) Drinking places, alcoholic beverages (with or without entertainment and / or food).
- (4) *Services - Amusement.*
  - (a) Carnivals (temporary) and circuses (temporary).
  - (b) Outdoor public entertainment, amusements or assemblies.
  - (c) Racquet clubs.
  - (d) Theaters, indoor.
- (5) *Services - Business.*
  - (a) Services to buildings (including dwellings), cleaning and exterminating.
- (6) *Services - Membership Organizations.*
  - (a) Churches.
  - (b) Public services and facilities.
  - (c) Educational institutions.
- (7) *Zoos, museums, historic and cultural exhibits and the like.*
- (8) *Processing and Storage.*
  - (a) Brewery, distillery or winery.

d) **Development Standards.**

(1) *Site Regulations.*

New lots and structures and additions to structures subject to these development standards shall comply with the restrictions for lots, building height, setbacks and building separation as outlined in Table 3.

**TABLE 3: Restrictions for Lots, Building Height, Setbacks and Building Separation**

Subject	Requirement
Minimum lot area	none
Minimum front yard setback	10 feet
Rear yard setback (only adjacent to residential)	10 feet plus additional 1/2 foot for each foot the building exceeds 20 feet in height
Side yard setback	10 feet
Maximum building coverage*	60%
Minimum landscaped area	15%
Maximum building height	None

\*Building envelope only

(2) *Accessory Uses.*

*The following accessory uses are permitted:*

- (a) On-site hazardous waste treatment and storage facilities, as incidental to a primary business function and only to the extent approved by the ARC.

(3) *Signs.*

Signs shall be permitted according to the sign standards included in these development standards.

(4) *Off Street Parking Standards.*

Off street parking shall be provided according to the parking standards included in these development standards.

(5) *Landscaping Standards.*

Landscaping shall be provided in accordance with the landscaping standards included in these development standards.

4. **Light Industrial (LI)**

a) **Purpose.**

The industrial use classification on the CTC site is intended to recognize the need for and provide sites for clean industrial users with an orientation towards advanced technology. In order to accomplish this goal, a

combination of light manufacturing, office and ancillary commercial uses consistent with subsection E below is permitted.

**b) Permitted Uses.**

**(1) Services.**

- (a) Stand alone or combined general or administrative offices of public agencies, industries and commercial businesses.
- (b) Development of advanced technology products and equipment.
- (c) Laundry for carpets, uniforms, rugs, rug cleaning, using non-explosive and non-flammable cleaning fluids.
- (d) Computer repair and servicing.
- (e) Parcel delivery services.
- (f) Veterinary or dog and / or cat hospitals.
- (g) All types of automobile, motorcycle, truck, and equipment sales, service, repair and rental (excluding outdoor storage).
- (h) Boat building, sales and repair.
- (i) Commercial services such as banks, restaurants, cafes and service stations located to serve adjacent industrial areas.
- (j) Retail or combination retail / wholesale lumber and building materials yards.
- (k) Blacksmith shops.
- (l) Public and private recreational facilities.
- (m) Commercial uses within an industrial building which is associated with the product manufactured on site.
- (n) Coffee and sandwich shop.
- (o) Clinical support services.

**(2) Assembly - Manufacture of products.**

- (a) Assembly and / or manufacture of advanced technology equipment, including computer related and biotechnology equipment.
- (b) Assembly and fabrication of sheet metal products.
- (c) Assembly, manufacture, compounding or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt fiber, fur, glass, hair, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (excluding sawmills, lumber mills and planing mills), yarns, and paint.

- (d) Manufacture, compounding, processing, packaging or the treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceutical, perfumed toilet soap, food and beverage products.
  - (e) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay.
  - (f) Manufacture and maintenance of electric and neon signs, billboard or commercial advertising structures. \*
  - (g) Manufacture of musical instruments, toys, novelties, rubber or metal stamps.
  - (h) Manufacture of optical goods, scientific and precision instruments and equipment.
  - (i) Manufacture of artificial limbs, hearing aids, dentures, surgical instruments and dressings, and other devices employed by the medical and dental professions.
  - (j) Manufacture and / or assembly of communication equipment and electronic equipment and supplies.
  - (k) Printing, publishing and bookbinding.
- (3) *Processing and Storage.*
- (a) Spinning or knitting of cotton, wool, flax or other fibrous materials.
  - (b) Wholesale business, storage buildings, and warehouses.
  - (c) Cold storage plants, including storage and office.
  - (d) Processing uses such as bottling plants, creameries, laboratories, blue printing and photocopying.
- (4) *Aggregate Products.*
- (a) Manufacture of concrete products entirely within an enclosed building.
- (5) *Other.*
- (a) Flexible light industrial uses.
  - (b) Welding Shop.
  - (c) Administrative, education, and other related activities and facilities in conjunction with a permitted use.
  - (d) Mail order business.

- (6) *Public Services and Facilities.*
  - (a) Buildings and other structures such as police and fire substations.
  - (b) Educational institutions.
  - (c) Sewer, water and utility transmission lines.
  - (d) Zoos, museums, historic and cultural exhibits and the like.
- c) **Uses Allowed by Review and Approval of the CTC Architectural Review Committee (ARC).**
  - (1) *Processing and Storage.*
    - (a) Brewery, distillery or winery.
  - (2) *Services.*
    - (a) Circuses, carnivals or other types of transient and outdoor amusement enterprises.
    - (b) Self serve card lock fuel stations.
  - (3) *Other.*
    - (a) Heliports.
    - (b) Storage or sale yard for building material, contractors' equipment, house movers, delivery vehicles, transit storage and used equipment in operable condition.
- d) **Development Standards.**
  - (1) *Site Regulations.*

New lots and structures and additions to structures subject to these development standards shall comply with the restrictions for lots, building height, setbacks and building separation as outlined in Table 4.

**TABLE 4: Restrictions for Lots, Building Height, Setbacks and Building Separation**

Subject	Requirement
Minimum lot area	10,000 square feet
Minimum front yard setback	20 feet
Rear yard setback	10 feet
Side yard setback	10 feet
Street side yard setback**	20 feet
Minimum building coverage*	25%
Maximum building coverage*	50%
Minimum landscaped area	15%
Maximum building height	None

\*Building footprint only

\*\*ARC may allow reduction to 15'

(2) *Performance Standards.*

No land or structure shall be used or occupied within this District unless there is continuing compliance with the following minimum performance standards.

- (a) Maximum Permissible Noise Levels shall be as determined by WAC 173-60 as amended.
- (b) Smoke and particulate matter. Air emissions must be approved by the Southwest Washington Air Pollution Control Authority.
- (c) Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.

e) **Ancillary Commercial Uses Permitted.**

This ancillary use will allow a maximum of 20 percent of the mandated minimum light industrial floor space for CTC to be permitted outright for ancillary retail commercial use. Under the existing Clark County approval, CTC is required to develop a minimum 25 percent building coverage in all the lots within the project as specified for light industrial use. There is approximately 118 acres of light industrial land planned within phases I and II of CTC. A 25 percent building coverage of 118 acres of light industrial land is equal to a minimum of 1,284,300 square feet of light industrial flex building area. Twenty percent equals 256,800 square feet of potential ancillary retail commercial floor space. In addition, if the applicant develops the park at an efficiency greater than 25 percent site coverage in light industrial areas, 20 percent of any additional floor space above the minimum 25 percent site coverage may also be allocated for this ancillary retail commercial use. The following ancillary uses are permitted, however other uses not listed below may be approved by the ARC and City of Vancouver staff:

(1) *Retail Sales - Food.*

- (a) Delicatessen.
- (b) Other specialized food stores.
- (c) Bakery - baked foods manufactured elsewhere are sold on premises or baked foods manufactured on premises.

(2) *Retail Sales - Restaurants.*

- (a) Restaurants.
- (b) Cafés.
- (c) Bars.

(3) *Retail Sales - Miscellaneous stores.*

- (a) Book and stationery.
- (b) News and magazine dealers.
- (c) Bicycle shops.
- (d) Yarn and fabric shops.
- (e) Farm and garden shops (including nurseries located within an enclosed building).
- (f) Pharmacies.
- (g) Sporting goods.

(4) *Services - Personal.*

- (a) US Post Offices.
- (b) Self-service laundries and cleaning places.
- (c) Laundry and cleaning drop-off and pick-up places.
- (d) Barber and beauty shops
- (e) Photographic studios.

(5) *Services - Finance.*

- (a) Branch banks with drive through facilities.

(6) *Services - Medical and health.*

- (a) Health / athletic clubs.

(7) *Services - Amusement.*

- (a) Art galleries.

(8) *Services - Educational.*

- (a) Nurseries, commercial daycare centers, preschools.
- (b) Mini daycare centers.
- (c) Libraries.



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- use of the lot for the proposed parking spaces for the use or development in question for a term satisfactory to the ARC.
- (d) Loading spaces for a given use shall be situated on the same lots the use it serves, except as provided for joint use of facilities.
  - (e) Parking and loading spaces shall not be located in a required front yard, except in the case of a single or two-family dwellings. Access drives and maneuvering areas for parking and loading spaces shall not be located in a required front yard, except to the minimum extent practicable for access to the site.
- (5) *Joint Use of Facilities.* The ARC may authorize use of given off-street parking and / or loading spaces by two or more uses if:
- (a) The ARC finds the applicant has shown that the uses that share the parking do not require parking and / or loading at the same time; and,
  - (b) Where shared parking or loading for a use or development will be located on a lot other than the lot on which the use it serves is located, then, before the local governmental jurisdiction issues a building permit for the uses or developments on one lot that will be served by the shared parking and / or loading on another lot, the applicant shall submit to the ARC an agreement executed by the owner of the off-site lot where parking and / or loading is proposed authorizing use of the lot for the proposed parking and / or loading spaces for the use or development in question subject to terms and conditions that assure parking and / or loading will be available for each use it serves as provided in subsection 5.a above.
- (6) *Change or Expansion of a Use.* A site plan that changes the use of an existing structure or lot shall provide off-street parking and loading for the new use as required by these development standards. A site plan that enlarges an existing structure or use shall provide for additional parking and loading based only on the parking and loading requirements of the expansion.
- (7) *Lighting.* Light fixtures in parking or loading areas shall be consistent with RCW 47.3-6.180 on public roadways and not cast significant light or glare off-site on adjacent properties. All wall mounted or pole mounted fixtures shall utilize high pressure sodium (HPS) lamps. The ARC may allow the use of "traditional" decorative fixtures with other than HPS lamps in selected areas with specific written approval by the ARC.
- (8) *Surfacing.* All parking and loading spaces and related access drives and maneuvering areas shall be paved.

- (9) *Drainage.* Storm water drainage facilities for parking and loading spaces and related access drives and maneuvering areas shall comply with the *Clark County Stormwater Control Ordinance as indicated in the Board Resolution 1995-08-42.*
- (10) *Wheel Stops and Curbs.*
- (a) Parking and / or loading spaces on the perimeter of a parking lot or adjacent to interior landscaped areas or sidewalks shall include a curb or a wheel stop.
  - (b) The front three (3) feet of a parking space may be improved with ground cover landscape material, instead of asphalt or concrete.
  - (c) The perimeter of a parking or loading area and access and maneuvering drives associated with them shall be improved with a curb, rail or equivalent so that vehicles do not extend over a property line, or public or private street.
  - (d) Vehicles may overhang a sidewalk or pedestrian isle to the extent that all requirements of the Uniform Building Code and American with Disabilities Act are met.
- (11) *Maintenance of Parking and Loading Areas.* Required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times.

**b) Calculation of Parking Requirements.**

A site plan for a given use or uses shall show that at least the number of parking spaces required by Table 5 will be provided consistent with these development standards.

- (1) Where Table 5 requires a certain number of parking spaces based on the area of the building, the area shall be the gross floor area within the exterior walls of the structure, excluding the area of a building that encloses parking or loading spaces.
- (2) Where more than one use occupies a given structure or parcel of land or where a given business includes a combination of uses, the minimum required number of parking and loading spaces shall be the sum of the requirements for each use, except to the extent the uses comply with the requirements of this section for shared parking.
- (3) Where Table 5 does not list the parking requirements for a proposed use, the ARC shall determine the minimum parking requirements for the use, based on requirements in Table 5 for other similar uses, if any, or on substantial evidence of parking needs for similar uses in other, similar locations.

TABLE 5: Parking Spaces

Uses	Minimum number of parking spaces
<b>A. Residential.</b>	
1. 1-2- and 3-unit family dwellings.	2 spaces/dwelling unit. Single-family and duplex parking may be tandem. One car behind the other.
2. Multi-family dwelling containing 4 or more dwelling units.	1 1/2 space/dwelling units.
<b>B. Commercial residential.</b>	
1. Hotel.	1 space/bedroom.
2. Motel.	1 space/bedroom.
3. Clubs/lodges.	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.
<b>C. Institutions.</b>	
1. Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space/2 beds for patients and residents.
2. Hospital.	2 spaces/bed.
<b>D. Places of public assembly.</b>	
1. Church.	1 space/4 seats, or 8 ft. of bench length in the main auditorium.
2. Library, reading room, museum, art gallery.	1 space/400 sq. ft. of floor area.
3. Preschool, nursery, kindergarten, mini daycare center or commercial day care center.	2 spaces/teacher or employee.
4. Elementary or junior high school.	1 space/4 seats, or 8 ft. of bench length in auditorium or assembly room, whichever is greater.
5. High school.	1 space/employee, plus 1 space/each 6 students, or 1 space/4 seats, or 8 ft. of bench length in the auditorium, whichever is greater.

TABLE 5: Parking Spaces continued

Uses	Minimum number of parking spaces
<b>D. Places of public assembly (continued)</b>	
6. College, commercial school for adults.	1 space/3 seats in classroom.
7. Other auditoriums, meeting rooms.	1 space/4 seats, or 8 ft. of bench length.
<b>E. Commercial amusements.</b>	
1. Theater.	1 space/4 seats, or 8 ft. of bench length.
2. Dance hall, skating rink.	1 space/150 sq. ft. floor area.
<b>F. Commercial.</b>	
1. Retail store except supermarkets and stores selling bulky merchandise and grocery stores, 1,500 sq. ft. gross floor area or less.	1 space/350 sq. ft. of floor area.
2. Commercial retail, 1,501 sq. ft. or more.	1 space/350 sq. ft. of floor area.
3. Service or repair shops.	1 space/200 sq. ft. of floor area.
4. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major area of the building.	1 space/600 sq. ft. of floor area.
5. Bank, office (except medical and dental).	1 space/400 sq. ft. of floor area.
6. Medical and dental office or clinic.	1 space/200 sq. ft. of floor area.
7. Eating or drinking establishments.	1 space/200 sq. ft. of floor space.
<b>G. Industrial.</b>	
1. Manufacturing establishment.	1 space/500 sq. ft.
2. Storage warehouse, wholesale establishment, rail or trucking freight terminal.	1 space/2,000 sq. ft. of floor area.
3. Flex Building.	1 space/300 sq. ft.

- (4) Up to fifty percent (50%) of required parking spaces and all parking spaces in excess of minimum requirements may comply with the standards for compact cars in Table 6.
- (5) All parking areas shall comply with applicable local, state and federal standards regarding parking for disabled persons.
- (6) The ARC may reduce the required number of parking spaces to less than that required in Table 5 as part of site plan review application or other application if the ARC finds that a lesser number of off-street parking spaces will be enough to fulfill all parking needs of the use or development, based on substantial evidence in the application, such as an adequate survey of parking demand at similar uses under similar conditions. The number of parking spaces for disabled persons may not be reduced under this subsection.

c) **Parking Design Standards.**

Off-street parking spaces shall comply with the standards for stalls and aisles, as set forth in Table 6 and Figure 1.

d) **Loading Space Number and Design Standards.**

- (1) Commercial, industrial, and public utility uses that have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following:

Square Feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000 - 30,000	1
30,000 - 100,000	2
100,000 and over	3

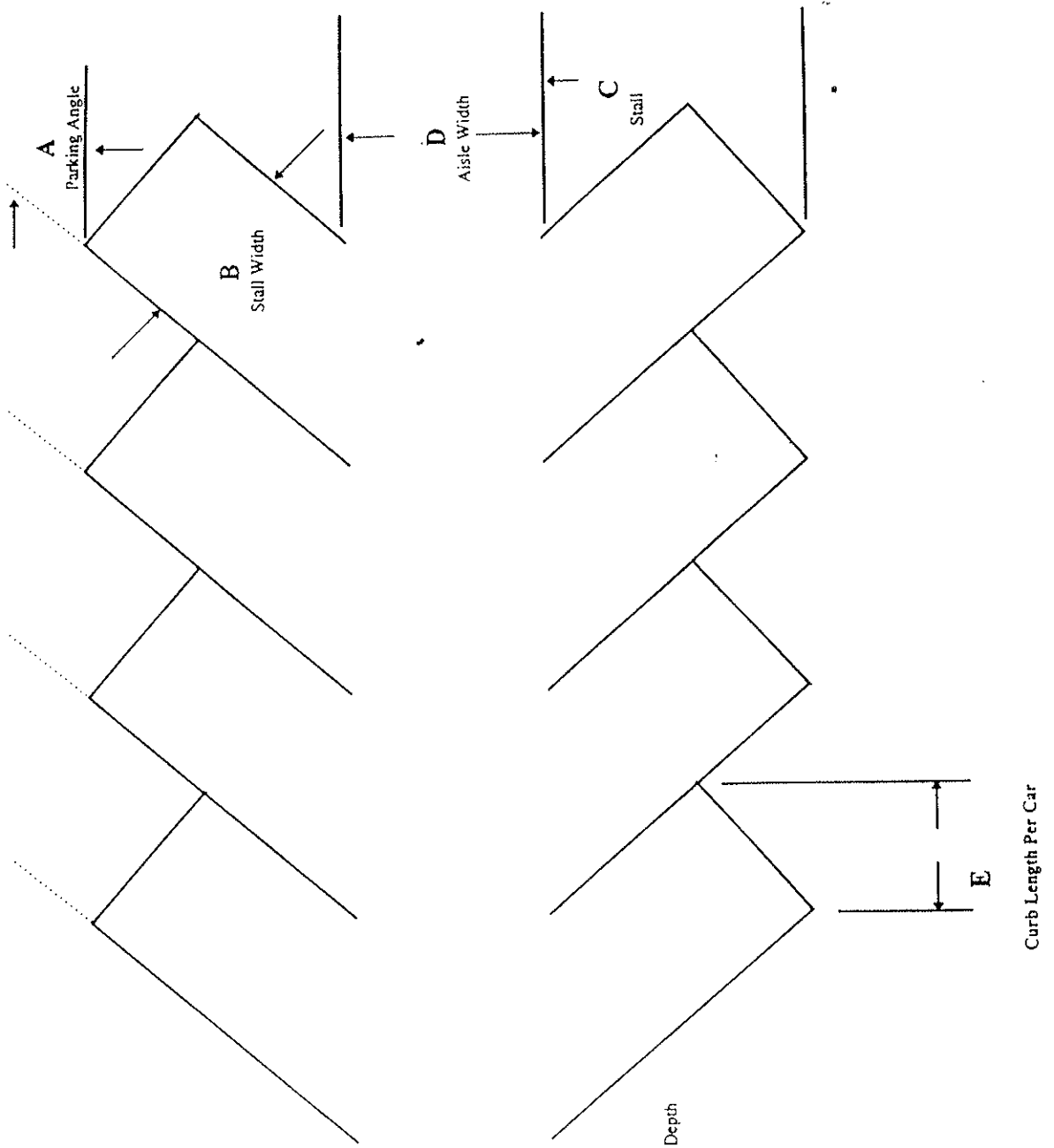
- (2) Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar use that has a gross floor area of 30,000 square feet or more, shall provide off-street truck loading or unloading berths in accordance with the following:

Square Feet of Floor Area	Number of Berths Required
Less than 30,000	0
30,000 - 100,000	1
100,000 and over	2

**TABLE 6: Parking Design Standards**

Angle	Type	Stall width	Stall depth	Aisle width	Curb length
	A	B	C	D	E
0°	Compact	8.0	8.0	12.0	22.0
	Standard	9.0	9.0	12.0	22.0
45°	Compact	8.0	19.1	14.0	11.3
	Standard	9.0	19.8	13.0	12.7
60°	Compact	8.0	20.4	19.0	9.2
	Standard	9.0	21.8	18.0	10.4
70°	Compact	8.0	20.6	20.0	8.5
	Standard	9.0	21.0	19.0	9.6
90°	Compact	7.5	14.0	24.0	7.5
	Standard	9.0	17.0	24.0	9.0

FIGURE 1



- (3) A loading berth shall be at least 12 feet wide and 35 feet long, shall at a minimum be a striped area, and shall have a height clearance of 14 feet. Notwithstanding the foregoing, the loading berths may be improved with landscaping designed and installed to accommodate truck parking without unduly damaging landscaping material. Specifically, a "grasscrete" or comparable material approved by the ARC. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

6. *Access and Circulation Standards*

a) **Applicability.**

This section applies to new development that includes parking or loading areas or vehicle, bicycle or pedestrian circulation, including changes to access and circulation of existing development.

b) **Vehicle Access and Circulation Generally.**

- (1) *Availability.* Access and circulation required for a proposed use or development shall be improved to applicable standards before the local governmental jurisdiction issues an occupancy permit or final inspection for the use or development in question.
- (2) *Joint Access.* The ARC may authorize joint access by two or more uses if:
  - (a) The ARC finds the access will comply with other applicable access and circulation standards of these development standards, and;
  - (b) Before the local governmental jurisdiction issues a building permit for the use or development on one lot that will be served by the shared access on another lot, the applicant shall submit to the ARC and the local governmental jurisdiction cross-easements or equivalent agreements executed by the owners of the affected properties and filed permanently in the local governmental jurisdiction's records with deeds to the properties authorizing use of the properties for the proposed shared access.

c) **Pedestrian Circulation.**

Pedestrian circulation shall be provided consistent with the following:

- (1) Required pedestrian circulation routes shall be improved with an asphalt, concrete or other approved all-weather surface; provided, pedestrian circulation routes through recreational or open space areas may be improved with a material consistent with their purpose and the characteristics of their location.



- (2) Pedestrian circulation routes shall connect structures and uses on the site, such as buildings, vehicle and bicycle parking areas, children's play areas, required outdoor areas, open spaces, plazas, resting areas and viewpoints.
- (3) The applicant shall extend pedestrian circulation routes to sidewalks and transit stops along streets abutting the site, to pedestrian facilities that extend to the edge of the site from off-site, and to the edge of the site in the direction of existing, approved or proposed off-site pedestrian and transit facilities.
- (4) To the extent practicable, the pedestrian circulation system shall be designed to minimize the distance a pedestrian needs to walk between typical origins and destinations on and off the site, including transit stops, public sidewalks and building entrances. Pedestrian circulation shall be avoided in truck loading and maneuvering areas.
- (5) Where pedestrian or bicycle routes cross access, maneuvering, parking or loading areas, the crossing must be clearly identified by using striping, elevation changes, speed bumps, a different paving material, and/or other method that effectively alerts drivers, pedestrians and cyclists of the location and nature of the crossing.
- (6) Where a bicycle route is part of the roadway there shall be a striped and signed bike lane.

**d) Access Standards for Drive-In, Drive-Up and Drive-Through Uses.**

- (1) All uses providing drive-in, drive-up, and drive-through services as defined by this title shall provide on the same site queuing spaces for in-bound vehicles as follows:
- (2) A vehicle queuing space shall be 18 feet long and 8 feet wide and shall not be used for backing and maneuvering space for parking or other purposes.

Use	Requirement
Drive-in Banks	
1 window terminal	5 spaces / service
2 or more windows	3 spaces / service window
Drive-in Restaurant	5 spaces / service window
Gasoline Service Stations	4 spaces / island
Mechanical Car Washes	3 spaces / washing unit
Parking Facilities	
Free Flow Entry	1 space / entry driveway
Ticket Dispense Entry	2 spaces / entry driveway
Manual Ticket Dispensing	8 spaces / entry driveway
Attendant Parking	10% of the parking capacity served by the driveway
Other Facilities	To be set in Review and approval by the CTC ARC

7. *Signs*

a) **Purpose.**

The purpose of this section is to add sign requirements for: 1) the preservation of the character of the areas, structures, and uses; 2) the needs of residential, commercial, industrial users; 3) the need for healthful, safe, and convenient use of all lands; and, 4) the conservation and promulgation of values and resources. No permanent signs (mounted in the same location for over 18 months) are to be installed within CTC without City of Vancouver review and approval for permits and written approval of the ARC, except as noted in Section 7d. No temporary signs (mounted in the same location for less than 18 months) are to be installed within CTC without the written approval of the ARC (City of Vancouver review and approval for permits not required), except as noted in Section 7d (Signs Unrestricted by CTC Zoning District). Applications for ARC approval shall include the same information required under City of Vancouver Sign Permits Applications.

b) **Signs Prohibited.**

Erection or maintenance of signs having any of the following characteristics is prohibited in the Columbia Tech Center development:

- 1) Signs which bear or contain statements, words, or pictures of an obscene, indecent, or immoral character, such as will in the sole opinion of the ARC offend public morals or decency.
- 2) Signs advertising activities that are illegal under state or federal laws or regulations in effect at the location of such signs or at the location of such activities.
- 3) Signs artificially illuminated which are of such intensity or placed in such a manner as to interfere with, or impair the vision of the driver of a motor vehicle, or otherwise interfere with any driver's operation of a motor vehicle.
- 4) Signs which attempt or appear to attempt to direct the movement of traffic by interfering with, imitating or resembling any official traffic sign, signal or device.
- 5) Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
- 6) Signs which exceed a height of thirty-five (35) feet, unless specifically approved by the CTC ARC.
- 7) Off premises signs (signs beyond the boundary of CTC).
- 8) Signs located or projecting within the Local governmental jurisdiction right-of-way unless a written street permit can be obtained.
- 9) Rooftop and rotating signs.

- 10) Portable signs, temporary signs, flags and banners except for conditions allowed under 7d (1, 2, and 7).
  - 11) Signs containing strobe lights which are visible from beyond the property line.
  - 12) Any sign not specifically permitted by this chapter, excluding those signs identified in the scope of this section.
  - 13) Signs which contain flashing lights which exceed more than ten percent (10%) of the area of the sign.
- c) **Sign Area.**
- (1) The area of a free-standing sign or structure not utilizing an integral part of the building for its background, means the area of the sign face within a line encompassing all portions of the sign structure, including tubing used in lighting such sign or structure, but excluding posts without attached lighting.
  - (2) The area of any sign or structure utilizing an integral part of the building as a background, means the area within the shortest line drawn to include all letters, design, and tubing which are a part of the sign or structure.
- d) **Signs Unrestricted by CTC Zoning District.**
- The following types of signs do not require City of Vancouver permits or ARC approval and are permitted in all CTC zoning districts.
- (1) For the purpose of advertising on a particular residential lot, building, or premises for sale, lease, or hire, one (1) temporary unlighted sign not exceeding six (6) square feet in area is permitted.
  - (2) For the purpose of advertising real estate subdivisions, a temporary sign is permitted on each parcel of land for which a plat has been officially recorded, not exceeding thirty-two (32) square feet in area. One (1) such sign is permitted at each main entrance to the subdivision.
  - (3) For the purpose of identifying a subdivision, a permanent sign may be erected as an integral part of a gate or entrance structure, provided there are not more than two (2) signs, each of which does not exceed thirty-two (32) square feet in area.
  - (4) For the purpose of restricting the use of property, signs are permitted along the boundary line of a publicly or privately owned tract of land. Each such sign shall not exceed two (2) square feet in area. In addition, at the entrance of such tract of land, one (1) sign shall be permitted not to exceed eighteen (18) square feet in area.
  - (5) For the purposes of public safety, access and directions, and protection of property, temporary (mounted in the same location

for less than 18 months) unlighted signs are permitted, each of which does not exceed ten (10) square feet in area with one (1) per function per legal lot street frontage.

- (6) For the purpose of endorsing political candidates, or advertising fairs, rodeos, or similar temporary activities, the ARC shall issue a special permit for a temporary sign or group of signs.\* Such signs shall be removed by the permittee within fifteen (15) days following cessation of the activities for which the sign application was made.
- (7) For the purpose of identifying the architect, engineer, or contractor of work under construction, two (2) temporary signs are permitted, per legal lot, each of which does not exceed thirty-two (32) feet in area.

**e) Signs Facing Residential Districts.**

No sign advertising a business which is not conducted on the premises or a commodity or service which is not the primary product of sales or services on the premises, shall face or be oriented toward any adjoining or abutting residential district within two hundred (200) feet of the premises on which the sign is to be placed.

**f) Sign Placement / Solar Access.**

The applicant shall certify that placement of the proposed sign will not impact the availability of direct sunlight to an existing solar energy system which, by the determination of the ARC, contributes to the space and / or water-heating requirements of a building.

**g) On-Site Interference.**

The location and structural design of free-standing signs shall be such as to not interfere with the safe and efficient use of off-street parking and loading areas, including aisleways and access driveways.

**h) Lighted Signs as Nuisance.**

Artificially illuminated signs shall be placed so as not to be a nuisance to any residents of neighboring residential property.

**i) Enforcement.**

Upon presentation of proper credentials, the authorized representative of the local governmental jurisdiction may enter at reasonable times any building or structure, or upon any premises in CTC, to perform any duty imposed upon him by this chapter. He may inspect or reinspect all signs at his discretion.



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j) **Removal of Nonconforming Signs.**

If the ARC finds that any sign is erected or maintained in violation of the provisions of this chapter, he shall give ten (10) days written notice to the owner of the sign to bring it into compliance or to remove it. In the event that the owner of the sign cannot be notified, refuses to correct the violation, or remove the sign, the ARC shall give ten (10) days written notice to the owner of the building, structure, or premises on which the sign is located, to remove it. At the expiration of required notice periods, the ARC may institute any appropriate action of proceedings to prevent, restrain, correct, or abate the violation. Notwithstanding the above, the ARC and City of Vancouver may, permit minor variances from these standards for temporary signage for up to six months if such sign complies with signage standards of the local governmental jurisdiction.

k) **Maintenance and Appearance of Signs.**

All signs, together with all of their supports, braces, guys, and anchors, shall be kept in good repair and maintained in a safe condition. All signs and the sites upon which they are located shall be maintained in a neat, clean, and attractive condition, and signs shall be kept free from excessive rust, corrosion, peeling paint, or other surface deterioration.

l) **Abandoned Signs.**

Except as provided in this chapter, any person who owns or leases a sign shall remove such sign when either the function or business it advertises has discontinued; or when the sign is no longer properly repaired or maintained, as required by this section.

m) **Fascia Signs.**

Shall met the City of Vancouver's requirements for an industrial zone as indicated in chapter 20.82.600 item D.

8. **Monument Signs.**

**"CTC PUD Free-Standing Entry Monuments:** (1) Allowable area 300 square feet; (2) One sign per major entrance; (3) Maximum height of sign thirty (30) feet to be measured from grade to top of sign; (4) Copy limited to project name and logos, however, additional text may be submitted to the Architectural Review Committee "ARC" for approval.

**CTC PUD Free Standing Directories:** (1) Allowable area 300 square feet; (2) One sign per major entrance; (3) Maximum height of sign thirty (30) feet to be measured from grade to top of sign; (4) Copy limited to location map, tenant names, and tenant addresses, however additional text may be submitted to the ARC for approval."

9. *Landscaping*

Landscaping issues and standards are addressed in a separate document entitled Columbia Tech Center: "Landscaping and Screening Standards" which are incorporated herein by reference and which shall have the same force and effect as if set forth in full herein.

II. **PROCEDURES**

A. **DEVELOPMENT APPLICATION**

1. ***Procedure for Review of Building Plan:***

The CTC Master Association authorizes the ARC to review building plans for compliance with the development standards and landscaping requirements of the CTC Master Plan. The Association recommends preliminary approval of the plan by the ARC before initial submittal to the local governmental jurisdiction for the pre-application conference. Final review and approval of the building plan by the ARC is required before the applicant submits to the local jurisdiction for building permit approval.

a) **Preliminary Site Plan Review.**

A request for a Site Plan Review may be initiated by a property owner or his or her authorized agent by filing an application with the ARC (Appendix A). The application shall be accompanied by a site plan and exterior building elevations, drawn to scale, showing the elevations, building finishes and arrangement of the proposed development. The ARC may request other drawings or material essential to an understanding of the proposed site plan and its effect on the surrounding parcels.

The ARC will notify the applicant in writing within ten (10) days of a complete submittal whether the plan meets the approval criteria listed below. If the plan does not meet the criteria, the ARC will note what discrepancies with the CTC Master Plan exist and suggest remedies to the applicant. It will be to the applicant's benefit to ensure that any discrepancies are addressed before submitting the site plan for final approval to the ARC. The applicant need not re-submit the plan to the ARC before continuing with the local jurisdiction's site plan review process. The applicant is encouraged to contact the ARC with any questions regarding compliance.

b) **Final Plan Approval.**

The applicant must submit the final site plan, exterior elevations and landscaping plan to the ARC for final approval prior to submitting the plan to the local jurisdiction for building permit approval. The ARC will notify the applicant in writing within ten (10) days of a complete submittal whether the plan complies with all applicable Master Plan standards.

2. *Approval Criteria:*

The ARC will approve the proposed plan based on the following criteria:

- a) The use proposed for the site meets the land use designation shown on the CTC Master Plan;
- b) The building plans meet all CTC development standards, such as setbacks, building coverage, height restrictions, allowable materials, etc.;
- c) A landscape plan drawn by a landscape architect, architect, or engineer registered in the State of Washington and proficient in landscaping, is submitted, indicating compliance with the CTC Landscaping & Screening Standards.
- d) If the proposal cannot meet all applicable development standards, a variance request application is included with the building permit application; and,
- e) The approval of the building plans will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located.

ARC approval shall be valid for one year from the date of approval. If a building permit has not been issued and construction has not commenced, then ARC may grant one six (6) month extension.

3. *Documents to be Submitted with Application:*

- a) One copy of the completed CTC application, including all required signatures;
- b) Site plan and exterior building elevations to scale - five (5) copies;
- c) A copy of the relevant portions of the CTC plat map and Master Plan indicating the subject site;
- d) Verification of ownership or evidence proving authorized representation. May consist of deed, earnest money agreement or affidavit;
- e) Landscaping Plan - five (5) copies; and,
- f) Elevation Plan - five (5) copies.

**B. REQUEST FOR VARIANCE**

1. *Conditions for Granting a Variance:*

The Architectural Review Committee (ARC) may permit and authorize a variance from the requirements of the development standards at its reasonable discretion.

A request for a variance may be initiated by a property owner or his or her authorized agent by filing a complete application with the ARC (Appendix B). The application shall be accompanied by a site plan and exterior building elevations, drawn to scale, showing the dimensions and arrangement of the proposed development. The ARC may request other drawings or material

essential to an understanding of the proposed variance and its effect on the surrounding parcels.

Within ten (10) days after a complete application for a variance has been received, the ARC will make its decision. The ARC may elect to impose conditions in connection with approval of the variance, to offset any anticipated impacts. The ARC will notify the applicant in writing of its decision and any conditions. In the event the applicant is not satisfied with the ARC's decision, the applicant may present a revised request or supplemental information to the ARC within ten (10) days of notification being sent. If a second request has been denied, the applicant may not be permitted to submit a request for a similar variance for one year.

Authorization of a variance shall be void after six (6) months, unless a building permit has been issued and substantial construction has taken place. An extension may be granted by the ARC for one six (6) month period.

**2. *Documents to be Submitted with Application:***

- a) One copy of this completed application, including justification of variance based on criteria listed above and having indicating status in regards to application signatures of abutting property owners;
- b) Site plan and exterior building elevations to scale - five (5) copies;
- c) A copy of the relevant portions of the Columbia Tech Center Plat Map and Master Plan indicating the subject site;
- d) Verification of ownership or evidence proving authorized representation. May consist of deed, earnest money agreement or affidavit;
- e) \$250.00;
- f) Landscaping Plan (to scale) - five (5) copies; and,
- g) Elevation drawings (all exterior finishes) - five (5) copies.



CITY OF VANCOUVER

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**APPENDIX A**

**COLUMBIA TECH CENTER MASTER PLAN**

**Building Plan Review Application**

**Project Name:**

\_\_\_\_\_

**Description of Proposed Building and Site Improvements:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Property information:**

Assessor's parcel number: \_\_\_\_\_ CTC Phase: \_\_\_\_\_ Lot number: \_\_\_\_\_

Street Address: \_\_\_\_\_

\_\_\_\_\_

Land use designation: \_\_\_\_\_ Proposed use: \_\_\_\_\_

**Applicant information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone number: \_\_\_\_\_

Applicant's interest in property (state whether owner, buyer, lessee, contractor, engineer, consultant or legal representative):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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**Owner information:** (list multiple owners separately)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

**Contact person:** (list if not the same as Applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

**Development Standards Checklist:**

Please complete the chart below. Development standards for each permitted use can be found in the CTC Master Plan.

Land use designation is: ☐ Single-family ☐ Multi-family  
☐ Commercial ☐ Industrial

Proposed use is: \_\_\_\_\_

The proposed use is a: ☐ Permitted use  
☐ Permitted use, subject to ARC review and approval\*  
(\*If the proposed use is subject to ARC review and approval, additional conditions may be applied to the development. Conditions will ensure that the vision of the CTC Master Plan is not compromised and that potential negative impacts from the use are avoided or mitigated.)

The following building plans shall be submitted with this application:

- ☐ Site Plan showing location of, all buildings, parking areas, property lines, setbacks, walkways, exterior lighting and other site improvements;
- ☐ Exterior Building Elevations (materials, paint colors, lighting, building reveal patterns and any other elements that affect the appearance of the proposed buildings);
- ☐ Signage Plan (size, materials, location, type, style and lighting); and,
- ☐ Landscape Plan (plant materials, sizes, quantities, location, irrigation plan and lighting).

All plans must be drawn to scale and prepared by a licensed architect, engineer or landscape architect.

Standard	CTC Master Plan Requires	Proposal Provides
Density		
Lot area (in square feet)		
Lot width		
Lot depth		
Front yard setback		
Street side yard setback		
Rear yard setback		
Side yard setbacks		
Interior side yard setback		
Setback of front facing garage from façade of principal dwelling		
Garage height		
Building coverage (in square feet)		
Landscaped area (in square feet)		
Building height		

**Signatures:**

---

Applicant's name [printed]

---

Signature

---

Date

---

Authorized agent's name [printed]

---

Signature

---

Date

---

Owner's name [printed]

---

Signature

---

Date

APPENDIX B

COLUMBIA TECH CENTER MASTER PLAN  
Variance Application

Property information:

Assessor's parcel number: \_\_\_\_\_ CTC Phase: \_\_\_\_\_ Lot number: \_\_\_\_\_

Street Address: \_\_\_\_\_  
\_\_\_\_\_

Related or previous permit activity:  
\_\_\_\_\_  
\_\_\_\_\_

Proposed land use: \_\_\_\_\_

Applicant information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone number: \_\_\_\_\_

Applicant's interest in property (state whether owner, buyer, lessee, contractor, engineer, consultant or legal representative):

\_\_\_\_\_  
\_\_\_\_\_

Owner information:

Name: \_\_\_\_\_ Nature of Business: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone number: \_\_\_\_\_

**Variance Request:**

1. What is the development standard? Define requested variance.

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2. How does the proposed variance differ from the CTC development standard?

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**Justification for Variance:**

Use this space to justify your variance(s) by explaining how it / they meet(s) the following criteria from the Columbia Tech Center Master Plan. Attach pertinent information and photos or illustrations that will show why the variance is warranted. If any of the findings cannot be made, the variance will be denied. Be thorough, and use additional pages if necessary.

1. Describe the unusual circumstances or conditions that apply to the subject parcel and / or to the intended use that do not apply generally to other parcels in the same vicinity.

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2. Describe how the variance is necessary for the optimal use of the parcel.

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3. Explain how and why the authorization of the requested variance will neither adversely affect the adjacent property owners, nor compromise the vision of the Columbia Tech Center Master Plan.

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4. Describe how the variance will not be materially detrimental to the public welfare or injurious to nearby property.

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**Signatures:**

<hr/> Applicant's name [printed]	<hr/> Signature	<hr/> Date
<hr/> Authorized agent's name [printed]	<hr/> Signature	<hr/> Date
<hr/> Owner's name [printed]	<hr/> Signature	<hr/> Date

# COLUMBIA TECH CENTER

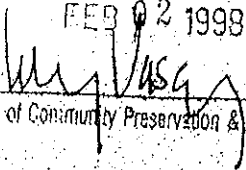


## Landscaping and Screening Standards

Approved November 4, 1997

CITY OF VANCOUVER  
ZONING APPROVAL

FEB 02 1998

BY:   
Dept. of Community Preservation & Development

# CITY OF VANCOUVER

Post Office Box 1995 - Vancouver, Washington 98668-1995



February 3, 1998

Jason Jordan  
JD White Company Inc.  
1111 Main Street, Suite 300  
Vancouver, WA 98660

V97PD003 - CTC PUD Modifications

This letter will inform you that Planned Development Modifications 3 and 6 approval  
CONDITIONS for the above-named project have been met and the Landscape and  
Development Standards have been approved by the zoning staff. Enclosed are two (2)  
sets of the approved standards.

If you should have any questions in regard to this approval, do not hesitate to call me at  
735-8873, extension 8480.

Larry Vasquez, Associate Planner  
Development Services Division  
Community Development Department

Enclosure

c File  
Marcia Atkinson, Permit Specialist

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- Minimum tree sizes for required trees shall be as follows when installed:
  - ♦ Deciduous 2 inch caliper
  - ♦ Conifer 7-8 feet
  - ♦ Broadleaf Evergreen 2 inch caliper
- In addition to an approved number of the above minimum sizes, the massing of smaller evergreen trees on slopes is encouraged.
- Street trees and accent trees at site entry(s) shall be planted at a minimum 2.5 inch caliper for deciduous trees and a minimum 10 foot height for evergreen trees.
- Screen walls shall be planted with vines – one gallon minimum size with a maximum spacing of 8 feet on center, or 4 inch pots with a maximum spacing of 3 feet on center.
- All turf planted as part of building development shall be sodded. Seeded plantings of permanent turf area is permitted in streetscape and park common areas.
- In order to assure the survival of landscaping and screening at CTC, particularly during the critical establishment period, on-site property owners will be required to install a permanent irrigation system. All permanent irrigation systems are to be below ground and fully automatic. Use of water conserving systems including, but not limited to, drip irrigation and moisture sensors, etc. is strongly encouraged. Irrigation heads, where used, are to be adjusted so as to minimize overspray and run-off. All irrigation heads adjacent to paved areas, curbs and turf shall be of the pop-up type.
- Backflow control devices are to be located so as to minimize their adverse visual impact. In addition, such control devices shall be screened by shrubs.
- Portions of undeveloped sites held in reserve for future development with 2 to 1 slopes shall, at a minimum, be fine graded and seeded with a drought-resistant turf mix to hold down weed growth and to minimize erosion. The use of temporary, on-grade irrigation systems is permitted in these areas. The streetscape fronting undeveloped sites will be completed by developer as part of the street construction as discussed above.
- Landscaping and screening shall be installed to CTC standards. Adequate support of plant materials shall be provided to ensure survival. Landscaping and screening shall be installed after approval of the proposed development's site plan and master plan by the ARC and the local governmental jurisdiction and before the issuance of a final occupancy permit or final inspection by that local governmental jurisdiction. Where seasonal conditions preclude a successful installation prior to occupancy, a phased landscape plan may be approved by the ARC and the local governmental jurisdiction. The portion of the landscaping not installed shall be completed within a 30-day time frame from the completion date approved in the phasing plan.
- Landscape maintenance of all non-developer maintained areas on an individual lot is the responsibility of the property owner. Such maintenance shall be consistently and conscientiously performed in a timely manner. Such maintenance procedures include, but are not limited to weeding, fertilizing, replacing of dead or poorly performing landscape material, mowing, pruning, upkeeping of light fixtures and removing on-site trash. Any lot purchased for development which remains undeveloped shall be mowed if applicable, to prevent weed grasses from going to seed and contaminating other turf areas and landscape beds within CTC. Properties not maintained to CTC standards are subject to fines and remedial action by the CTC Master Association.
- Refuse collection areas shall be designed to contain all refuse generated on-site between collections. Outdoor refuse areas shall be screened from view from adjacent lots and/or public streets within 150 feet of the refuse area. Screening materials may be of those specified in Fencing Standards or of



landscape materials approved by the ARC. When used, landscaping materials must provide complete screening to a height of 6 feet within 2 years after building occupancy. Gates shall be installed when openings into refuse areas can be viewed from adjacent lots and/or public streets within 150 feet of the refuse area. Gates shall be constructed of materials approved by the ARC.

## STREET LANDSCAPE FRONTAGE REQUIREMENTS

The following requirements apply to all street frontage situations in the CTC development:

- The criteria for landscape frontages is most important and thus the most restrictive. Typically, arterial and collector street landscape frontages will be pre-installed by the developer. The owner of a lot subject to a development activity will be required to coordinate the interface of its development with Master Association common area landscaping, including parking lot screening and the merger of private turf areas with Master Association turf areas. Irrigation of that interface or transition area shall be by extension of the private property irrigation system. The ARC may allow exceptions to this in certain cases. An owner may not modify the Master Association irrigation system without the prior written approval of the ARC and a representative of the Master Association must be present at the time such work is being performed.
- Slope areas at the sides or rear of a lot will be landscaped by the lot owner as part of his building development project and maintained by the lot owner. At the completion of excavation to create the rough building pad, the developer will be responsible for planting erosion control grasses on all slopes and covering these seeded slopes with chopped straw or other material to protect the seed and the slope until seed germination.
- Although a project's internal landscape format is less restricted, a relationship should be developed between a project and the adjacent landscaping.

## PROJECT SITE ENTRIES REQUIREMENTS

The following requirements apply to all project site entries in the CTC development:

- Project site entries shall be designed to harmonize with the adjacent street landscape frontages and the Columbia Tech Center Master Association's landscape concepts. Individual creativity is encouraged within the framework of overall Master Plan concepts.
- All landscape plans shall implement the site distance setback requirements set forth in the governing zoning codes and road standards.

## PARKING AREA LANDSCAPING REQUIREMENTS

The following requirements apply to all parking areas in the CTC development:

- Landscaped islands are required at maximum intervals of one island every ten (10) parking stalls. The ARC may make exceptions which allow up to 13 parking stalls between islands so long as the average does not exceed 10. Landscape islands shall be a minimum of five (5) feet wide and five (5) feet deep as measured from the inside of curbs. Where parking spaces occur "nose-to-nose" in a parking field, an intervening or separating landscape strip shall be provided, with such strips being not less than eight feet wide if any portion of such strip is to be considered part of the parking space required depth. As an alternative to this, the ARC will approve the use of landscape diamonds centered on parking strips at intervals not to exceed seven spaces. Each diamond shall not be less than five feet (inside dimension) on each side and each shall be enclosed within an extruded or cast in place curb of not less than six inches in height. Such strips or diamonds shall be irrigated to ensure plant survival. Each strip shall have trees at not more than 30 feet on center, each planted to

avoid conflict with car overhang into the strip, if applicable. Each diamond shall be planted with a tree.

- The ends of all parking rows shall be separated from adjacent drive aisles by landscape islands, which are a minimum of five feet wide and 13 feet long (measured from the center line of the nose-to-nose parking line or the face of the intersection perpendicular curb, both inside dimensions). The ARC may make exceptions to this "end island" condition where spaces are adjacent to drive-in overhead doors into buildings.
- Parking lot trees shall be a minimum of two (2) inch caliper. At least one (1) tree shall be planted in each landscape island. Trees in landscape islands shall reach a minimum mature height of 30 feet or more, cast moderate to dense shade in the summer, live at least 60 years, require little maintenance (by being, for example, insect, disease and drought resistant) and be suited for use in the proposed location (such as by being tolerant of pollution and direct and reflected heat). Tree selection shall be approved by the ARC.
- Parking lot trees shall be provided at a minimum of one (1) tree for every five (5) parking stalls within the parking area limits. Trees within seven (7) feet of parking areas may be considered as parking area trees.
- There shall be a minimum seven (7) foot wide planting area between building and parking areas. There shall be a minimum five (5) foot wide planting area between a building and any drive aisle.
- Parking areas shall be screened from street frontages by evergreen shrub or tree masses. Shrub screening shall be a minimum height of three (3) feet and a maximum height of five (5) feet. Where the street elevation is more than five feet above the parking lot curb elevation, shrub screening is not required but a lot developer is encouraged to plant Evergreen trees in a manner that reduces the negative visual impact of the parking lot.
- Parking lot landscaping shall be designed and located so as to discourage pedestrians from having to cross any landscaped areas to reach building entrances.

## LANDSCAPING AND SCREENING APPROVAL STANDARDS

The following summarizes the approval standards for landscaping and screening at CTC:

- All lot owners or users of land must submit landscape plans for their proposed developments to the ARC. Required landscape plans must be prepared by an architect, engineer or landscape architect registered in the State of Washington, who is proficient in landscaping, and will be reviewed by the ARC for consistency with the CTC Landscape Standards. Plans must be submitted in a manner clearly specifying plant materials, sizes, spacing and other considerations required for the ARC to determine suitability of the proposed plan.
- A landscape plan shall contain landscaping and screening consistent with the applicable CTC design standards.
- Landscaping and screening that exceed the standards set forth in the Landscape Standards are allowed provided that the landscaping and screening is consistent with the overall landscaped character of the development area.
- A fence or wall (or a combination of a berm and fence or wall) may not exceed a height of six (6) feet tall above finished grade, unless the ARC and / or the local governmental jurisdiction find additional height is necessary to mitigate potential adverse effects of the proposed use or other uses in the vicinity.

- As a condition of approval for a conditional use request, the ARC and / or the local governmental jurisdiction may require an applicant to provide landscaping and screening that differs from the CTC standards where necessary to comply with the other applicable approval standards for the use or development.
- All portions of public rights-of-way are to be landscaped by developers as part of the street construction.
- Landscaped areas required for stormwater management purposes may be used to satisfy landscaping area requirements under these standards, even though those areas may be periodically inundated by surface water. The landscape/utility easement at a lot's primary street frontage may not be used for stormwater treatment facilities unless approved by the ARC. "Primary street frontage" shall refer to the street or streets from which the site is primarily accessed.

## SEPARATION BETWEEN USES

Land uses at the CTC development consist of light industrial, commercial, single-family and multi-family. In order to reduce negative interaction between different land uses, protect the individual character of these uses and promote appropriate views, landscape buffering types have been developed for CTC and should be applied appropriately when differing land uses are adjacent to each other. Landscape buffering types for CTC include:

**TABLE 1: Landscape Buffering Types**

Buffer Type	Characteristics
Type A	1 tree per 30 lineal feet 5 high type shrubs per 100 lineal feet 15 low type shrubs per 100 lineal feet Groundcover plantings must fully cover remainder of landscaped area
Type B	Low shrubs to form a continuous screen 3 ft. high and 95% opaque year around 1 tree per 30 lineal feet Groundcover plantings must fully cover remainder of landscaped area
Type C	High shrubs to form a continuous screen 6 ft. high and 95% opaque year around 1 tree per 30 lineal feet Groundcover plantings must fully cover remainder of landscaped area
Type D	4 to 6 ft. berm 1 tree per 30 lineal feet Groundcover plantings must fully cover remainder of landscaped area OR High shrubs to form a continuous screen 6 ft. high and 95% opaque year around 1 tree per 30 lineal feet Groundcover plantings must fully cover remainder of landscaped area
Type E	5 trees per 100 lineal feet 10 high type shrubs per 100 lineal feet 20 low type shrubs per 100 lineal feet Groundcover plantings must fully cover remainder of landscaped area

The following table summarizes the separations between uses occurring at the site and the appropriate landscaping and screening to be applied to these different separations (*Note: the separation between single-family and light industrial uses is discussed separate from this section — Separation Between Single-Family and Light Industrial Uses: Special Circumstances*):

**TABLE 2: Landscaping and Screening Standards for CTC**

Adjacent Uses	Separated from Site by a Street	No Street Separation
Single-Family adjacent to Multi-Family	Not applicable to site	* 5 ft. width Type A buffer
Multi-Family adjacent to Single-Family	Not applicable to site	* 5 ft. width Type A buffer
Commercial adjacent to Commercial	10 ft. width Type B buffer	5 ft. width Type A buffer
Light Industrial adjacent to Light Industrial	10 ft. width Type B buffer	5 ft. width Type A buffer
Light Industrial adjacent to Commercial	10 ft. width Type C buffer	5 ft. width Type B buffer
Commercial adjacent to Light Industrial	10 ft. width Type C buffer	5 ft. width Type D buffer

- \* There is an approximately 20 foot grade elevation difference between these uses which will act as a natural buffer. Thus, a Type A buffer is appropriate. Required shrubs within buffer plantings to be located within upper five feet of slope area; required trees within buffer plantings to be located within upper 1/3 of slope area.

### ***Separation between Single-Family and Light Industrial Uses: Special Circumstances***

All on-site slopes are intended to be 2:1 maximums. Slope differentials between the intersections of single-family and light industrial uses are planned. These slope differentials occur at the western boundary of the single-family area and at the northern boundary of the single-family area (adjacent to the Phase II development area). At the western boundary of the single-family area, a grade elevation difference of approximately 12 feet occurs with the slope towards the light industrial uses. At the northern boundary of the single-family area, grade elevation differences of approximately 30 feet occur, also with the slope towards the light industrial uses.

The resulting differences in grade elevations between the single-family and light industrial uses constitute a natural form of landscaping and screening between uses. These differences allow for modifications in the landscaping and screening standards between these two uses.

**TABLE 3: Separation between Single-Family and Light Industrial Uses: Special Circumstances**

Adjacent Uses	Modified Separation Standards (not separated by a street)
Single-Family adjacent to Light Industrial	20 ft. width Type D buffer
Light Industrial adjacent to Single-Family Residential	40 ft. width Type E buffer

## FENCING

Partial sight-obscuring and fully sight-obscuring fencing will be permitted at CTC. The following summarizes the specific intent and required materials for these two types of fencing:

**TABLE 4: Fencing Standards**

Type of Fence	Intent	Required Materials
Partially sight-obscuring	Partial visual separation Applied when a proposed use or development has little impact or where visibility between areas is more important than a total visual screen	6 ft high maximum Minimum 50% sight-obscuring May be made of metal, bricks, masonry or other permanent materials. The ARC will consider the selection of wood and other materials.
Fully sight-obscuring	Applied where complete screening is needed to protect abutting uses and landscaping alone cannot provide that separation	6 ft. high maximum 100% sight-obscuring May be made of metal, bricks, masonry or other permanent materials. The ARC will consider the selection of wood and other materials.

## LANDSCAPE ELEMENTS

### Initial Planting Sizes

The following table provides specific information on required initial planting sizes for the variety of vegetation at CTC:

**TABLE 5: Initial Planting Size Guidelines for CTC**

Type	Size at Installation	Special Conditions
All required trees (except for street trees and accent trees)	2 inch caliper (deciduous)  Evergreen - 50 % Min. 7 - 8' height 50% min. 9 - 10' height	Trees shall be fully branched at time of planting
Street trees	2.5 inch caliper  Evergreen - 50 % Min. 7 - 8' height 50% min. 9 - 10'	Trees shall be fully branched at time of planting
Accent trees	2.5 inch caliper  10 (evergreen)	Trees shall be fully branched at time of planting
Frontage shrubs	5 gallon (minimum) 1 gallon (minimum)	5 gallon for 20% of coverage 1 gallon for 80% of coverage
Project entry shrubs	5 gallon (minimum) 3 gallon (minimum)	5 gallon for 40% of coverage 3 gallon for 60% of coverage
All other shrubs	3 gallon (minimum)	Shrubs to be full and well-formed
Screen walls	1 gallon (maximum 8 ft. on center)  4 inch pots (maximum 3 ft. on center)	To be planted with vines
Ground cover plants	Sizing and spacing depend upon species selected. ARC will approve size and spacing to fill entire ground area within 2 years of planting.	Minimum size applies to all ground cover; lawn* or flower bed may be substituted for ground cover plants; rows of plants shall be staggered where appropriate to provide for more effective covering

- \* All turf areas must be sodded. Seeding of permanent turf areas is prohibited.

*General Trees continued:*

<i>Fagus sylvatica</i> 'Roseo-Marginata	- Tricolor Beech
<i>Fraxinus americana</i>	- Skyline Ash
<i>Fraxinus latifolia</i>	- Oregon Ash
<i>Fraxinus oxycarpa</i> "Flame"	- Flame Ash
<i>Fraxinus pennsylvanica lanceolata</i>	- Summit Ash
<i>Fraxinus pennsylvanica</i> 'Marshall'	- Marshall Ash
<i>Fraxinus pennsylvanica</i> 'Urbanite'	- Urbanite Ash
<i>Ginkgo</i> sp.	- Ginko
<i>Gleditsia triacanthos</i> 'Christie'	- Halka Honeylocust
<i>Gleditsia triacanthos</i> 'Shademaster'	- Shademaster Honeylocust
<i>Gleditsia triacanthos</i> 'Skyline'	- Skyline Honeylocust
<i>Gymnocladus dioicus</i>	- Kentucky Coffee Tree
<i>Liquidambar styraciflua</i> 'Moraine'	- Moraine Sweetgum
<i>Magnolia kobus</i>	- Magnolia Kobus
<i>Oxydendrum Arboreum</i>	- Sourwood
<i>Phellodendron amurense</i> 'Macho'	- Macho Cork Tree
<i>Pinus ponderosa</i>	- Ponderosa Pine
<i>Populus tremuloides</i>	- Aspen
<i>Populus trichocarpa</i>	- Black Cottonwood
<i>Prunis emarginata</i>	- Bitter Chokeberry
<i>Prunis serrulata</i> 'Kwanzan'	- Kwanzan Cherry
<i>Prunis serrulata</i> 'Royal Burgundy'	- Royal Burgundy Cherry
<i>Prunis virginiana</i> var. <i>domissa</i>	- Common Chokeberry
<i>Prunis x yedoensis</i>	- Yoshino Cherry
<i>Pseudotsuga menziesii</i>	- Douglas Fir
<i>Pyrus fusca</i>	- Western Crabapple
<i>Quercus borealis rubra</i>	- Red Oak
<i>Quercus coccinea</i>	- Scarlett Oak
<i>Quercus garryana</i>	- Garry Oak
<i>Quercus robur</i> 'Pyramich'	- Skymaster Oak
<i>Rhamnus purshiana</i>	- Cascara
<i>Salix fluviatilis</i>	- Columbia River Willow
<i>Salix lasiandra</i>	- Pacific Willow
<i>Salix piperi</i>	- Piper's Willow

*General Trees continued:*

Salix rigida var. macrogemma	- Rigid Willow
Salix scouleriana	- Scouler Willow
Salix sessilifolia	- Soft-leaved Willow
Salix sitchensis	- Sitka Willow
Taxus brevifolia	- Pacific Yew
Thuja plicata	- Western Red Cedar
Tilia cordata 'Glenleven'	- Glenleven Linden
Tsuga heterophylla	- Western Hemlock
Zelkova sp.	- Zelkova

*Note: Other general trees may be approved by the ARC*

*Shrubs*

Amelanchier alnifolia	- Western Serviceberry
Arctostaphylos columbiana	- Hairy Manzanita
Arctostaphylos uva-ursi	- Kinnikinnick
Ceanothus sanguineus	- Oregon Tea-tree
Ceanothus velutinus var. laevigatus	- Mountain Balm
Cornus stolonifera var. occidentalis	- Red-osier Dogwood
Corylus cornuta	- Hazelnut
Euonymus occidentalis	- Western Wahoo
Holodiscus discolor	- Ocean-spray
Lonicera involucrata	- Black Twinberry
Menziesia ferruginea	- Fool's Huckleberry
Oemleria cerasiformis	- Indian Plum
Philadelphus lewisii	- Mockorange
Physocarpus capitatus	- Pacific Ninebark
Rhododendron macrophyllum	- Western Rhododendron
Ribes bracteosum	- Blue Currant
Ribes divaricat	- Straggly Gooseberry
Ribes laxiflorum	- Western Black Currant
Ribes lobbii	- Pioneer Gooseberry
Ribes sanguineum	- Red Currant
Ribes viscosissimum	- Sticky Currant

*Shrubs continued:*

Rosa gymnocarpa	- Baldhip Rose
Rosa nutkana var nutkana	- Nootka Rose
Rosa pisocarpa	- Swamp Rose
Rubus parviflorus	- Thimbleberry
Rubus spectabilis	- Salmonberry
Spiraea betulifolia var. lucida	- Shiny-leaf Spiraea
Spiraea douglasii	- Douglas Spiraea
Symphoricarpos albus	- Common Snowberry
Symphoricarpos mollis	- Creeping Snowberry
Vaccinium alaskaense	- Alaska Blueberry
Vaccinium ovatum	- Evergreen Huckleberry
Vaccinium parvifolium	- Red Huckleberry
Viburnum ellipticum	- Oval-leafed Viburnum

*Note: Other shrubs may be approved by the ARC*

*Trees & Plants Prohibited in Commercial, Industrial and Multifamily areas:*

Acer macrophyllum	- Big-leaf Maple
Betula (other than B. jacquemontii)	- Birch
Cytisus scoparius	- Scotsbroom
Hedera helix	- English Ivy
Iris dacorus	- Yellow flag iris
Lythrum salicaria	- Purple Loosestrife
Mahonia (various)	- Oregongrape & other varieties
Phalaris arundinacea	- Reed Canarygrass
Platanus (all varieties)	- Plane tree / Sycamore

*Trees & Plants Prohibited in all of CTC:*

Populus alba, Populus canadensis	- Popular
Populus trichocarpa	- Black Cottonwood
Rubus discolor	- Himalayan Blackberry
Sambucus cerulea	- Blue Elderberry
Sambucus racemosa	- Red Elderberry



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### *Special Conditions*

*The following trees are prohibited within 100 ft. of public sewers:*

- |  |   |                |
|--|---|----------------|
| Salix sp.                                | - | Willow         |
| Ailanthus altissima, Ailantus glandulosa | - | Tree-of-Heaven |
| Sorbus sp.                               | - | Mountain Ash   |

*The following trees are prohibited within 10 feet of public rights-of-way, sidewalks or parking lots:*

- |                                  |   |                          |
|----------------------------------|---|--------------------------|
| Crataegus laevigata, C. oxycarpa | - | Hawthorn-Paul's Scarlett |
| Alnus rubra                      | - | Red alder                |
| Ulmus americana                  | - | American elm             |
| Ulmus pumila                     | - | Siberian elm             |
| Ulmus hollandica                 | - | Dutch elm                |

*The following trees are prohibited within 5 feet of sidewalks:*

- |  |   |                |
|--|---|----------------|
| Ailanthus altissima, Ailantus glandulosa | - | Tree-of-Heaven |
| Salix sp.                                | - | Willow         |



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## V - A - N - C - O - U - V - E - R

## URBAN □ FORESTRY □ PROGRAM

## SMALL TREE SPECIES

(For Planting areas of at least 5 foot in width)

T. Jock Demme  
Chair

Amy Campbell  
Todd Horenstein  
Mark Hynson  
Mark Maggiora  
Katherine Pierce  
Craig Webster



Elizabeth Walker  
Urban Forester  
PO Box 1995  
Vancouver, WA  
98668-1995

360/696-8005  
Fax 360/696-8283

*Acer buergerianum*, trident maple (25' mature height)  
*Acer campestre*, hedge maple (25')  
*Acer circinatum*, vine maple (20')  
*Acer ginnala*, amur maple (20')  
*Acer miyabei*, miyabe maple (25')  
*Acer tataricum*, tartarian maple (20')  
*Acer platanoides* 'Crimson Sentry', crimson sentry maple (25')  
*Amelanchier* spp., serviceberry (20')  
    *A. laevis* 'Cumulus', cumulus serviceberry  
    *A. laevis* 'Autumn Brilliance', autumn brilliance serviceberry  
*Carpinus caroliniana*, american hornbeam (30')  
*Carpinus betulus* 'Fastigiata', pyramidal european hornbeam (35')  
*Cercis canadensis*, eastern redbud (25')  
*Clerodendrum trichotomum*, glorybower (20')  
*Cornus kousa*, kousa dogwood (25')  
*Cornus mas*, corneliancherry dogwood (25')  
*Crataegus x lavalleyi*, Lavalley hawthorn (25')  
*Fagus sylvatica* 'Fastigiata', fastigate beech (35')  
*Fraxinus excelsior* 'Globosa', globe ash (25')  
*Fraxinus ornus*, flowering ash (35')  
*Fraxinus oxycarpa* 'Aureopolia', golden desert ash (20')  
*Ginkgo biloba* 'Princeton Sentry', columnar ginkgo (35')  
*Halesia carolina*, silverbell (25')  
*Koelreuteria paniculata*, goldenrain tree (35')  
*Maackia amurensis*, amur maackia (25')  
*Magnolia x loebneri* 'Merrill', loebner magnolia (25')  
*Magnolia x 'Galaxy'*, galaxy magnolia (25')  
*Magnolia grandiflora* 'Victoria', victoria magnolia (20')  
*Magnolia stellata*, star magnolia (20')  
*Malus*, spp., ornamental crabapple (disease resistant varieties only) (15-25')  
    'Adams', 'Adirondack', 'Amaszam', 'Centzam', 'Donald Wyman',  
    'Doubleblooms', 'Hargozam', 'Prairifire', 'Professor Sprenger', 'Red  
    Baron', 'Purple Prince', 'Schmidtcutleaf', 'Sugar Tyme'  
*Malus x zumi calocarpa* (20')  
*Ostrya virginiana*, hophornbeam (30-35')  
*Oxydendron arboreum*, sourwood (25')  
*Parriota persica*, persian parrotia (20')  
*Prunus sargentii* 'Columnaris', columnar sargent cherry (30')  
*Pyrus calleryana* 'Chanticleer' or 'Aristocrat', callery pear (35-40')  
*Pyrus ussuriensis* 'Mordak', Mordak flowering pear (25')  
*Syrax japonicus*, japanese snowbell (25')  
*Syringa reticulata* 'Ivory silk', ivory silk japanese tree lilac (25')



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**EXHIBIT "H"**

LETTER OF AGREEMENT

BETWEEN CTC LLC AND THE CITY OF VANCOUVER  
DATED ON OR ABOUT MAY 15, 2000

AFFIRMING THE ALLOCATION OF 550 P.M. PEAK HOUR TRIPS  
TO THE FORMER HP SITE FOR FUTURE CTC USES



P.O. Box 1995  
Vancouver, Washington 98668-1995

www.ci.vancouver.wa.us

### LETTER OF AGREEMENT

The purpose of this Letter of Agreement between the City of Vancouver, hereinafter "City," and Columbia Tech Center, LLC, hereinafter "CTC," is to (1) affirm the continuing allocation of vehicular trips to the property formerly referred to as the Hewlett-Packard North Campus Site, hereinafter "Property," and (2) subject this Property to the CTC Master Plan. This Property is legally described on Exhibit "A" as attached hereto and incorporated herein by reference.

Owners of the Columbia Tech Center have purchased the Property described above and wish to have the City affirm that the p.m. peak-hour trips historically generated by the prior uses on the Property will remain available for future uses.

A Traffic analysis and trip generation study was conducted by Kittleson & Associates. This study indicates that there have been approximately 530 p.m. peak-hour trips generated by Hewlett-Packard as a result of its use of the Property. Furthermore, these existing trips are included in the current 164<sup>th</sup> Avenue Traffic Flow Model used for evaluating concurrency compliance.

The trips measured by Kittleson & Associates are slightly lower than those defined by the Trip Generation Manual, 6<sup>th</sup> Edition, published by the Institute of Transportation Engineers (ITE). The Kittleson & Associates study suggested approximately 530 p.m. peak-hour trips. ITE concludes that for similar uses, approximately 550 trips would be generated. For the purpose of this Letter of Agreement, the City affirms that the ITE Trip Generation rates of 550 trips shall continue to be allocated to the Property identified above.

It is concluded that the continuing allocation of these 550 p.m. peak-hour trips to future CTC uses will not change the operational characteristics of the 164<sup>th</sup> Avenue corridor or the total number of peak-hour trips assigned to and occurring on the corridor. In addition, this continuing allocation of trips will not require any contribution to or mitigation of impacts for concurrency purposes.

CITY OF VANCOUVER  
By Vernon Stoner 5/15/00  
Vernon Stoner, City Manager

COLUMBIA TECH CENTER, LLC  
By Steve Madison  
Steve Madison, Member

By Thayer K. Rorabaugh  
Thayer K. Rorabaugh, Manager  
Transportation Services

APPROVED AS TO FORM  
By Ted Gathe  
Ted Gathe, City Attorney



**EXHIBIT "I"**

ADDENDA TO THE 1998 STANDARDS

**EXHIBIT "I"**

***Revisions to the Development Standards***

**Architectural Review Committee:**

1. Columbia Tech Center Architectural Review Committee (CTC-ARC) shall have authority to grant variances up to 20% (twenty percent) for any applicable numerical standard as outlined in VMC 20.00.240A.(6) that governs the development of the project. Variances greater than 20% (twenty percent) are major variances requiring City review under VMC 20.00.250A.(7) with criteria listed in VMC 20.73.
2. CTC-ARC must provide written notice and a copy of the decision to the City of Vancouver Planning Department within 14 calendar days of granting any variance.
3. CTC-ARC may not grant variances to the specific binding details of the 2000 Development Agreement, such as the zoning, the street cross-sections, and the number of vested trips, etc.
4. Actions of the CTC-ARC may not be appealed to the City of Vancouver. Actions of the CTC-ARC are final. If the CTC-ARC takes action outside their authority, the City of Vancouver may utilize the code enforcement powers of the VMC.

**Expedited Review of Tenant Improvement approvals after Final Site Plan**

**Approval:**

1. CTC shall be permitted to make "minor modifications" to approved site plans to accommodate tenant requirements.
2. Such "minor modifications" to the approved site plans shall be submitted, reviewed, and approved as an integral part of the associated Tenant Improvement (T.I.) permit request.
3. Such "minor modifications" shall be limited to relocation of access doors, sidewalks, ramps, windows, and affected landscaping, accessible parking spaces, pedestrian access corridors, revising loading areas from "dock-high" condition to "drive-in" condition, elimination or addition of landscaping or parking stalls (provided the revised number of stalls meets or exceeds the required minimum applicable standard), and "solid waste storage areas"

**Parking Standards:**

1. Revise the maximum distance to offsite parking to 800 (eight hundred) feet.
2. Parking or maneuvering areas or pedestrian connections may encroach or consume side or rear yard landscape buffer requirements as described in Exhibits "G" and "I", in such instances where such encroachment is "offset" by a proportionately enlarged landscape buffer on the impacted adjoining CTC parcel. Such encroachments are allowed without requiring variance approval from the CTC ARC.
3. Parking, maneuvering areas, or pedestrian connections may encroach or consume side or rear yard landscape buffer requirements as described in Exhibits "G" and "I", where such encroachment is necessary to develop "continuous fields" of



parking or shared access aisles between parcels or buildings if the following conditions are met or exist.

- (a) Such encroachments shall not be permitted along public street frontage or along the perimeter of the CTC PUD.
- (b) Where continuous parking stalls eliminate or encroach on the standard landscape buffer, individual parking stalls shall not cross a parcel line. The specific parcel line shall fall directly on the edge or nose of the parking stalls, so that each parcel has distinct and separate parking stalls.
- (c) Parking stalls or shared access aisles shall only be permitted to fall on parcel lines where the adjoining buildings or properties functionally share the same parking lot, public street access, or circulation.
- (d) Parking stalls or shared access aisles shall only be permitted to fall on parcel lines where the adjoining uses are similar or complimentary. Such as commercial to office, or office to light industrial, or light industrial to commercial, but not residential to commercial or residential to light industrial.
- (e) In such cases adequate provision shall be made to ensure shared access or shared parking through the use of reciprocal access easements or joint use parking agreements.
- (f) This section shall not be construed to exempt any application from compliance with minimum site percentage of landscaping for the zone.

Such encroachments are allowed without requiring variance approval from the CTC ARC.

#### **Single-Family Zone:**

1. Rename CTC Single-Family zone to CTC Single Family -- 5.
2. Revise the Minimum Average Lot Depth standard to 65 (sixty five) feet.
3. Revise the Rear Yard setback to 5 (five) feet.
4. Revise the Front Yard setback to be more specific, 10 (ten) feet from any living space and a minimum 18 (eighteen) feet from the face of any garage door(s).

#### **Multi-Family Zone:**

1. Eliminate the Maximum Density restriction.
2. Revise the Minimum Density restriction to 8 (eight) dwelling units per acre.

#### **Commercial Section:**

1. Allow residential uses in the commercial zone, except on the first floor.
2. Revise the Minimum Side Yard setback to 0 (zero) or 5 (five) feet.
3. Eliminate the Maximum Building Height restriction.
4. Revise the Maximum Building coverage to 85% (eighty-five percent).

#### **Light Industrial Section:**

1. Revise the minimum building coverage standard of 25% (twenty-five percent), from a building "footprint" standard to a Floor Area Ratio standard (F.A.R.). Therefore establishing that a building in the CTC Light Industrial zone will

provide 25% of the developable parcel size in area, calculated as the sum of all the floors.

2. Eliminate Banks, Restaurants, Coffee, Sandwich Shops, and Cafes uses from within the outright permitted service uses allowed in the CTC Light Industrial zone. Banks, Restaurants, Cafes, and Daycare Centers will still be permitted as ancillary commercial uses under Section (I)(A)(4)(e) of the CTC Development Standards. Notwithstanding the foregoing, the ancillary commercial uses permitted at the former Hewlett-Packard North Campus building and the surrounding parcel of approximately 25 acres, to be owned and occupied by Consolidated Freightways Corporation and any successors thereto, shall be limited to the following three uses: an employee-only day care, an employee-only cafeteria, and a credit union.



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## ***Revisions to the Landscape & Screening Standards***

### **Solid Waste Storage standards:**

1. CTC-ARC can allow the establishment and use of joint solid waste storage areas for multiple buildings and multiple tenants so long as the solid waste storage area is not separated from the assigned buildings by a public street or other physical obstacle such as a fence or wall.
2. Such shared storage areas shall not be more than 800 (eight hundred) feet from the furthest building.
3. If such joint use solid waste storage areas are utilized for multiple building on separate parcels, appropriate measures shall be taken to provide for the continued use of said areas if the affected parcels or buildings fall into separate legal ownership.

### **Side and Rear Yard Landscape Buffers:**

1. Parking, maneuvering areas, or pedestrian connections may encroach or consume side or rear yard landscape buffer requirements as described in Exhibits "G" and "I", where such encroachment is "offset" by a proportionately enlarged landscape buffer on the impacted adjoining CTC parcel. Such encroachments are without requiring variance approval from the CTC ARC.
2. Parking, maneuvering areas, or pedestrian connections may encroach or consume side or rear yard landscape buffer requirements as described in Exhibits "G" and "I", where such encroachment is necessary to develop "continuous fields" of parking or shared access aisles between parcels or buildings if the following conditions are met or exist.
  - (a) Such encroachments shall not be permitted along public street frontage or along the perimeter of the CTC PUD.
  - (b) Where continuous parking stalls eliminate or encroach on the standard landscape buffer, individual parking stalls shall not cross a parcel line. The specific parcel line shall fall directly on the edge or nose of the parking stalls, so that each parcel has distinct and separate parking stalls.
  - (c) Parking stalls or shared access aisles shall only be permitted to fall on parcel lines where the adjoining buildings or properties functionally share the same parking lot, public street access, or circulation.
  - (d) Parking stalls or shared access aisles shall only be permitted to fall on parcel lines where the adjoining uses are similar or complimentary. Such as commercial to office, or office to light industrial, or light industrial to commercial, but not residential to commercial or residential to light industrial.
  - (e) In such cases adequate provision shall be made to ensure shared access or shared parking through the use of reciprocal access easements or joint use parking agreements.
  - (f) This section shall not be construed to exempt any application from compliance with minimum site percentage of landscaping for the zone.

Such encroachments are allowed without requiring variance approval from the CTC ARC.

### **Tree Removal**

Review of proposed tree removal in relation to any development plans and discussion of removal of hazard or nuisance trees are in the public interest. For CTC, the City of Vancouver has agreed the tree plan review requirements are modified as follows:

1. When mature tree(s) **(larger than six (6) inches in diameter at breast height (dbh))** are proposed to be removed because of development, the applicant will submit a plan to the City as part of the site plan review packet. The plan will show proposed site disturbance and construction, and the species, size and location of the proposed tree(s) to be removed. Any appropriate tree protection of trees adjacent trees to the construction is to be shown on the plan.
2. The City will review the proposal in conjunction with site plan review and may offer alternative site development to save and protect the tree(s). When there are feasible and prudent location alternatives on site for proposed building structures or other site improvements, trees are to be preserved.
3. When tree(s) are considered nuisances or hazards, a site plan showing the location, species and size of tree(s) shall be submitted to the City with a narrative describing reason for removal. The City will review the proposal and render a decision within 14 days of receipt.
4. Removal of trees may be allowed after review and approval by the City. Penalties for illegal removal may apply, but posting and appeal periods would be exempt.
5. Each tree removal will be replaced with an appropriate tree installed, as required for "accent" trees.



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## EXHIBIT "J"

### PROPOSED STREET SECTIONS

Date MAY 2000  
 Serial N/A  
 Disposed By IMS  
 Disposed By QIANR  
 Checked By \_\_\_\_\_

**M & S**  
**MacKay & Sposito**  
ENGINEERS SURVEYORS PLANNERS  
1798 MAIN STREET  
VANCOUVER, WA. 98660  
CAN 2060 485 0833 FAX 2060 485 4778  
CND 603 585 4778

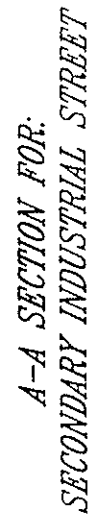
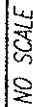
## REFERENCES

*Journal of Management Inquiry* 18(6) 709–724  
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## REFERENCES

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NO SCALE



P.O. Box 1995  
Vancouver, WA 98668-1995



[www.ci.vancouver.wa.us](http://www.ci.vancouver.wa.us)

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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit J –Street Section Map

Date: 02/01/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

This page of the document is non-recordable. Original is filed in Central Records.

## EXHIBIT "J2"

### Columbia Tech Center Street System Narrative

**SE Mill Plain boulevard: (SE 172<sup>nd</sup> Avenue to SE 192<sup>nd</sup> Avenue)** is a "Principal Arterial" with a 100-foot right of way, a 70-foot roadway, and 6-foot separated sidewalks. The 70-foot roadway will consist of 4 travel lanes, a center island with turn pockets, and 2 bike lanes. Superelevation will not be required. The center island will be a 12-foot wide landscaped median. The City of Vancouver has agreed to maintain the landscaped center median. The City shall approve the landscape design of the center median. Full-access intersections and "right-in/right-out" driveways with Mill Plain shall be in accordance with Exhibits "L" and "J".

The full access intersections and the right-in/right-out driveway accesses depicted on Exhibit "L" are not intended to represent exact locations. Centerline stations have been assigned to the full-access intersections to demonstrate compliance with minimum spacing standard compliance. Minor adjustments to these intersections may be necessary during final design. The locations of the right-in/right-out driveways are more flexible. These driveways shall be located on common property lines or sufficient joint access easements shall be dedicated to provide for use of these driveways by users of adjacent properties. These driveways shall be designed no more than 40-feet wide with adequate sight distance triangles for vehicles entering and exiting SE Mill Plain.

Bus pullouts meeting WSDOT specifications for WB Mill Plain on the downstream traffic side at 192<sup>nd</sup> Avenue and both EB and WB Mill Plain on the downstream traffic side at 172<sup>nd</sup> Avenue will be constructed. Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The realignment of Mill Plain at 172<sup>nd</sup> Avenue shall be full width and shall be the responsibility of CTC LLC. The structural section of all public street pavements must utilize a design method approved by the City. The City shall not participate in expenses for grading to the top of subgrade elevation.

**SE Mill Plain Boulevard: (SE 164<sup>th</sup> Avenue to SE 172<sup>nd</sup> Avenue)** is a "Principal Arterial" with a 100-foot right of way, a 70 foot roadway, and 6-foot separated sidewalks. The 70-foot roadway will consist of 4 travel lanes, a center turn lane, and 2 bike lanes. CTC is obligated to dedicate right of way and construct improvements necessary to accommodate a standard half width improvement for this section of SE Mill Plain. Full width improvements will be required where Mill Plain is "re-aligned" in the vicinity of SE 172<sup>nd</sup> Avenue. Superelevation will not be required. Full-access intersections and "right-in/right-out" driveways with Mill Plain shall be in accordance with Exhibit "K".

The full access intersections and the right-in/right-out driveway accesses depicted on the south side of SE Mill Plain are not intended to represent exact locations. The two full-

access intersections between 164<sup>th</sup> Avenue and SE 172<sup>nd</sup> Avenue are located at common property lines to align with previously planned intersection locations on the north side of SE Mill Plain. Minor adjustments to these intersections may be necessary during final design to match other constructed or planned improvements. The right-in/right-out driveways shall be approved by the city and shall not exceed the number shown on Exhibit "K" and will require additional right turn (deceleration) lanes. Appropriate right-of-way dedication shall be made to the city. Future traffic signals at the proposed full access locations will be permitted. These driveways shall be designed no more than 40-feet wide with adequate sight distance triangles for vehicles entering and exiting SE Mill Plain.

Bus pullouts meeting WSDOT specifications both EB and WB Mill Plain on the downstream traffic side at 172<sup>nd</sup> Avenue will be constructed. Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The realignment of Mill Plain at 172<sup>nd</sup> needs to be full width and is the responsibility of CTC LLC. The structural section of all public street pavements must utilize a design method approved by the City. The City shall not participate in expenses for grading to the top of subgrade elevation. Access to Mill Plain may be limited at the City's discretion if the access point becomes a high accident vehicle location.

**SE 172<sup>nd</sup> Avenue** is a "3-lane Collector Arterial" with a minimum 70-foot right of way, a 46-foot roadway, and 6-foot separated sidewalks. The 70-foot roadway will consist of 2 travel lanes, a center turn lane, and 2 bike lanes. Full-access intersections and "right-in/right-out" driveways with Mill Plain shall be in accordance with Exhibit "L". Additional ROW and improvements are required to accommodate the turn lanes at the intersection of Mill Plain and 172<sup>nd</sup> Avenue.

Existing Street improvements do not conform to the conceptual plans of SE 172<sup>nd</sup> Avenue. These improvements shall be reconstructed at the time Mill Plain is realigned in the vicinity of 172<sup>nd</sup> Avenue to the minimum extent necessary to achieve a safe geometric transition to the north. Improvements to SE 172<sup>nd</sup> Avenue required by the City beyond the boundaries of CTC shall be the responsibility of the City of Vancouver. CTC LLC shall dedicate ROW for all street improvements along SE 172<sup>nd</sup> Avenue at the time of construction approval or at the request of the City, whichever comes first.

The right-in/right-out driveway access depicted on Exhibit "L" is not intended to represent an exact location. Minor adjustments to the intersection may be necessary during final design. The driveway shall be located on common property lines or sufficient joint access easements shall be dedicated to provide for use of the driveway by users of adjacent properties. The driveway shall be designed no more than 40-feet wide with adequate sight distance triangles for vehicles entering and exiting SE Mill Plain.

Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to

accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City.

Right-of-way needed to accommodate the dual left turns that fall within the CTC development shall be dedicated and appropriate street improvements made. The improvement of that portion of SE 172<sup>nd</sup> Avenue that is north of the CTC property needed for transition shall be the responsibility of the city.

**SE 192<sup>nd</sup> Avenue** is assumed to be a fully improved roadway. No future right of way dedication or frontage improvements will be required as a condition of approval for future development applications in accordance with this PUD/Master plan, except work associated with approved access points. Other than the intersection with SE Mill Plain and the new un-named full-access intersection between SE 1<sup>st</sup> and SE Mill Plain no additional access will be permitted onto SE 192<sup>nd</sup> Avenue. As a part of the SE 192<sup>nd</sup> Avenue improvements the City of Vancouver has agreed to plant new street trees and other associated street landscaping along SE 192<sup>nd</sup> Avenue. CTC has an approved grading permit for property bordering this portion of SE 192<sup>nd</sup> Avenue which includes conditions of approval regarding continuance of existing landscaping and buffering. The City agrees to protect CTC's ability to operate under the conditions this permit as it is related to any modification of CTC's landscaping and buffering along SE 192<sup>nd</sup> Avenue and SE 1<sup>st</sup> Street by the City as part of Phase 1 improvements to SE 192<sup>nd</sup> Avenue.

Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City.

**SE 164<sup>th</sup> Avenue** is assumed to be a fully improved roadway. The applicant has dedicated adequate right of way and easements to the City of Vancouver sufficient to accommodate the ultimate improvement. No future right of way dedication or frontage improvements will be required as a condition of approval for future development applications, excepting any turn pockets deemed necessary to accommodate the right-in/right-out accesses as depicted in Exhibit "K". SE Tech Center Drive shall be the only full-access intersection on SE 164<sup>th</sup> Avenue between SE Mill Plain and SE 15<sup>th</sup> Street. The locations of the right-in/right-out driveways shall be located as depicted on Exhibit "K". These driveways shall be designed no more than 40-feet wide with adequate sight distance triangles for vehicles entering and exiting SE 164<sup>th</sup> Avenue.

Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City.

**SE 1<sup>st</sup> Street** is a "Principal Arterial" with a 100-foot right of way, a 70-foot roadway, and 6-foot separated sidewalks. The 70-foot roadway will consist of 4 travel lanes, a center island with turn pockets, and 2 bike lanes. The center island will be a 12-foot wide landscaped median. Full-access intersections and "right-in/right-out" driveways with Mill Plain shall be in accordance with Exhibit "L".

Existing Street improvements do not follow the new alignment of SE 1<sup>st</sup> Street, these improvements shall be reconstructed by development as conditions of approval for adjacent lots. ROW dedication for all street improvements along SE 1<sup>st</sup> Street will be required at the time of development or at the request of the City, whichever comes first.

The right-in/right-out driveway access depicted on Exhibit "L" is not intended to represent an exact location. Minor adjustments to the intersection may be necessary during final design. The driveway shall be located on common property lines or sufficient joint access easements shall be dedicated to provide for use of the driveway by users of adjacent properties. The driveway shall be designed no more than 40-feet wide with adequate sight distance triangles for vehicles entering and exiting SE Mill Plain.

Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at all full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City.

**Internal Streets** as shown on exhibit "L" are designated as secondary Industrial Street with a 60-foot right of way, a 38-foot roadway, and 6-foot separated sidewalks. The 38-foot roadway will consist of 2 travel lanes, and a center turn lane. Access will only be limited in accordance with the City of Vancouver Street standards.

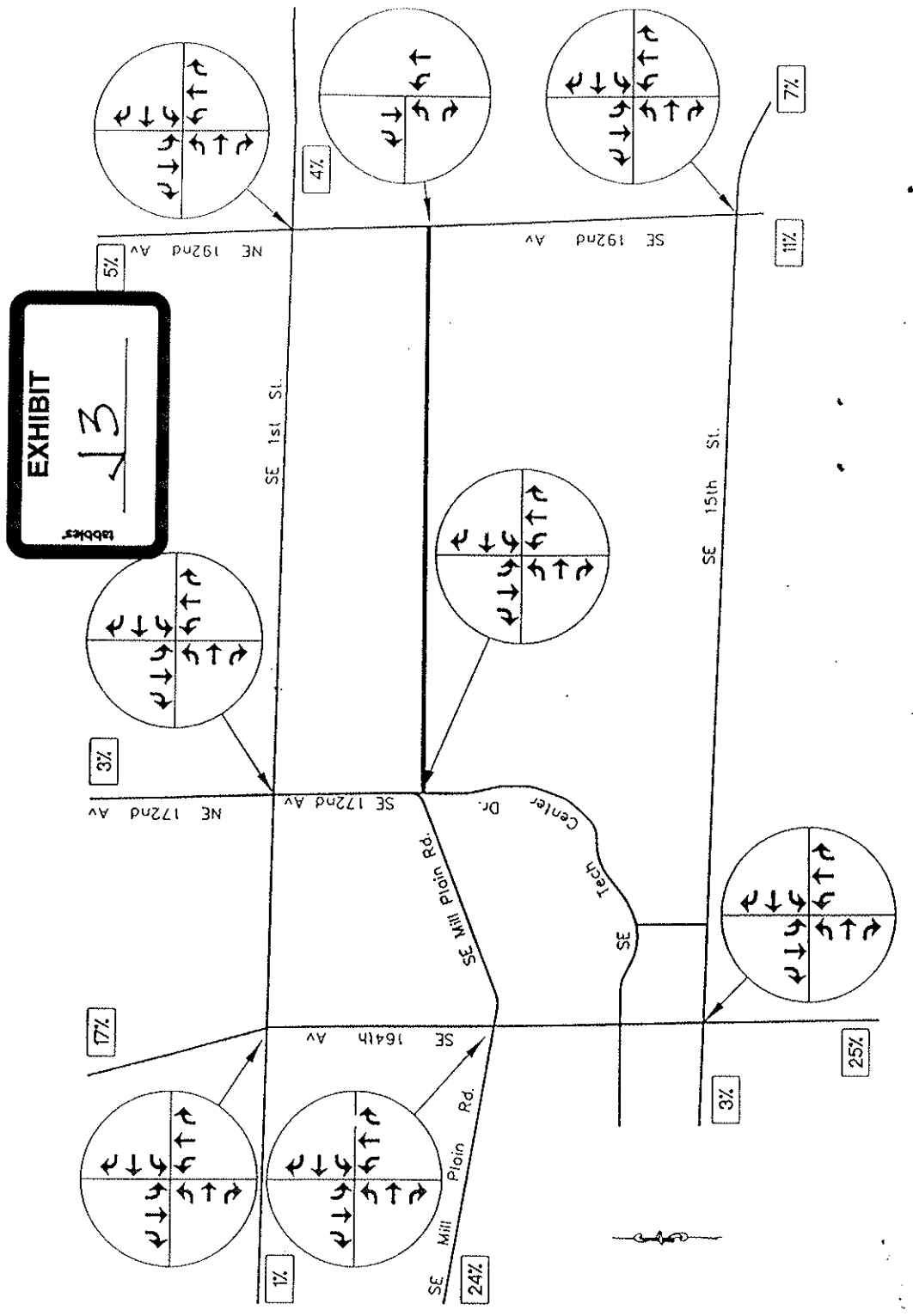
Construction of standard street improvements including curb, gutter, planter strips, sidewalk, pavement, striping and ROW dedication will be required at the time of development in conformance with City standards. If a street is not fully constructed, a temporary turnaround may be required by the City.

Traffic signals where allowed and necessary to accommodate new development shall be the responsibility of the new development. Additional ROW may be required to accommodate signal equipment at full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City. The City shall not participate in expenses for grading to the top of subgrade elevation.

**North-South Street Stub** as shown on exhibit "L" is designated as secondary Industrial Street with a 60-foot right of way, a 38-foot roadway, and 6-foot separated sidewalks. The 38-foot roadway will consist of 2 travel lanes, and a center turn lane. Access will only be limited in accordance with the City of Vancouver Street standards..

Construction of standard street improvements including curb, gutter, planter strips, sidewalk, pavement, striping and ROW dedication will be required at the time of development or at a future time as requested by the City of Vancouver.

Additional ROW may be required to accommodate signal equipment at full access intersections, turn pockets, auxiliary lanes, and dual left turn lanes. The structural section of all public street pavements must utilize a design method approved by the City. The City shall not participate in expenses for grading to the top of subgrade elevation.



20%

PM Peak Hour Trip Distribution

11%

Trip Distribution and Assignment for Additional CTC PM Peak Hour Trips



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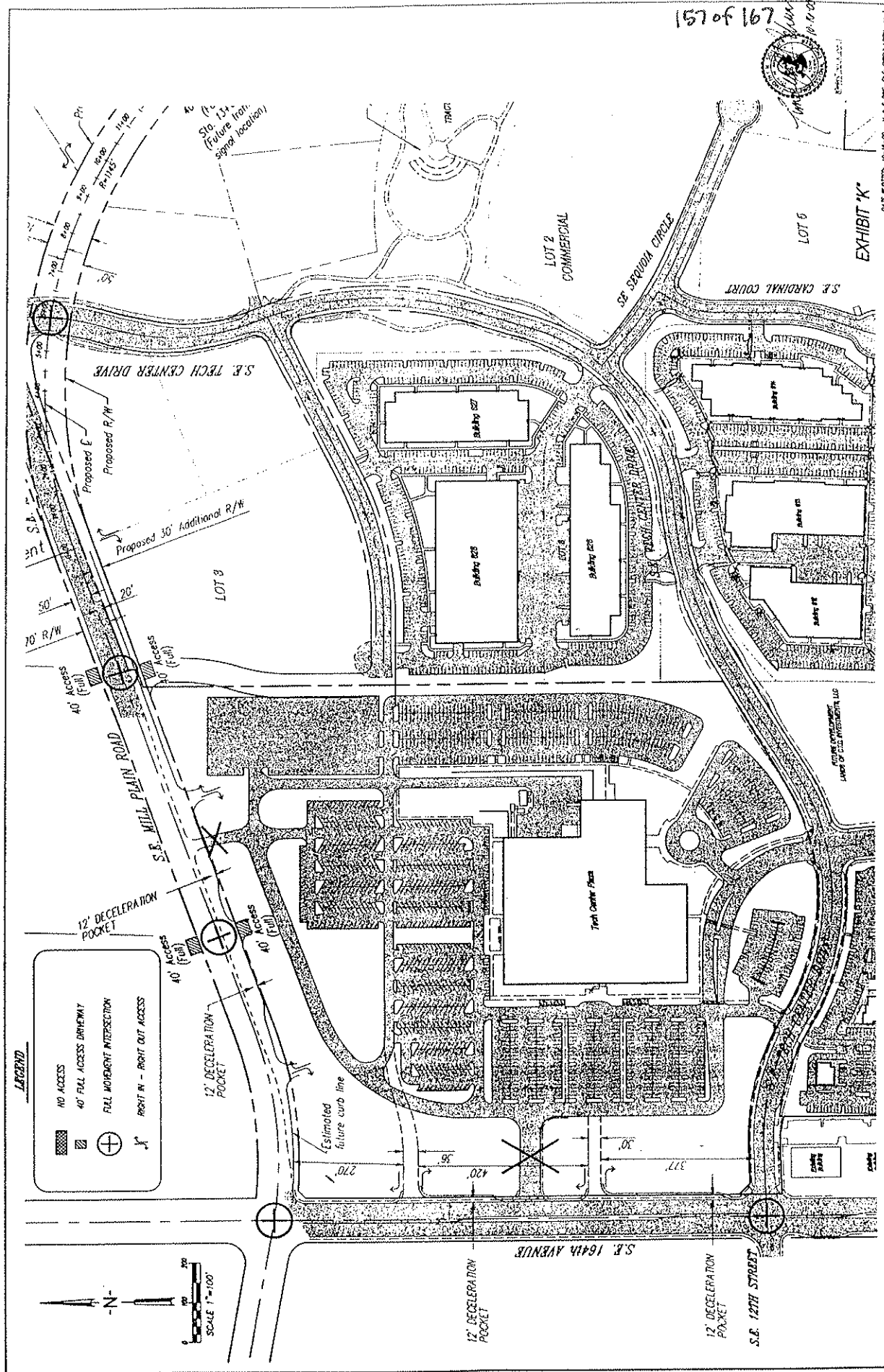
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## EXHIBIT "K"

### ACCESS PLAN

FORMER HP SITE  
TO S.E. 164<sup>TH</sup> AVENUE  
AND  
TO S.E. MILL PLAIN BOULEVARD



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EXHIBIT 'K'

DATE: 10-18-00		DRAWN BY: J.S.		CHECKED BY: J.S.	
DESIGNED BY: J.S.		APPROVED BY: J.S.		DATE: 10-18-00	
PROJECT: 10-18-00		SHEET: 1 OF 1		VANDERBILT	
PROJECT: 10-18-00		SHEET: 1 OF 1		WASHINGTON	
PROJECT: 10-18-00		SHEET: 1 OF 1		VANDERBILT	
PROJECT: 10-18-00		SHEET: 1 OF 1		WASHINGTON	

FORMER HEWLETT PACKARD SITE  
ACCESS PLAN

**M MacKay & Spisito**  
ENGINEERS SURVEYORS PLANNERS  
1700 MAIN STREET  
VANCOUVER, WA 98040  
(206) 441-1100 FAX (206) 441-1101



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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit K –Former Hewlett Packard Site Access Plan Map

Date: 02/01/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
- This will not be recorded.

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**EXHIBIT "L"**

COLUMBIA TECH CENTER  
REVISED MASTER PLAN



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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit L – Columbia Tech Center Revised Master Plan

Date: 02/01/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
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## EXHIBIT "M"

### CTC SANITARY SEWER AREA FLOWS

#### SEWER REQUIREMENTS AND WATER REQUIREMENTS





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## MEMORANDUM

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From: Raelyn McJilton, Central Records  
Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit M – CTC Area flows Map  
Date: 02/01/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
- A reduction of the map would not comply with size 8 font.
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FOR INCLUSION IN DEVELOPMENT AGREEMENT WITH  
COLUMBIA TECH CENTER

**EXHIBIT M<sub>2</sub>**

April 3, 2000 – page 1 of 3

**SEWER REQUIREMENTS FOR COLUMBIA TECH CENTER (CTC)**

Mitigation measures to provide sewer service to CTC and upstream properties are required as a result of property mining.

CTC excavated portions of Phases One and Two areas by more than 20 feet. The original topography allowed gravity sewer service to these areas and adjacent properties to the north. The developer proposed to service these properties with the use of a public sewage pump station system instead of the original gravity sewer option. The Phase Four area has been mined and also requires a pumping system for future development.

Phases One and Two have planned downstream sewer line capacity in one sewer basin and Phases Three and Four have planned downstream sewer line capacity in another basin. Therefore, the CTC area required two pump stations. The developer proposed to consolidate flow to a single pump station. This created a combined flow problem into one of the downstream sewers. The City will allow this consolidation provided the peak flows do not exceed the downstream capacity of the gravity sewers and that neighboring properties are not impacted with additional costs or limitations.

Therefore, the following CTC development sewer requirements are intended to mitigate the mining impacts and provide service to all properties affected.

1. Construct a pump station to City standards with standby emergency power in Phase Two to serve the whole development and approximately 20.6 acres of neighboring land that is zoned ML (tax lots 176594, 176602, 176603, 176610, 176611, and 176612), but flow shall be limited not to exceed 1.08 mgd peak.

The developer has partially built an interim 8-inch diameter force main to discharge into a manhole located in the adjacent Columbia Heights subdivision. Flow capacity for this interim discharge point is limited. The developer shall build a new 10-inch diameter force main through CTC on a route approved by the City to a permanent discharge into an existing 15-inch sewer located in the north/south alignment of SE Tech Center Drive and SE Cardinal Court. The interim discharge point is limited to 0.46 mgd instantaneous peak flow. Once this flow maximum is reached no further connections shall be issued until the new 10-inch force main is installed and discharging all of the pump station flow into the 15-inch sewer.

2. If the pump station capacity is reached before all of the property it is intended to serve is developed, CTC shall construct a second pump station to serve the remaining property. This pump station shall also be built to city standards. This pump station would require a force main discharging into a different basin. One possible discharge point is to the 10-inch gravity main located in the open space of the Hanna Acres subdivision.

FOR INCLUSION IN DEVELOPMENT AGREEMENT WITH  
COLUMBIA TECH CENTER

**EXHIBIT M<sub>2</sub>**

April 3, 2000 – page 3 of 3

5. Design and construction of all water facilities shall be the expense of the developer in addition to all regular fees and charges, excepting as provided in item #6.
6. The city will participate in the incremental cost to provide the oversize from 12-inch to 16-inch. Participation can be increased to the increment above 8-inch minimum for those areas where the Fire Department requires only 1,000 gpm fire flow. Reimbursement will be made following successful installation, disinfection and testing of installed mains in accordance with city standards and receipt of As-built information and actual cost data.



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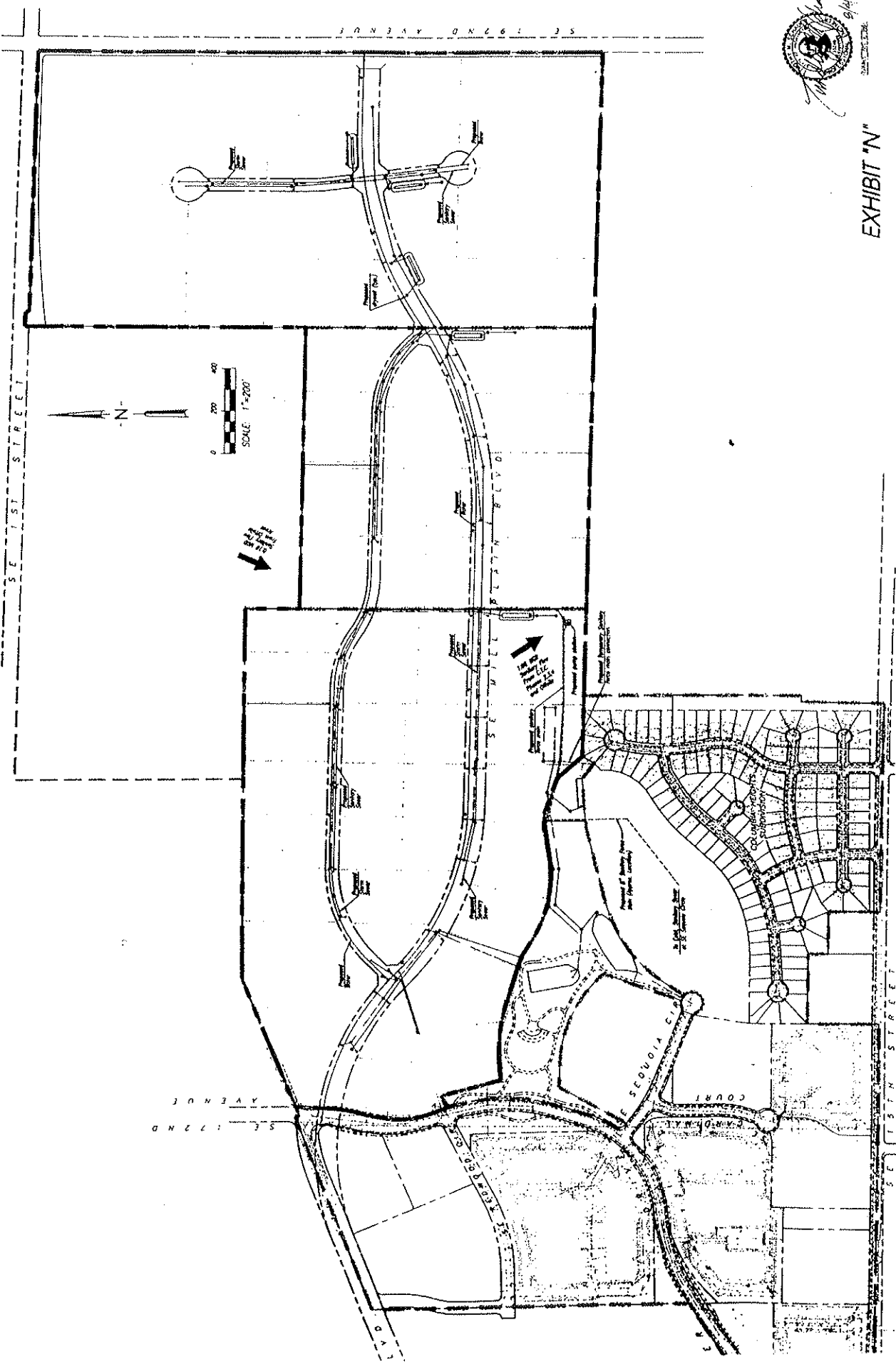
## EXHIBIT "N"

### CONCEPTUAL UTILITY PLAN



EXHIBIT "N"

DATE POSTED: 7-20-00 H & S INC. FILE 12495R2		CONCEPTUAL UTILITY PLAN COLUMBIA TECH CENTER PHASE 2 AND ADDITIONAL PROPERTIES CLARK COUNTY, WASHINGTON	
JULY 2000 1"=200' Project No. 02/012 Sheet No. 02/012 Drawn By: T.H.	<b>M MacKay &amp; Sposito</b> ENGINEERS SURVEYORS PLANNERS 1200 MAIN STREET, SUITE 200 SEASIDE, WA 98138 (206) 885-3111 FAX (206) 885-3112 (206) 885-3178		



P.O. Box 1995  
Vancouver, WA 98668-1995



[www.ci.vancouver.wa.us](http://www.ci.vancouver.wa.us)

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## MEMORANDUM

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From: Raelyn McJilton, Central Records

Re: Development Agreement  
Columbia Tech Center, LLC  
Exhibit N – CTC Phase II and Additional Properties

Date: 02/01/01

The above-referenced agreement does not conform to the guidelines for recording outlined in RCW 36.18 and 65.04

- Does not comply with 1" top, bottom and side margins.
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**EXHIBIT "P"**

LEGAL DESCRIPTION  
OF  
REAL PROPERTY  
AS DESCRIBED IN EXHIBITS "A," "B," AND "C"

# *Mackay & Sposito Inc.*



ENGINEERS SURVEYORS PLANNERS  
1703 MAIN STREET VANCOUVER, WASHINGTON 98660  
WASHINGTON FAX OREGON EMAIL  
(360) 695-3411 (360) 695-0833 (503) 289-6726 msinc@mackaysposito.com

EXHIBIT P  
LEGAL DESCRIPTION  
COLUMBIA TECH CENTER  
2000 REVISED PLANNED UNIT DEVELOPMENT  
VANCOUVER, WASHINGTON

Real property lying within the East half of Section 36, Township 2 North, Range 2 East, and Section 31, Township 2 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

All of that property conveyed to C.T.C. Investments, L.L.C., from Tektronix, Inc., by deed recorded under Auditor's File No. 9512280327, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C., from Walter L. Musa, Jr., Christopher Musa and Deanna Browning, by deed recorded under Auditor's File No. 9806150265, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C., from Pacific Rock Products, L.L.C., by deed recorded under Auditor's File No. 9806300542, records of said county;

ALSO: that property conveyed to Hewlett Packard Company, from Tektronix, Inc., by deed recorded under Auditor's File No. 9610240128, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C. from Sharon Shaffer by deed recorded under Auditor's File No. 9702240256, records of said county;

ALSO: that property conveyed to Columbia Tech Center, L.L.C., from Dalke by deed recorded under Auditor's File No. 9709160270, records of said county;

Subject to easements and restrictions of record.

