

**TO:** Planning Commission **HEARING DATE:** 9/26/2023  
**FROM:** Amy Zoltie, Real Estate Project Manager, Economic Prosperity & Housing  
**SUBJECT:** Heights Mixed-Use HX Zone Amendments



**Report Date:** 9/11/2023  
**Hearing Date:** 9/26/2023  
**Proposal:** Amend VMC 20.670.030 B, Figure 20.670-2; Table 20.670.040-2; 20.670.040 A.7; 20.670.040 B.4; 20.670.040 D.1 and ADD a Limited Access Standard  
**Proponent:** City of Vancouver  
**City Staff:** Amy Zoltie, Real Estate Project Manager, Economic Prosperity & Housing  
**Recommendation:** Forward to City Council recommendation to **approve** the Heights HX Plan District amendments as presented in this staff report and associated presentation

**I. PRIOR COMMISSION REVIEW (IF APPLICABLE):**  
Workshops on March 14, 2023 and July 25, 2023

**II. BACKGROUND AND REVIEW PROCESS:**

The Heights Mixed Use (HX) Plan District was adopted in 2021 following City Council's approval of the Heights District Subarea Plan in 2020 and after a lengthy community planning process that started with the acquisition of the Tower Mall property in 2017. The Heights District is envisioned as a vibrant 15-minute walkable neighborhood that is safe, accessible, equitable and sustainable, and includes a variety of amenities such as a civic plaza, neighborhood park, linear park looping around the Tower Mall site (Grand Loop), mixed-income housing, a variety of commercial space to offer entertainment and services to the community and multimodal travel opportunities throughout the district.

Since the adoption of the HX code, staff has been working to advance the next phases of plan implementation. The City entered into a contract with urban design firm First Forty Feet (FFF) to refine the layout of the district and design the infrastructure. FFF reviewed the Plan recommendations for the Tower Mall Redevelopment Area (TMRA) as well as the Heights (HX) Plan District overall and recommended a suite of refinements to ensure future development meets the Plan goals and intent, which require several updates to the HX code.

Proposed changes to the Vancouver zoning code text not involving Comprehensive Plan changes may be considered at any time, subject to public hearing review before the Planning Commission and City Council. Code amendments were previously brought to Planning Commission workshops on March 14<sup>th</sup> and July 25<sup>th</sup> and to Council on April 10<sup>th</sup> and August 21<sup>st</sup>, with both indicating overall support for the code refinements. Staff now return to the Planning Commission with the package of code refinements for a public hearing and request the Planning Commission to make a recommendation to City Council to approve the Heights (HX) Plan District amendments.

**III. SUMMARY OF PROPOSAL:**

**Summary of Proposed Plan Refinements and Code Changes**

Proposed refinements to the Tower Mall Redevelopment Area (TMRA) Plan include the following:

- Relocation of the Civic Plaza east to front Devine Road and be visible from the Mill Plain Boulevard, thus improving both access and visibility to this major public gathering area. As a major attractor, the Civic Plaza is an opportunity to promote ground-floor uses to create a retail, dining, and entertainment destination and a focus for activity in the district.
- Realignment and extension of the Grand Loop to promote its identity and increased use by connecting to the Greenbelt Park and planned walk and bike facilities along MacArthur Boulevard.
- Relocation of the Neighborhood Park to promote increased visibility, use and function and a clear and identifiable "entry gateway" to the Grand Loop. Future development provides active edge uses surrounding the park that increase the value and function of redevelopment properties.

The revised plan and notations of the changes is shown below.



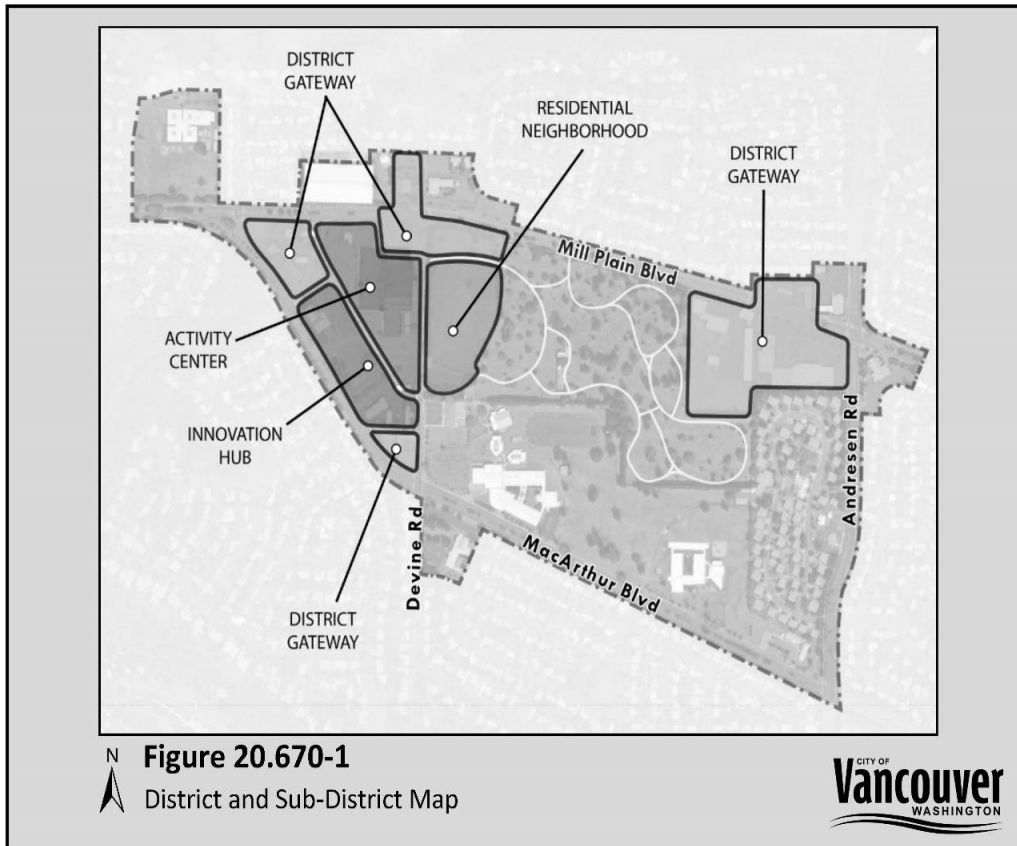
Proposed code changes will amend The Heights (HX) Plan District, VMC 20.670 to align with refinements to the Tower Mall Redevelopment Area (TMRA) Plan as detailed above.

These modifications include:

1. Update the *Ground Floor Use Map*, Figure 20.670-2 consistent with the Master Plan refinements for street layout and block formation.
2. Modify the Ground-Floor Use Regulations by Frontage Type to promote active retail, entertainment, and dining oriented to the Civic Plaza.
3. Adjust portions of text to maintain consistency and delete some unclear or non-essential narrative.
4. Add a new standard to regulate off-street parking access by limiting vehicle, pedestrian, and bicycle conflicts and promoting better non-motorized access and use of the Grand Loop.

As part of discussions about the project with interested developers, staff were informed that buildings in the District Gateway subdistrict that do not abut residentially zoned properties cannot develop to their intended building height of four stories and include ground floor commercial. This is because of the requirement in VMC 20.670.040 B 2 that the ground floor of buildings must have a minimum of 16 feet floor to floor height. Increasing the overall building height to address this allows for mixed use buildings that include ground floor retail and three stories of housing above as envisioned in the Heights District Plan and maintain a consistent pedestrian retail experience throughout the district. This raised additional code changes as detailed below.

5. Increase maximum building height in the District Gateway subdistrict from 50 feet to 55 feet for properties not abutting residentially zoned properties. For ease of reference, below is the District and Sub-District Map, Figure 20.670-1.



6. Differentiate the definition of commercial frontage between active uses surrounding the Civic Plaza and Devine Road and all other commercial uses, except office. Thus, creating two definitions of commercial frontage in VMC 20.670.030 B. Ground Floor Use Regulation by Frontage Type.
7. Modify the Ground-Floor Uses diagram to account for the two definitions of commercial frontage, explained in bullet number 6 above.

#### IV. REVIEW CRITERIA AND FINDINGS:

Applicable Zoning Code Standards:

Section 20.285.070 Comprehensive Plan or Zoning Code Text Amendments

A. Text amendments to the Comprehensive Plan or VMC Title 20 zoning standards shall demonstrate the following:

1. The proposal is consistent with the applicable provisions of the Vancouver Strategic Plan and Comprehensive Plan; and
2. The proposed change is necessary to further the public interest based on present needs and conditions.

Applicable Strategic Plan Provisions:

Economic Opportunity Vancouver is a place where a of businesses of all sizes, from new startups to established enterprises, grow, and thrive.

Vibrant and Distinct Neighborhoods Vancouver offers a variety of accessible places and spaces to interact and enjoy nature, art, culture, food, shopping, and community.

Applicable Comprehensive Plan Provisions:

*CD-4 Urban centers and corridors*

*Achieve the full potential of existing and emerging urban activity centers and the corridors that connect them, by:*

- (a) Promoting or reinforcing a unique identity or function for individual centers and corridors*
- (b) Planning for a compact urban form with an appropriate mix of uses*
- (c) Working with stakeholders to develop flexible standards to implement the vision for that center or corridor*
- (d) Encouraging innovative, attractive private development that efficiently uses available land and resources*
- (e) Establishing connectivity within each center and to other areas to provide accessibility*
- (f) Providing a range of transportation options*
- (g) Investing in public facilities and amenities to enhance livability*

*CD-5 Mixed use development*

*Facilitate development that combines multiple uses in single buildings or integrated uses.*

*CD-6 Neighborhood livability*

*Maintain and facilitate development of stable, multi-use neighborhoods that contain a compatible mix of housing, jobs, stores, and open and public spaces in a well-planned, safe pedestrian environment.*

*CD-8 Design*

*Facilitate development and create standards to achieve the following:*

- (a) Increased streetfront use, visual interest, and integration with adjacent buildings*
- (b) Improved pedestrian connections and proximity of uses within developments*
- (c) Enhanced sense of identity in neighborhoods and subareas*
- (d) Publicly and/or privately owned gathering places facilitating interaction*

*CD-9 Compatible uses*

*Facilitate development that minimizes adverse impacts to adjacent areas, particularly neighborhoods.*

*CD-10 Complementary uses*

*Locate complementary land uses near one another to maximize opportunities for people to work or shop near where they live.*

*CD-12 Integrated area planning*

*Promote cohesive, integrated planning of areas and sites through use of subarea planning, master planning, planned developments, and other methods.*

*CD-14 Sustainability*

*Facilitate sustainable land use development through measures including but not limited to the following:*

- (a) *Develop integrated land use patterns and transportation networks that foster reduced vehicle miles traveled and associated greenhouse gas emissions*
- (b) *Develop individual buildings that minimize energy and resource consumption. Encourage home-based efficiencies such as installation retrofits, efficient water and air, heating systems, and use of solar panels or other forms of energy capture.*
- (c) *Implement recommendations of the Vancouver-Clark County Sustainable Affordable Residential Development Report*

*PFS-5 System balance*

*Allocate resources to balance transportation choices. Promote development of a broader range of transportation options including pedestrian, bike, and transit systems, rather than focusing all resources on satisfying peak commuting demand with roadway capacity alone.*

Existing Vancouver [zoning code](#), [Comprehensive Plan](#), and [Strategic Plan](#)

Staff Findings: The proposed zoning code text changes are consistent with applicable portions of the Vancouver Strategic and Comprehensive Plans, and are necessary to further the public interest. The updates to the Ground Floor Use Map and Regulations improve the function of area, consistent with Comprehensive Plan policies CD-4 and CD-5. Adding a new off-street parking standard is consistent with PFS-5. Slightly increasing the height allowance in the District Gateway allowing for better implementation of the Heights District Plan, consistent with Comprehensive Plan policies CD-4, CD-8 and CD-12.

**V. RECOMMENDED ACTION:**

Staff recommends the Planning Commission forward to City Council a recommendation to approve the proposed amendments to the Heights HX Plan District.

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**Attachments:** VMC 20.670 Code Amendment Language