

**BOARD OF COUNTY COUNCILORS
MINUTES OF NOVEMBER 24, 2015**

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The Board convened in the Councilors' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Councilors David Madore, Jeanne E. Stewart, and Tom Mielke present.

PUBLIC HEARING: 2016 COMPREHENSIVE PLAN UPDATE

To discuss decisions related to the 2016 Comprehensive Plan Update.

Clark County is updating its comprehensive plan to meet the 2016 Growth Management Act deadline. As part of the update process, the county is required to analyze the impacts of growth alternatives through the SEPA process. The county re-adopted the environmental impact statement (EIS) prepared for the 2007 update and prepared a draft supplemental EIS (DSEIS) to analyze four (4) potential growth options for the 2016-2035 time horizon.

The Board and the Planning Commission held a joint public hearing on the DSEIS on September 3 and 10. On September 17, the Planning Commission decided on a preferred alternative to recommend to the Board. On October 20, the Board held a hearing on the Planning Commission recommendation. The Board elected to continue that hearing to November 24 and to expand the scope as follows:

The Board will consider and may take action on a broad range of options and revisions related to the comprehensive plan and related documents including revisions to the planning assumptions, VBLM methodology, population projections, urban/rural split ratio, corrections to the SEIS, revised maps, documents to be included or excluded from the comprehensive plan, and the definition of a preferred alternative.

Revised maps of Alternative-4 and additional documents relating to planning assumptions and population projections have been posted on the county website under the October 20 Public Hearing entry of the Grid at <http://clark.wa.gov/thegrid/>

The Board will take public testimony on all of these considerations before making decisions on these matters, adopting a preferred alternative and associated zoning maps, and authorizing a final SEIS to be prepared consistent with those decisions.

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MADORE: Please take a seat so we can restart our meeting.

Okay. Welcome back to the November 24, 2015, Board of Clark County Councilors hearing. We are continuing our meeting. We've just finished up one hearing and we're moving into the comprehensive plan update meeting for 2016. With that, we have staff that have prepared, worked very hard for this, and, Oliver, it's appropriate for you to be able to lead on this. Okay.

ORJIAKO: Yes, sir. Good afternoon, Councilors, and Mr. Chair. My name is Oliver Orjiako with Clark County Planning Director, and with me you have Gordy Euler who is the Program Manager and then Chris Cook, Prosecuting Attorney advising us on the growth management planning effort, and I have Jose Alvarez as well. We're all here to help answer questions. I will make a very brief remark and then turn it over to Gordy Euler who will go over the recommendations of the Planning Commission.

So what is before the Board. The Board continued the October 20th, 2015, public hearing on the recommendation of the Planning Commission to today. The Board, you had a joint hearing with the

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Planning Commission on September 3rd and also on the 10th. After your joint hearing, the Planning Commission, after a lengthy deliberation on September 17th, forwarded their recommendation of a preferred plan based on the four options that was studied in what is known as the Draft SEIS, Draft Supplemental Environmental Impact Statement. The recommendation of the Planning Commission is where staff will start and Gordy Euler will go over that. After his presentation, staff suggests that the Board take action on the recommendation of the Planning Commission before any other action.

So without further comment from me, I will turn it over to Gordy to go over the recommendation of the Planning Commission. And as I indicated, we'll be here to answer questions that you may have.

MADORE: Thank you.

EULER: Ready to go? Good morning, Councilors, and welcome everybody who came out this morning.

As Oliver said, this is the continued hearing on the preferred alternative for the Supplemental EIS for the 2016 Clark County Comprehensive Plan Update. So we've got some slides just to kind of bring everybody up to speed where we're at. Here's our agenda for this morning, at least as far as the staff presentation. Again, this is a continued hearing from October 20th and was noticed

as such. And so we're going to talk about the Planning Commission recommendation, and a second item that's on the agenda are proposed planning assumptions and revised Alternative 4 maps.

So next slide. You've seen this slide many times before. We always include it. Not much has changed on here from the last time, but if you see the arrows, downward pointing blue arrows that say IN PROCESS, we're up under PLAN DEVELOPMENT there, Public Review & Comment, SEPA Analysis & Public Review, that's the phase that we're in now.

The next slide. We are in the SEPA process. SEPA stands for the State Environmental Policy Act. We are required as the County to analyze any alternatives that are developed with regard to the comprehensive plan update, and that's the purpose of SEPA is a separate State statute from the Growth Management Act, which is essentially our guiding statute for growth management and, hence, the comprehensive plan update.

Here's a brief review of the process. The Board early on - this was back in 2000- late in 2013 and in 2014 - picks a number of population from a range we're given by the State, a jobs target and gives us a number of planning assumptions and we apply what's called a vacant buildable lands model. That's VBLM. There certainly will be no shortage of acronyms for those of you who like

that sort of thing. I'll try to explain them as we run through them so you're not wondering what we're talking about.

With regard then to the environmental review, we do a determination. Again, this was required by SEPA. Is the action that you're going to take - in this case it's a non-action, non-project action, we're not actually building anything - is it likely to have some kind of environmental significance? And generally when you do a comprehensive plan update, you're adding land to an urban growth area, so you're saying that land that you're urbanizing has some consequences in terms of impervious surface or impacts to wildlife or trees or groundwater or whatever it might be. So once you make the determination, you develop a set of alternatives. We've done that. And I'll review the sort of the timeline with regard to this process in the next slide. You prepare a draft environmental review. You select a preferred alternative.

Again, that's the purpose of today's hearing. We're at that point in the process. You prepare a final environmental review, and then that information is taken to the last stop in the process before adoption is we say, all right, these are our land use options for 2016. Because of the Growth Management Act provision of concurrency, we have to prepare a capital facilities plan that says, all right, you want to grow in this fashion, this much in

this fashion, how do you propose to pay for the growth that's going to happen in the next 20 years? So that's kind of an overview of the environmental review process.

In terms of what we've actually done, here's kind of a Supplemental EIS chronology. We go clear back to July of last year. We put out a notice of scoping, and essentially, if you recall in 2007 - for those of you that were here - we had a rather large boundary expansion. We added 12,000 acres to the urban growth areas of Clark County around the cities. That's about 19-square miles. And we did a Full Environmental Impact Statement that documented the impacts of that amount, that level of urbanization.

And since then, of course, we had the great recession. Using again the vacant buildable lands model and the assumptions the Board gave us, we looked around and we said, you know, most of that land is still there because of the recession. It hasn't been developed. And so this time around, we said we're going to just adopt a supplemental statement. We'll adopt the 2007 EIS which has already documented the impacts of developing that land and we'll add a supplemental statement, keep the cost down. And because we've already documented what's going to happen in terms of that 12,000 acres, some other court challenges and some things have happened, we actually shrunk the boundary, so about 1500 acres of that went out and was left as agriculture.

So in terms of a supplemental statement, we're not even required to do a scoping notice, but because we like to do public involvement, we believe that's important. The Growth Management Act requirement is early and continuous public involvement. We held scoping meetings and put out a notice that said we're going to adopt the 2007 EIS because it's still relevant today. So we had scoping meetings in August. Again, these are all 2014 dates.

On October 27th, there were three alternatives agreed to by the Board. We had two open houses after that to let you all in on what the alternatives were. In January, the Board decided that they want to add a fourth alternative, so they asked us to pause the process and we had a fourth alternative developed. We had two more open houses. If you remember those, they were at Hockinson and Ridgefield high schools. On April the 14th, the Board approved four alternatives for study and we went off then, sent those off to a consultant and said analyze these.

The draft supplemental was issued on August 5th. As Oliver said, the Board held hearings, joint hearings with the Planning Commission September 3rd and September 10th. The Planning Commission deliberated, made their recommendation on September the 17th, and we scheduled a hearing with the Board to talk about the preferred alternative on October 20th, and it's that hearing that

was continued until today, November the 24th.

So since that time, the Board and the Planning Commission held a joint work session that was in this room. It was a Monday afternoon. It was November the 9th. There were two public meetings held, again at Hockinson and Ridgefield high schools on November 16th and 17th. I think that was just last week, wasn't it? Yeah. The Planning Commission held a hearing on the 19th which was last Thursday, again, for them to consider the new planning assumptions which you'll hear about, more about this morning. They again made a recommendation which has been forwarded to the Board, and November 24th brings us to today. So specifically with regard to our SEPA process, this is kind of a chronology in a nutshell.

So next slide. You want us to just work through these? Are we going to take votes on these? Okay. Very good. This is Alternative 1. In the Draft Supplemental EIS, we call it the No Action Alternative. It's kind of a misnomer because basically that means you keep the plan that you have today, and the Planning Commission recommendation here was to approve as a starting point. It was a 6 to 0 vote. We have to adopt something that covers the urban area, because in the next 20 years, we need to know what the plan is going to be going forward. So even though this is the No Action Alternative, what we're doing is we're saying for the next

20 years, we're starting with what we have today. So again, this was the Planning Commission voted unanimously.

Next slide. Moving to Alternative 2. Alternative 2 is a number of what have been titled County Initiated Alternatives. These are things that we thought that would enhance the comprehensive plan, make it easier to read, make it clearer to understand. And the first of -- there's several of these, one of which is to combine the three comprehensive plan designations for rural lands into a single comprehensive plan designation.

Another County Initiated Alternative was to change the minimum parcel size for agriculturally zoned land from 20 acres to 10 acres. The same for forest lands that are zoned 40 acres, change the minimum parcel size to 20 acres. We did a rural preference census back in November of 2013 - was that 2013? - and where we've polled owners of agriculture and forest property and asked them if they'd be would prefer to stay with their current parcel size or get a smaller parcel size, so these two recommendations came out of that census.

Rural centers. The idea is here again is basically a technical change to combine the two rural commercial zones that we have into a single comp plan designation. For urban lands, the proposal is to combine the three commercial zones into a single comprehensive

plan designation. So right now each, we treat them as a single designation, but in the comprehensive plan, we need to make that change to be consistent with current practice.

Another County Initiated Alternative is to create a public facility zone. There's a lot of things, like County buildings, State buildings, ambulance, dispatch facilities, fire stations, government buildings, cemeteries that are actually -- schools that are actually public buildings but have the zoning could be whatever the underlying zoning is, and so we thought we've got a parks and open space comprehensive plan designation, but there's no corresponding zone. So again, something else that we thought to do.

Urban holding is the next one. We want to make urban holding a true overlay zone. Right now there's an urban holding zoning zone, if you will, in the County code. Nothing would change here except that when the land is urban holding is something that's applied inside urban growth areas and what we want to do is say urban holding is a true overlay and the zoning that is underneath is what will actually apply. We give land that's brought in for residential, commercial or industrial that underlying zoning. So this is a technical change. Land uses won't change. We're going to move the urban holding part of the code, County code, into an overlay section of the code rather than in the zoning part.

The next several here, there are changes to the Battle Ground urban growth area. This says change comp plan and zoning designations to better reflect surrounding uses. This is the proposal. We can come back and spend more time on these.

Ridgefield UGA, this is to add the Tri-Mountain Golf Course to Ridgefield's UGA.

For the Vancouver UGA, there are several things. One is to remove reference to the Three Creeks Special Planning Area. There are two subarea plans that have been prepared and have been sitting in Draft 1 for the Discovery - Fairgrounds area, the other for the Salmon Creek Subarea. We'd like to get those approved and on the ground.

Also in the Vancouver urban growth area, change some parcels that have a mixed use comprehensive plan designation to a designation that actually matches what's on the ground. Also to Vancouver UGA, remove urban reserve adjacent to the Vancouver urban growth area and replace it, in a couple of cases, replace it with R-5 and AG-20 zoning, so here's a map, so...

And remove urban holding, again this is areas -- these are areas now inside urban growth areas, in the Fisher Swale area between

Vancouver and Camas, these areas are already developed or are already proposed to be developed. So in the Washougal urban growth area, correct mapping error. There's parcels that have that are in the urban growth area which are under County jurisdictions, these parcels have City zoning. So again, this is just a map correction. That's pretty much it for Alternative 2.

Alternative 3 in the EIS. We've worked with our City partners as we have all along and given the vacant buildable lands model, we said - we, the County - we're not proposing to move the boundary, you know. We have enough lands to accommodate planned population growth and plan jobs, but we went to our City partners and said is there anything that you'd like to do? What would you like to do?

And so we've got -- there's five proposals here. Battle Ground wants to add an 80-acre parcel up here where the cursor is for jobs. La Center wants to add two parcels. One is for a school site up on the north side, and the second is 56 acres that's now designated for ag for jobs which is down along La Center Road.

Ridgefield, next slide, wants to add, is proposed to add 111 acres now designated as ag for residential. And the last one on the right-hand side there, Washougal wants to add 41 acres now designated for R-5 for residential. So those were the City

requests. And for the purposes of the supplemental impact statement, we treated those as an alternative, so...

Also in the draft supplemental, we'll go to Alternative 4. Alternative 4 affects Rural lands, that's rural with a capital R, agricultural lands and forest lands, which is most of the land that's in the rural small r areas of Clark County. So under the rural lands, again, it's originally proposed in the draft, the rural lands, the proposal is to eliminate the R-10 and R-20 zones and to create R-1 and R-2 and a half zones, and the numbers there refer to the minimum parcel size in acres, the R-5 zone which would be maintained.

For the agricultural lands map, it's the one on the right, again a little hard to see, the original proposal was to eliminate AG-20 and to create an AG-5 and AG-10 zones. So 20 acres would go away. We'd create a 5-acre minimum and a 10-acre minimum.

And for forest lands, we would add to the existing FR-40 and FR-80 zones, that's what we have currently, we would add an FR - that's Forest Resource - 10 and Forest Resource 20 zones, and in order to know specifically how these would apply to any particular piece of property, you need to consult the maps.

So that's pretty much it for the Planning Commission

recommendation. The Planning Commission recommendation was voted on originally September 17th, and the Planning Commission was asked again to take a look at this as well as new planning assumptions proposed at their hearing on November 19th, and they voted again to stick with their original September 17th recommendation. So I think that's it for the staff report.

Here's the steps that we have left to complete the environmental process, just so everybody's aware, we have to complete the environmental process. We have to get to a preferred alternative. The next step then is the capital facilities plan. And then the last two steps, there are the local adoption process. That will be hearings with the Planning Commission and hearings with the Board of County Councilors. And that concludes the staff presentation. Happy to answer any questions.

MADORE: Okay.

MIELKE: Mr. Chair.

MADORE: Yes, sir.

MIELKE: I do have one. I notice that you still have trouble drawing the line on the east side of the freeway at the La Center Interchange, the urban growth boundary is the frontage road on the

east side of that interchange?

MADORE: That has been updated; right, Oliver?

MIELKE: Well, on the picture here, you show it's still the same.

ORJIAKO: It's not the same. I think we have tried to make sure that the 56 acres and the parcel is on the east side of the I-5 corridor. So if you can pull that up so we can show that clearly, but it doesn't go over to the west side, Councilor Mielke, it doesn't. You can see it here clearly. If you can enlarge that, you can see that that is on the east side and fronting the -- I'm not sure what street is that. Barbara, can you read that?

EULER: Paradise Point.

ORJIAKO: Paradise. Okay, Paradise Point. So it's on the east side, Councilor.

MIELKE: Well, what's the dotted line going across the freeway there then going south?

COOK: That is the urban growth area and it is on the western side of the right-of-way.

MIELKE: Yeah. It's supposed to be on the frontage road on the east side. I talked to Oliver about this no less than four times.

ORJIAKO: Councilor, the current urban growth boundary is what is approved. The request that the City is making has nothing to do with the current urban growth boundary to the west. The line that Jose can ensure you, Councilor, on that, that is an approved urban growth boundary for the City of La Center.

ALVAREZ: Actually, it's the existing city limits.

ORJIAKO: Yes.

MIELKE: The existing city limits?

ALVAREZ: Correct.

COOK: Yeah, they're contiguous.

MIELKE: It's not the urban growth boundary?

ORJIAKO: It is their urban growth boundary that they annexed, so it's now city limits.

MIELKE: Okay. I've talked to you many, many times about it and

you've always referred to the urban growth boundary should be along the frontage road. At one time the argument was, well, it goes across to the other side of the road, and you said the road was I-5. I said, no, the road is the frontage road, the Paradise Park Road on the south.

ORJIAKO: And that's what is represented on the darker shaded area of the property shown on your slide. Their request did not go over to the west side. It follows Paradise Point and that's the correction that staff made.

ALVAREZ: I think previously this area was included and we removed that, but this is already existing as part of the City's boundary.

MIELKE: Okay.

MADORE: So that's adequate?

MIELKE: Never heard it explained before that way.

MADORE: Okay. And I think what the concern was is that the original shaded area went across to the west side of that and that's been pulled back?

ORJIAKO: That's correct.

MADORE: Okay. Councilor.

STEWART: I too have a couple of specific questions. If we look at Alternative 3.e, it is one of the local jurisdiction requests, this one is for Washougal, they were requesting to add 41 acres now designated R-5 for residential. So I'm interested in what the discussion was at the Planning Commission that they -- that that motion failed. That is a parcel that came in, a request that came in quite late in the process.

ORJIAKO: That's correct, Councilor. At the Planning Commission hearing, there were no representative from the City of Washougal to speak on that. I think the concern of the Planning Commission is the shape of the property, that there are other areas that the City would have considered. And that if you look at the shape of this property, you can see the piece that was left out. They had quite some discussion on that that they would have liked to see the property to the south may be considered like this one sticking out the way that it was sticking. So that was really some of their discussion in terms of orderly development, if you will.

There's someone here from Washougal that can speak to their request, if you'd like them to provide you input, but that was primarily some of the discussion of the Planning Commission and

in their deliberation.

STEWART: And we may hear that in the public testimony or testimony from jurisdictions.

ORJIAKO: That's correct.

STEWART: In Alternative 4.c, I have a similar question. The forest lands add FR-10 and FR-20 to existing FR-40 and FR-80. Let me see if I understand what that means. Does that mean we would have four separate designations for forest?

ORJIAKO: That's correct.

STEWART: And the Planning Commission by a fairly -- by a majority disagreed with adding the smaller parcel sizes to forest?

ORJIAKO: That's correct.

STEWART: At one point or another, we've heard people who have forest lands indicating that if you have forest, that resource land, it's very difficult because of how long it takes for timber to actually grow to have viability for really small parcels. And I know that over the course of months and months, that's been testimony that we've had, and maybe that will be an issue that we

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can follow up on.

ORJIAKO: Sure.

STEWART: Thank you.

ORJIAKO: You're welcome.

MADORE: Any other questions from staff or from Councilors? Okay.

We have got other documents that have been posted on The Grid regarding this hearing as well. There's a Resolution there that proposes to select Exhibits A and B. There are the maps. And there is a Preferred Draft Proposal for a Preferred Alternative and Comp Plan Policies. I assume that each of these have been made available to the public; is that right, Oliver?

ORJIAKO: Yes, it is part of the copies that is available for the public to pick up.

MADORE: Okay. Very good.

ORJIAKO: And it's also on The Grid.

MADORE: Okay. Just for clarification here, because we got

multiple documents, we ought to make sure we understand which is which.

The original Planning Commission recommendations, the second the preferred alternative and comp plan policies is a BOCC draft version being proposed in place of the original. So, I assume, Oliver, that even through this process multiple times before that you can keep us out of trouble here and make sure that we have the ability to get this process right, and that I assume that if we address planning assumptions, that that would be the -- we have the freedom to be able to integrate the original planning recommendations into this hearing and we have the freedom to be able to select the appropriate sequence that would be available to address these one-by-one; is that correct?

ORJIAKO: That's correct. What we might do is pull up the Planning Commission recommendation, and I think there is a version that has BOCC column on it --

MADORE: Yes.

ORJIAKO: -- and we will do that first and then the Board may begin to look at the proposed planning assumptions and alternative, their revised Alternative 4. So this is the version that as you vote, we can mark it up, and when you're done with this, then we can go

into the other things that were legally advertised, the proposed planning assumptions and the revised map, the Board can take action on that as well. That will be an add-on to the action that you take on the recommendation of the Planning Commission.

MADORE: Sure. And we have two ways to do that. One, we can go one-by-one-by-one, vote on individual ones. Do we also have the freedom to be able to look at the package as a proposal where there's already a proposed draft recommendation, that is the second document, the document, the last document there? Can you pull it up?

ORJIAKO: Yeah, we can pull it up.

STEWART: And what is the source of that document?

MADORE: That source is from me. In fact, let me -- I also added, I'll call it, a disclaimer to -- let me just read that just to make sure that we understand. We don't have a foregone conclusion. What we have is a proposal that serves as a preliminary starting point. And the Board may change our decision or our preference as we hear public testimony and we deliberate and nothing is decided until we actually deliberate here and select a preferred alternative and select specified policies.

I put that up there for two reasons: one is to maximize transparency and to have open government so to equip citizens with as many potential specifics as possible to better scrutinize and to equip them with, so they're in a better position to offer counterpoints. Citizen testimony is not an election or a straw poll that determines the Board's decision.

There have been so many meetings and open houses and so many citizens that have weighed in on this process that by the time we get here, it's not an election. Each one of us, we don't know what we don't know, and what I'm listening for in particular are compelling arguments, not the number of arguments. And we welcome your input and we encourage each citizen to offer testimony that may potentially make Clark County's comp plan update better. So with that, Oliver, should we take a look at each of the documents and then welcome public testimony? What do you recommend?

ORJIAKO: Councilor, that's going to be your call. There's another version that is also posted on The Grid that was posted yesterday, so if that's where the Board wants to start, we'll pull that up. I provided the version that is blank. As you vote, we mark it up. So your call. We'll pull that up.

Jose, pull the version that was posted on The Grid.

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MADORE: Why don't we do this. Why don't we -- they're posted in, if you go back there for a moment there, Jose, to The Grid, just take a look at the documents listed. Okay. That's pretty small print. So what we have is a Resolution proposed and that Resolution would propose Exhibits A and B. So if we can pull up Exhibit A. That is essentially the document that has been presented to the open houses. And the Exhibit B has to do with arguments for or compelling reasons for the selecting the preferred alternative, though the real plan that's in contrast to just staying with what we have. In addition, there are maps there posted on The Grid for each of the R, AG and FR zones.

And then the last document is a preferred alternative and comp plans document, policy document, where it integrates both the recommendations from the Planning Commission, at least those choices, it shows each of how they voted there in that third column and proposes a draft and they represent my starting point, and that just speaks for one Councilor, not for three. We need to be able to make sure that what we end up with here is adopted or selected by the Board.

So those are the documents. Would this be an appropriate time, Oliver, to open public testimony?

STEWART: Mr. Chair.

MADORE: Yes, ma'am.

STEWART: I'm needing to know which documents were created by you or others and which documents were created by the planning staff. So when we look at Exhibit A, Planning Assumption Choices, is this your document?

MADORE: Yes, ma'am.

STEWART: Okay. And Exhibit B, Rural Comparison of the 2004-2024 and the Proposed 2016-2035, is that also one of yours?

MADORE: Yes, ma'am.

STEWART: Okay. And this document that says Preferred Alternative and Comp Plan Policy and suggests which should be accepted in the right-hand column, that is your document?

MADORE: Yes, ma'am.

STEWART: Okay. Are there any other -- the Resolution, is this your Resolution?

MADORE: Working forward, yes.

STEWART: So that, I need to know that so that I understand.

Well, I have another question. So has staff reviewed these proposals and been able to comment on these back to the other Councilors? I think these are recent, well, November 18th, so has staff done that?

ORJIAKO: Councilors, there are multiple questions there. We haven't -- I will say that the first document provided to staff to verify and provide comment was dated, I believe, 11 3rd, and my staff may correct me if I'm wrong, 11 3rd 2015, which staff met with GIS manager and staff with the PA's Office and provided response to that, and that version had staff redline on them.

That version also went to the Planning Commission because it's my responsibility to update them on the comp plan update in terms of where we are. We had a work session scheduled for the PC on the 5th, if I'm not mistaken, on the rural industrial land bank, and we finally added, knowing that this is coming, we added that to the agenda, and unfortunately, I wasn't there and Gordy and Jose made the presentation to them and I believe Councilor Madore attended that work session. So that's the version that staff provided responses to and I believe that was e-mailed to all the three Councilors.

Since then, there have been other versions of the proposed changes to the planning assumptions and the revised map, if you will. The version dated 11/15/2015 was what staff, following your joint work session with the PC, was directed to take out to the public. So anything after that, we have not been asked to provide comment on. So I hope that answers your question.

STEWART: It does, because Mr. Madore may be offering some ideas about where he thinks the comp plan should be expanded or changed or approved in his view, and so I want to be respectful of that.

At the same time, it's important to me to understand what all of the staff work has been done because I place a high value on that as well, but you can understand it's important for me to know which documents are from which source, so that's what I'm trying to get a grasp on and I believe I have that now. So thank you.

ORJIAKO: You're welcome. And again, if I may add, we took the proposed planning assumptions and the revised map and did our best working with GIS staff to prepare a staff report that went to the Planning Commission for their hearing on November 19th, and that staff report is presented in your packet. And the Planning Commission, upon taking testimony and staff report, also voted on a 5 to 1 and the Planning Commission's recommendation is also in

your packet, that is as I indicated the Tab 1 in your packet.

If you read the first recommendation on a 5 to 1 vote, they recommended not to accept the new planning assumptions and to go back to their previous recommendation. That's why in my opening remark I indicated that the Board need to start with the recommendation of the Planning Commission and then thereafter anything else you want to add, you are free to do so.

STEWART: Thank you. And based on the fact that we've been getting documents for almost two years on growth management, if there is a way that you can identify which page, which section of the book we're working out of the books that we have so that we can page and keep track of where we are, I'd appreciate that.

ORJIAKO: Okay.

STEWART: Thank you.

ORJIAKO: You're welcome.

MIELKE: I got a question. I think, Oliver, that you were asked where was the staff report, but I think you referred to the PC report, the PC vote of 5 to 1; is that correct?

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ORJIAKO: Yes, but that is also a long answer to the question that which of these are staff comments or prepared by staff and that is in response to the question. It's a long response. So, yes, in Tab 1 in your packet is the staff, what will be the Planning Commission recommendation to the Board, a second recommendation to the Board, and that's based on the staff report to the Planning Commission for their hearing on November 19th.

MIELKE: Yeah, I understand that.

ORJIAKO: Yes.

MIELKE: So the information that you provided to PC and PC did their vote?

ORJIAKO: Yes.

MIELKE: Staff didn't take the vote?

ORJIAKO: That's correct.

MIELKE: Thank you.

MADORE: Okay. I'd like to open it up for public comment. We have Michael Langsdorf. You're welcome to come address us. Each

person has three minutes.

LANGSDORF: My name is Mike Langsdorf. My address is 3923 Wauna Vista Drive.

I had Chris Horne's job in 19 -- up until 1964 when we were coming up with the first amendment which was the FX amendment which said that anything but industrial land could be in FX. In 1970 -- in 1994, you adopted a comp plan. There's a lot of people that had land that was correctly zoned in 1974 on in 5-acre parcels, and when your predecessors adopted the '94 plan, your staff all of a sudden said, huh-uh, you have to come get a legal lot designation before you can sell your land and we're going to put another tax on you of over \$800 per lot to get your land which was previously zoned correctly in 5-acre parcels before you could sell it through a realtor to a developer.

I find a lot of questions with that because as an example, my wife and I and our children bought land in 1990 which was already surveyed into 5-acre parcels as well as a lot of other land in this county that was in 5-acre parcels, and when that '94 went into effect, all of a sudden the staff says, oh, you don't have a legal lot anymore.

And I think that you're going to have a lot of other people come

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in to you and say we had 5-acre parcels prior to 1994, which all of a sudden with that comp plan, are no longer legal lots and they're going to have to go through another tax, like paying the planning staff 800-plus dollars to have a lot designated, although the builder coming in only has to pay 500 to determine this legal lot. And I think that needs to be looked at pretty carefully because the title company does all the work, the surveying company does the work or the engineering firm does the work to show that there was an original plat, platted lot, prior to the '94 modification.

And with whatever changes you make, there's going to be a lot of those people coming forward who had legal lots beforehand who now, all of a sudden, have to go through the staff's process of paying an additional \$860 to get your lot determined valid.

For whatever it's worth, I was at one time the chairman, I mean, the attorney for the Planning Commission, the attorney for the County Commissioners. I've been in this process since 1971 as well as being chairman of the Vancouver Planning Commission for five years and chairman of the Regional Planning for three years. It's a problem. These people have been paying taxes and they deserve not to be assessed an additional tax by the staff. Thank you.

MADORE: Thank you very much.

Carolyn Crain.

CRAIN: Good afternoon. Carolyn Crain, for the record.

I wanted to stop one more time with regard to this process. This time I'd like to share a thought with you.

In 1466 with the case of the Thorns, tort cases became the new norm. Since then, millions and millions and millions and millions of people have been in court suing somebody over some harm or perceived harm. In the 1700s when this country was being formed, eminent domain laws and property rights were exploding in Europe. I guess what I'm telling you is this has been going on for, like, 600-plus years, longer than this country's been around.

The numbers with regards to population, we are not saying this we're in the 1400s, I don't think, and so for us to continue the process and twist it around and spend thousands of dollars in labor and not just make a decision and move forward that honors the personal property rights as well as makes reasonable sense for infrastructure planning and the expenses of the public dollar, tax dollars, is kind of silly. We need to just make a decision and we need to get on with it and quit dragging all of this out and quit costing all the taxpayer's a ton of money.

I would like to ask you to really truly consider, I like parts of 4, I like parts of 3. I really want those cities to get the land

development that they need to have because they're going to grow. And if you really want to keep some level of rural rural, you might want to give those cities what they need in order to grow and be a little less concerned about did we do right by those people living around that city. Frankly, they'll still, as long as they live there, have their land.

The thought you might want to go into though with regards to forest land, 10 acres, when I'm looking at the alternatives that you're offering for the reductions that 1 and 2 and a half acres for your rural coding, your ag coding, you're getting too small. You're breaking it up too small, and I'm going to ask you not to get that carried away. Somewhere in the middle there is seriously a better balance. And I'm going to ask you to protect the property rights of the landowners but to protect the future of where we need to go when we go there and we do grow. It's what people do. I want you to stop and think about that for a second please, but make a choice. Thanks.

MADORE: Thank you.

We have elected officials signed up, so we're going to go ahead and run through that list.

MIELKE: Elected or --

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MADORE: Say again? Or staff. Pete Capell, and then Mitch Kneipp will follow. Hi, Pete.

CAPELL: Good afternoon, Councilors. Pete Capell, 616 NE 4th Avenue, Camas, Washington 98607. I'm here on behalf of the mayor and council to read a letter into the record.

The City of Camas has been working in good faith to update its comprehensive plan by the required adoption date of June 2016. Together with our partner cities and the county, the City began this update process in 2013. As we have collectively moved forward through this effort, the City of Camas has expended a considerable amount of work and expense to conduct a robust and transparent public involvement campaign predicated on the assumptions that were mutually agreed upon in June 2014. While the City respects the desire to explore and vet additional information throughout the update, we equally value consistency and predictability of process.

The City of Camas has provided consistent feedback to the Board of Councilors regarding concerns with Alternative 4, not only for its delay in the comprehensive plan update process, but also for its potential impacts to the community long-term, should it be accepted and later implemented. The City of Camas is confident in its planning work done to date and are tracking toward adoption

of our plan by the mandated date of June 30th, 2016.

Changing the planning assumptions will have a considerable impact on the timeliness of the process, decrease the trust in the process, increase costs associated with the delay and delay the City of Camas' ability to meet its obligations for concurrent adoption of an updated comprehensive plan. The City of Camas has consistently supported Alternative 3 to be used as the preferred alternative along with most other cities, and we reaffirm this position through this letter.

The City requests that the County maintain the current assumptions that were adopted in 2014 and to select Alternative 3 as the preferred alternative. We appreciate your time and consideration in this matter. Respectively, Scott Higgins, Mayor. And I'm happy to answer any questions you might have.

MADORE: Okay. Thank you. Any questions?

MIELKE: No.

MADORE: Okay. Thank you very much.

CAPELL: Thank you.

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MADORE: Mitch Kneipp.

KNEIPP: Thank you, Councilors. For the record, my name is Mitch Kneipp. I am the Community Involvement Director with the City of Washougal.

I wasn't going to testify today. I was just going to let what we've submitted in the record already, but I'd like to echo what Camas has said and I'm sure what our other city partners will say, but we do prefer Alternative 3.

I wanted to come up and specifically respond to Councilor Stewart's question regarding the 41 acres outside of Washougal. As you'll recall early on, the City of Washougal, we did not request any boundary expansions. We are of the direction of our council was, no, we were going to keep our boundary the way it was. There was a small window that opened up from staff to other cities, and during that time period, we had a specific property owner request that came in at that time and which was for the 41 acres. And unfortunately, I had a previous commitment and I wasn't at the Planning Commission hearing. You know, I'm not sure I could have persuaded them to think differently about the proposal, but it really was just a property owner request.

We didn't want to look at taking any more land outside of what was

specifically requested on behalf of that property owner, and that is really -- and we still would like that, for that property owner, that very specific property owner request to come in, which I believe is not in the Planning Commission's recommendation, but is still in front of you.

STEWART: Thank you.

MADORE: Okay. Thank you very much.

KNEIPP: Thank you.

MADORE: And as we go through these individuals, I would say that if you want to be able to, my colleagues, if you want to be able to ask any questions, go ahead and speak right up.

Greg Thornton, and he'll be -- oh, no, he says a no. Okay. Sam Crummett. Is there a Sam here? Okay. And then Lee Wells.

CRUMMETT: Good afternoon, Councilors. My name is Sam Crummett. I'm with the City of Battle Ground. My last name is spelled C-r-u-m-m-e-t-t. Address is 109 SW 1st Street, Battle Ground, Washington. I have a letter that's been submitted into the record that I'll highlight a few points.

The City of Battle Ground would like to take this opportunity to express some concerns regarding the proposed changes to the planning assumptions that have been discussed at the October 20th, 2016, Board hearing and at the November 9th, 2016, work session. The City feels that this new proposal would jeopardize the process and methodology that the County has established for this comprehensive plan update, and we feel the proposed assumptions could threaten the County's ability to adopt a legally defensible comprehensive plan within the deadline of June 30th, 2016. This, in turn, could potentially threaten the City's comprehensive plan update if it is not in line with the County plan. I'll highlight a few points of concern.

If the Board changes the adopted planning assumptions, does this still meet the Growth Management Act update requirement and update requirements and public process? The Board adopted a public participation plan that does not include altering already adopted planning assumptions.

The second point is, do these proposed changes still fall within the Supplemental Environmental Impact Statement? We have yet to hear from the County attorneys regarding this matter.

Number 3, what methodology was used to generate the proposed alternative assumptions? The City is not clear how these proposed

numbers were generated and has not been provided with a logic of how they were reached.

From our understanding, County staff is unsure of how these assumptions came to fruition as well. It appears that the proposed assumption is being increased and distributed only within the rural areas. The focus of GMA is to plan growth in urban areas and not promote sprawl. This appears to counter GMA goals.

The City is in favor of the Planning Commission's Alternative 3 recommendation, that would include the 80-acre expansion on the west side of our city. Thank you.

MADORE: Thank you.

Lee Wells.

WELLS: I had to change my notes. Good morning or good afternoon, County Councilors. My name is Lee Wells, for the record, mayor pro tem, City of Ridgefield, but I'm here personally to urge you to pass your Planning Commission's recommendation plus Ridgefield's 110-acre request.

The reason that that 110-acre request is there, we approached that -- out of the city, we approached the landowner for his consent to have us included in our comp plan update. If you use common

sense, which I realize all of you have, I'm sure, that long-term ag significance I question. This 110 acres I can personally tell you, I've farmed it for 30 years, so I'm also a farmer besides wearing many hats in the community, but the individual that owns it is in his 80s, mid 80s, and his heirs, when it's passed on, do you think that they'll settle for \$4,000 a year income off that 110 acres? And it's all split into 5-acre parcels. They're legal lots of record.

The environmental community has researched the legal lot portion of it and concurs that they are legal. So this 110-acre parcel is on our northern boundary, and if he should happen to pass, then we will be have an iron curtain drawn up on our northern boundary and it will develop into mini-mansions or martini farms, and that's not smart growth. The City of Ridgefield years ago under the direction of mayor -- can't think of his name now. I lost it. It's a senior moment.

ORJIAKO: Travis.

WELLS: Huh?

ORJIAKO: Travis.

WELLS: No, before that. I'll get it in a minute.

Anyway, there was a lot of R-80 acre parcels and 40-acre parcels and the City of Ridgefield requested a large urban growth boundary and the boundary review board even gave Ridgefield more area to protect our community for down the road, and this is 20 years later and we're starting to see in fruition of that protection and getting responsible growth.

MADORE: Okay. Thank you, sir.

WELLS: Any questions?

MADORE: No, sir. Thank you.

WELLS: Okay. Thank you.

MADORE: Okay.

WELLS: Again, I was going to just say, I urge that you take the Planning Commission recommendation.

MADORE: Thank you.

Ron Barca. He's not here. Oh, he's coming. Okay. And Annie Jordan will follow.

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BARCA: Thanks. Ron Barca, B-a-r-c-a.

STEWART: Mr. Barca, could you pull the microphone. Thank you.

MADORE: As each one does come forward, we do have a verbatim minutes taker here that would appreciate if you were to spell your last name or if you have a funny - not funny - or an uncommon spelling for your first name.

MIELKE: He spelled it right.

MADORE: I'm sure.

BARCA: A few years of practice.

MADORE: Yes.

BARCA: Councilors, thank you for this opportunity. Normally I don't come before the Councilors. We've made our peace as a Clark County Planning Commissioner. I am not representing the Planning Commission at this moment. I am here as a person who has gone through the debate and listened and want to discuss personal decisions and what I think we should be concerned about.

But for the record, I believe it's important to know that this

preferred document where it says Preferred Alternative and Comp Plan Policy, this does not represent the Planning Commission's decision on the modified Alternative 4, only the original Alternative 4, okay, for the record. So good governance requires planning and I think that should really be your preliminary starting point. The Alternative 4 you're reviewing no longer is the same as the Planning Commission reviewed.

The adjustments in the rural area really fly in the face of conservative thought process. If a business was to radically change their business model, they would run a risk assessment and that's what the Planning Commission did for you was they ran a risk assessment. And I think the record is pretty clear about our perceived risks that the County would be facing should they choose to go forward.

The rural element in its existence right now has survived many challenges and it's been forged in the courts. We believe that whatever there is in the context of adjustments can certainly be made as such, as adjustments, and the concerns about property rights for those people who have retained their land prior to 1994 and chose not to divide prior to the comp plan, the Planning Commission the first time we deliberated, we made many suggestions about how we could move that process forward. We submitted that to you humbly and with the advice that Alternative 1 keeps us on

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the track for the idea of this being a supplemental plan.

So you have a safe plan, and if you feel compelled to address those assumptions, you really need to open up all the assumptions and scrap the idea that we're dealing with a supplemental, because at that point in time, it's my opinion that we are not and we're judging ourselves by the risks that we have already had going to court, failing, winning, public expense is from the entire community.

MADORE: Okay. Mr. Barca, your time is up.

BARCA: Thank you very much.

MADORE: Thank you, sir.

Annie Jordan.

JORDAN: Okay. Councilors, I am here mainly because I am disappointed and I am appalled by this comprehensive plan process. And the reason I'm appalled by it is because at the last minute, Mr. Madore can submit something new that the public hasn't seen, that the Planning Commission has not reviewed.

Every other county I have followed goes through a correct process. It is rather arrogant of you, Mr. Madore, to do planning work when you're not a planner. And it seems like this planning you're doing

on Alternative 4 is for a special interest group, and I resent that highly because Clark County belongs to the people. And you have subjugated the Planning Department, you have subjugated the process and you should be ashamed of yourself.

Whatever you propose, if it's Alternative 4, you're going to get sued by the growth management committee. It's very -- it's insane to do what you're trying to do. And your comp plan changes or the comp plan changes that we've seen are dependent on your assumptions, Mr. Madore, who is not even in the Planning Department. You're an elected official. You're not supposed to be planning. You're not supposed to come up with documents at the last minute that the public has not seen, and you should be ashamed of yourself. And you've subjugated Clark County as well by going with the special interest group, and I hope we get you out of here as fast as we can.

MADORE: Thank you.

Dianne Kocer followed by Deborah Larner.

MIELKE: People keep referring to accurate numbers. I thought maybe a real brief explanation would save (inaudible).

KOCER: I'm Dianne Kocer, K-o-c-e-r, Brush Prairie.

Time doesn't really allow for even a partial examination of the

flawed process that I regret that the Council has followed, so I am going to just give summarize my comments just in a few brief comments.

The Planning Department, the Planning Commission, the cities all endorse Alternatives 1 to 3. Your rejection of those three alternatives would indicate that you are substituting your wisdom, your knowledge for all of those with the knowledge and wisdom that is represented by those bodies. I think that would be unwise of you.

From the recommended plan of Alternative 4, there's a really glaring change that jumps out to me and that is the reduction in forest land. The forest land, if you look at, if the rest of you look at the chart for -- or the map for Alternative 4, the forest land that exists there is about half or maybe even less of the existing forest land.

Forest land, as most people know, and contiguous forest land, not little 5-acre plots here and there, wildlife has to have a contiguous large expanse of land in order to survive properly. If we want to maintain wildlife habitat, then we have to maintain an active healthy forest. It also is a benefit to humans in a sense that it cleans the air, which is an extremely important aspect of life here and as the students who just won a court case found out,

is actually a responsibility that government has to maintain the environment for the future.

One member of the Council stands to personally benefit from the adoption of Alternative 4. A judge in the system in this situation would recuse himself. I suggest that that might be appropriate in this case as well. If this Council proceeds to do what it appears to be set on doing, as the use of the word preferred would indicate, then I think Mr. Barca's comment needs to be taken seriously. I'm a rural resident, could benefit by Alternative 4, but my personal benefit is not what's important here. What is important is the welfare of the whole versus the greed of a few. Thank you.

MADORE: Before you go, ma'am, you mentioned that one of the City Councilor's has a stance to personally benefit and that should be recused. Can you elaborate on that, please.

KOCER: I don't -- I can. This Councilor has a large piece of land that is unable to be divided at this point and this person would like to be able to do that for the benefit of family, and I understand that. I do understand that. But it is -- we can't continue to make exceptions for individuals versus the whole. We have to think of the benefit of everybody.

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I do believe as it was mentioned earlier that people who had property prior to 1994, some consideration needs to be given to that. So I do agree with that and I do understand the dilemma.

MADORE: I'm not familiar with which Councilor you're speaking of or which piece of property you're speaking of.

KOCER: It doesn't really matter whether you know who that is. It's the person who's involved does know, so that's what's important.

MADORE: All right. Is that all you want to share?

KOCER: That is all I want to share. Thank you.

MADORE: All right. Thank you.

MIELKE: I would think I wouldn't own land I didn't know about, so...

MADORE: The next person.

LARNER: Good afternoon. My name is Deborah Larner, L-a-r-n-e-r. I have some facts to relay to all of you regarding this land use planning debate which is really about the property rights of people

who own many acres of land but have been prevented from selling portions of it by our former leftist Clark County Commissioners for 20 years. Some of you may already know the facts that I'm about to relay, but in that case, they can serve as a reminder.

We are not running out of farmland or land for any other purpose. Urban and rural residential land use areas take up less than 3 percent of the total land area in the United States. In the Pacific region of the United States, there's a total of 203.8 million acres with urban and rural areas taking up 7.2 million acres of land or 3.6 percent. The source for this information is United States Department of Agriculture, Economic Research Services most recent report, major uses of land in the United States 2007. This is the only accounting of all major uses of public and private land in all 50 states and it is published at roughly five years intervals.

Revenue streams are already in place to pay for the added infrastructure that new homes need. Washington State has an excise tax on the transfer of ownership of real estate property that has to be paid by the home seller. The State of Washington collects 1.28 percent of the purchase price as of 2011, but local jurisdictions are authorized to collect additional funds from real estate sales under the Growth Management Act, according to the Municipal Research and Services Center of Washington. Proceeds from the excise tax are deposited into Public Works and city/county

assistance accounts by the State Treasurer according to the Revised Code of Washington.

There are also impact fees charged to people who build homes on property that has never had a home on it before. My husband and I had to pay approximately \$8,000 in impact fees when we built our home last year. And what about the property taxes that we homeowners pay faithfully every year that covers schools, roads and several other common expenses?

The rights of property owners come first, and people who can't sell part of their property that they own and pay taxes on every year don't have them. This is a gross miscarriage of justice that Councilor Madore is proposing now be corrected. Councilor Madore deserves our deepest respect and the heartiest congratulations. Please vote this morning to restore, this afternoon -- excuse me -- to restore property rights to those citizens of Clark County who have been denied them for 20 years. In my opinion, there is no good argument for voting otherwise. Thank you.

MADORE: Okay. Thank you very much.

Joe Levesque followed and then Jamie Howsley will follow next.

MIELKE: Joe Levesque, he's gone. Oh, there he is.

MADORE: You're up, Mr. Levesque.

LEVESQUE: Oh, I get to go first. This guy's an attorney. I've had 22 of those guys.

We're talking about the comprehensive plan here. One thing we're not talking about is liberty and freedom. I go back to when I was a kid. I come from a town that was inhabited by all kinds of immigrant people, French, Canadians, Irish, Polish, Russians, Lithuanians, the whole cross-section of humanity was there. The lots where we lived is about a half-acre. If my mother didn't have that half acre, we couldn't have lived because she grew vegetables. She had a garden. We raised 300 chickens there. I know because I used to call it clean the chicken coops. And when I went to school, I used to have stuff under my shoes. They used to call me chicken you know what, that started a fight.

Anyhow, this growth management stuff, you guys are a slave to the state. It shouldn't be that way. The cities and the counties and the state, I mean, and the counties, the cities should be independent. You people know the problems better than the State does. You're treating these guys like they're Gods, but instead of In God We Trust, we trust those guys more than we trust God.

I saw this growth management stuff started years ago. 171 acres,

I had it all tied up in escrow, 171 one-acre lots, beautiful estates, nice deal, nice project. During a public meeting like this, some guy didn't even live on the property, he says he thought that he saw a footprint of a mountain lion on that property, and some guy -- and he belonged to the Sierra Club. The Sierra Club has done more damage to this country than any organization I know. I know I'm a minority when I say that, but I don't care. I've seen it happen.

Anyhow, three years later, that job was held up for three years, I lost it because I only had a short-term escrow. Three years later, somebody else built those houses. They've been collecting income and revenue from those buildings for years and they still are, that in addition to all the other stuff that I used to do.

There's revenue. There's liberty. There's all kinds of good stuff here. I'm in favor of a comprehensive forward in case you want to know. Thank you.

MADORE: Thank you, sir.

Jamie Howsley.

HOWSLEY: Good afternoon, Councilors. For the record, Jamie Howsley, 1499 SE Tech Center Place, Suite 380, here on behalf of Milt Brown. First of all, I'd like to thank staff, the Planning

Commission and the Councilors for getting us to this point this far in this arduous process.

We would respectfully ask that the Board support the request of the City of Ridgefield for the inclusion of Mr. Brown's parcels into the preferred alternative. As your staff is well aware, we have submitted a very comprehensive site-specific request addressing all of the GMA goals and all of the other requisite laws, case law or otherwise, specifically supporting this parcels inclusion. We worked hand-in-hand with the City of Ridgefield, and I believe that Council Member Wells, who was up here earlier, stated that very eloquently and we wish that the Board here affirms the City's position in relationship to these parcels.

We would like to remind the Board that we will stand resolute in our ability to defend this parcel to the Growth Management Hearings Board and beyond and we believe that we've established the record to do so. So with that, if there's no question, I will yield.

MADORE: I have a question. We have similar requests from some of the other cities that de-designate ag and this is one of those --

HOWSLEY: Yes.

MADORE: -- and one of the conditions that we or I'm suggesting

on there is in the approval, if we say yes that that particular jurisdiction would defend that decision and it wouldn't require Clark County to defend that UGA expansion in place of the jurisdiction.

HOWSLEY: So, Councilor, just traditionally how the ag appeals have gone historically here in the county is the County would get a lot of them and they don't get to focus a ton of time on each specific request, and that has usually been the purview of each specific city as well as the representatives of the property owners. We come in with the more detailed information and detailed record as to those requests. And, again, we will stand resolute to do that.

MADORE: In other words, you're good with that?

HOWSLEY: We are good with that.

MADORE: All right. Good.

HOWSLEY: Thank you.

MADORE: Thank you much.

Alina McElveny and Alice Chandler.

CHANDLER: I'm Alice Chandler and this is concerning Parcel 205384 east of Hockinson. Could you bring that up on the map, on the board. And it's also regarding all the other parcels on the Ahola 160-acre homestead that was homesteaded in 1896. We would like to express our gratitude for all of your efforts in updating the growth management plan.

Clark County is making what we believe are necessary changes in the growth management plan of '94. We firmly believe Alternative 4 for rural and forest zoning is a change in the right direction for the affected landowners of Clark County.

My two sisters and I are owners in common of Tax Parcel 205384 which is 49 acres east of Hockinson. An inequitable 40-acre minimum zoning was applied through the growth management plan to our family section of homesteaded land which has been handed down from our forefathers and consists mostly of timber growing property. The Alternative 4 forest maps would designate our property as a 10-acre minimum zoning if it's accepted. This zoning is inconsistent with the surrounding neighborhoods which are more commonly sectioned in 2.5 and 5-acre minimums, which we believe is more appropriate for organic growth and rural community development. We simply want that which is congruent with our neighboring properties and we are willing to be taxed accordingly.

My two sisters and I inherited 49 acres in common from our mother whom originally desired us to pass it on to our future generations as they did to us. The current proposal of zoning changes would place an unnecessary burden on our children and grandchildren who one day would have to -- would have the responsibility of managing this land in ways in which we hope will provide them the opportunity to live and flourish here as our family has for generations. It is not realistic to expect them to manage the property with any measure of expected responsibility if they are required to do so in common.

We are again requesting our family and other families like ours receive the same zoning options that are congruent with the neighborhoods that surround us. The growth management zoning of '94 overlaid a 40-acre minimum on all our sibling lots which were divided in the 1970s and the '80s and they were 10- or 11-acre lots.

MADORE: Thank you, ma'am.

CHANDLER: Alina, you want to continue here.

McELVENY: The remaining 49 and a half acres of our parents land was still being lived on and managed by our mother at that time. The only reason my mother didn't divide the property years earlier is that she used it for income and could not have perceived that

GMA changes would deprive her of her original intent to pass the land to future generations, her seven children.

75 percent of our neighbors on former large farms north, west, south of our homestead properties and former timberland east along Bonanza Road to the east were long ago subdivided to 2.5 and 5-acre lots and some 7 and a couple really large ones.

Ease of management and tax clarity. In one of your work sessions, a County official said it's perfectly legal and good to separate acreages into smaller parcels for tax purposes so family members would receive and pay their own individual bills. This is just a part of managing smaller lots or timber acreage.

We want to divide our inheritance as our mother stipulated and that's dividing amongst us three girls who have the last of the inheritance. It is inconceivable for a single lot of 8.91 acres which is to go to my sister to be prohibited from building simply because it does not and cannot meet the 10-acre minimum requirement, though, it is the property of a single owner and surrounded by parcels of smaller acreage where building was allowed.

We appreciate the value of green space. We live in a green tunnel. I mean, we are in total shade. All around us is beautiful green

keeping the air clean and we would continue that. A good and beautiful side effect is birds and wildlife, deer, bear, they're all on our land. If you walk the perimeter of 160-acre homestead and look into the surrounding 2.5 and 5-acre parcels, you will see trees, gardens, orchards which preserves the rural character we cherish while providing suitable land for sustainable homeownership.

Our grandfather homesteaded in 1896 and family still owns that property and we manage it the best we can. Currently there are many family members still living on the 160 acres with lots varying from 5- to 22-acre parcels. My father's family members were all raised here as well as my six siblings, our children, many cousins and me. Those of us still living here are mostly retired and we wish we could divide the land in 5-acre pieces.

CHANDLER: So that our children can help out with managing the land. 5 acres, 10 acres, it's impossible to take care of with one home on it. We want them to have the opportunity to have a 5 or 10 acre, a 5-acre piece of property, if possible.

MADORE: Okay. Thank you. Can you each spell your name.

CHANDLER: Alice Chandler, C-h-a-n-d-l-e-r.

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McELVENY: McElveny, M-c-E-l-v-e-n-y.

MADORE: Alina.

McELVENY: Alina.

MADORE: Thank you very much.

CHANDLER: Thank you very much.

MADORE: Terrance McCann, and then City of Vancouver. I can't read, Sandra Tours or something like that.

McCANN: Terrance McCann, M-c-C-a-n-n. A little bit of full disclosure here. Our family owns property in north Clark County. When we purchased it over 30 years ago, it only had one structure, an outhouse. The first time I tried to use it, I encountered devil's club growing up through the seat. I decided to pass tackling that thorny issue.

Today I decided not to pass on another thorny issue: the comprehensive growth management plan. When the purpose of land use planning is to prevent urban sprawl and the accompanying expense that is passed on to all taxpayers in the county, I believe that's why County staff did not come up with a plan like Alternative

4. Maybe they understood the process and the reason. Power and money can make a Councilor do strange things. Maybe we should post that on the back of a wall so the Councilors can see it while the public is looking at In God We Trust, quite a contrast. I urge you not to select Alternative 4. Thank you.

MADORE: Thank you.

Your name, ma'am.

TOWNE: Good afternoon, Councilors. I am Sandra Towne, City Planning Manager, City of Vancouver Planning Manager. 415 West 6th Street, Vancouver.

The City has consistently given our testimony either through letters and/or verbally through the entire process. The City of Vancouver urges the County to stop ignoring the findings of its own studies, review bodies and staff and the testimony of local land use attorneys and subject experts on all sides of the issues. Continued flawed adjustments to an already determined flawed alternative merely delays the process. How can the County plan to adopt a June 2016 SEPA in time so that everything can be resolved?

The Draft Supplemental Environmental Impact Statement found that Alternatives 2 and 4 would require significant infrastructure at a prohibitive cost and would significantly change rural character.

The Planning Commission on solid ground twice rejected Alternatives 2 and 4. The Planning Commission, County staff, other city staff and public testimony has rejected the recently proposed rural assumptions as they are not supported by rural development data, yet another round of new arguments was posted this weekend just days before the hearing.

These new arguments reflect a misunderstanding of land use law and practice claiming that Alternative 4 is somehow validated or authorized by the 2007 County plan and it does this by ignoring these following facts: The fact that the 2007 plan assumed a certain level of rural growth and did not include any rezones or other land use actions to facilitate rural growth. Alternative 4 increases zoning densities on thousands of lots. The fact that the 2007 plan rural growth assumption was not appealed, so this issue has not been legally reviewed or approved in any way, the fact that nine years have passed since 2007 and the new growth facilitated by Alternative 4 would be in addition to the rural growth that occurred since 2007.

The City of Vancouver acknowledges and supports a dynamic rural area. We would support Alternative 3 and the process it has already gone through but cannot support a proposed upzone of a historically large magnitude or impacts identified by the County's own studies, review bodies and staff recommendations are ignored.

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Vancouver also cannot support a process which jeopardizes compliance with GMA deadlines --

MADORE: Ma'am, your time is up.

TOWNE: -- for completion of work. Thank you very much.

MADORE: Greta Holmstead and then Ron Edwards.

HOLMSTROM: Thank you, Councilors. I'm here today to talk to you about a specific property in Felida.

As you know, as part of the comprehensive plan update process, applicant-driven requests for comprehensive plan changes have been suspended until 2017, and we have an issue of an importance in Felida that is of concern that we would like you to consider adopting as part of these comprehensive plan changes.

In 2008, there was a comprehensive plan change for a piece of property at the intersection of NW 119th Street and NW 36th Avenue. This changed that property to a mixed use classification and resulted in a high quality mixed use development that is currently under construction. It's brought commercial amenities to the neighborhood that is largely underserved by commercial development and has created a community gathering space. It's resulted in

infrastructure improvements, including significant improvements along 36th Avenue and also along the northern side of 119th Street. 36th Avenue serves as a bike corridor for a large portion of Clark County, and 119th Street is a local street that provides for pedestrian activity and bicycling.

The mixed use development at that intersection has resulted in a lot of increased activity. There's an increased need for parking because of tenant improvements that have gone in. I've provided you with a packet that includes an article from the Vancouver Business Journal recently published, Mt. Tabor Brewing is moving into that facility and there is a great demand for parking.

So we're here today to ask that the parcel to the south be reclassified for commercial development. This would serve as a catalyst for increased parking and safety improvements at that intersection. The neighborhood has been very supportive of this request. As part of that, we would be submitting a boundary line adjustment so it would be, if you're looking at the map, it's the narrow panhandle part of the lot you're looking at as well as the one to the west of it, so we'd be doing a boundary line adjustment to isolate that parcel. This is in accordance with your comprehensive plan goals and policies that look to facilitate economic development and also to provide safety improvements for the neighborhood. So we would like to ask that you incorporate

this change into the comprehensive plan.

MADORE: Thank you. Sir.

EDWARDS: My name is Ron Edwards. I'm a resident of Felida. I'm the developer of the Felida Village project that got rezoned to mixed use quite a few years ago.

One of the errors I made in that redevelopment was applying the parking ratio, the minimum parking ratio to the development that was allowed by code, and for the uses of that we're getting interest in for development, parking is the primary concern of the businesses that, you know, that they actually have a place to bring people to. Acquiring the property across the street and actually getting the participation of the corner property owner David Gano --

HOLLEY: Who?

EDWARDS: Gano, G-a-n-o, owns the parcel at the southwest corner of Lakeshore and NW 119th Street. So he's participating in this request, and if it does get added and rezoned to commercial, we would consider parking first.

But one of the things that's occurring at that intersection is that

southwest corner of Lakeshore and 119th Street is undeveloped. It's a sunken piece of property. The half-street improvement on NW 119th Street will never be done by that property owner, and if Clark County takes it on, who knows when that might happen.

So my proposal includes the widening of NW 119th Street, the improvement of the ADA intersection and one more building, but parking to serve both Felida Village and the new parcel. So I'm asking that you consider the request to add it into the plan.

MADORE: Okay. The parcel as it's outlined in red, the boundary line adjustment is to move that line to turn it into a full rectangle; correct?

EDWARDS: That's correct. The Gano property is outlined in red. He would quitclaim that, that parcel that's being identified right now, and we would include it with the house to the west.

MADORE: Okay.

EDWARDS: That's correct.

MADORE: And it's currently zoned what now?

EDWARDS: Residential.

MADORE: Both of them?

EDWARDS: Yes. And the completed parcel, if it's accepted, would be right at one acre.

Now, one of the other things that's going on there is the property to the west, which is currently permitted and expires in 2000- -- or in December of this year, is owned by a resident who has four lots approved, and that intersection to the west of 119th Street, and I'm not sure what that street is, it's supposed to be widened as part of the short-platting process for those four lots and that's not going to be done either. I was attempting to do that at the same time, but that would improve NW 119th Street the full length of the road, so we would improve it and it still would need to be improved to the west. So it's a very narrow dangerous pedestrian pathway right now. And also the you can see that it's misaligned going east to west on NW 119th Street. That alignment would be improved as well at our cost saving the County money.

MIELKE: And the zoning you requested is what?

EDWARDS: Commercial.

MIELKE: Straight commercial?

EDWARDS: Commercial, yeah. And the building we would propose to be put on there would be a high quality restaurant with four studio apartments above it just in matching the concept with Felida Village with a really nice outdoor patio.

STEWART: Was this request submitted to our Planning Department?

EDWARDS: My request came -- I first approached Jose quite a while back and he informed me that because of the postponement of the comprehensive plan that no applications would be taken for the rezone request. And we submitted a package and it got rejected to be included in the comprehensive plan because you guys were too far in, because the Planning Commission was too far into the process and it was suggested that we approach you directly.

MADORE: Okay. I have a question for Oliver, our Planning Director. The hold that we've placed on individual requests has been just for this year. It does not apply for after we submit our plan to the State, correct, we can open up that door again?

ORJIAKO: Yes, you will reopen, I believe, in 2017 cycle.

MADORE: Is there anything that prohibits us in electing to open that up in 2016, at some appropriate time in 2016?

ORJIAKO: Because you would have taken action in that year, 2016, you're supposed to take action on an annual cycle, so you will be opening it up in as early as January of 2017.

MADORE: In other words, we don't have the legal option to open it up for requests during 2016.

ORJIAKO: Yes. You're required to do it once a year, yes.

MADORE: Maximum?

ORJIAKO: Yes.

MADORE: Okay. Thank you.

STEWART: So I want to make sure that I understand that question and the answer. So does this mean that because we won't be completing the comp plan until 2016, that we will not have any regular annual review for the year 2016?

ORJIAKO: That is correct. Because you're completing the 2016 update in June, we don't have the luxury as we used to have at the end of the year.

STEWART: I see. So but typically when we're not in the process of a comp plan, citizens or businesses or property owners can bring forward a request on an annual basis for some kinds of modifications?

ORJIAKO: That is correct.

STEWART: Thank you.

MADORE: And I want to make sure that our Prosecuting Attorney, Chris Cook, that you weigh in on this as well because there are no absolutes. Is this Board or is the 2016 Board prohibited by law from accepting -- from doing for annual review at all for 2016? Are we just simply allowed only to submit a comp plan update and nothing more?

COOK: Yes. Thank you, Councilor. I believe that Mr. Orjiako accurately stated the law in that regard.

MADORE: Okay. When it comes to a request like this, for instance, that is asking for an individual parcel, in this case possibly two parcels, if there's going to be a boundary line adjustment, to be entered into this process, is this appropriate? Do we have that freedom?

ORJIAKO: Councilor, my response will be that this request was not studied and as well as some, don't know how many other, site-specific requests that were not studied in the Draft Supplemental Environmental Impact Statement.

If you recall, staff did have a conversation with the Board on what to do with the site-specific requests, and I don't think the Board gave us any direction on what to do with that, so we've been advising property owners that we will take that up during the next cycle.

MADORE: Okay. Thank you.

EDWARDS: Can I have a follow-up question, please?

MADORE: Yes, sir.

EDWARDS: That being said, if this isn't approved and we go back into the regular cycle, what date would the first date that we could submit be?

ORJIAKO: We will start - again, I wish by State statute we have the luxury to go to January or to December and have the effective date be in January - but to answer your question, we will begin I believe -- Jose, help me when?

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ALVAREZ: Pre-app's next September.

ORJIAKO: Pre-app will be in next September, fall of, yeah, 2017, in fall.

ALLEN: 2016.

ORJIAKO: 2016?

COOK: Fall of 2016.

ORJIAKO: Fall of 2016. Excuse me, fall of 2016. This is by code and that's why I want to make sure that I get it right. Jose is my Project Manager on annual reviews. So it will be fall of 2016 we will start the process, and we will then, hopefully, by early January, we will be coming before the Planning Commission and the Board to get it done.

MADORE: Okay. So in summary, the door opens for applications fall of 2016, for action potentially to be taken January, the first part of 2017?

ORJIAKO: That's correct.

MADORE: Thank you.

ORJIAKO: We'll be on a different cycle because of our adoption in the midyear of 2016.

MADORE: Okay. All right. Any other questions?

MIELKE: Yeah, I'm a little confused. I didn't know that we weren't able to rezone anything in Clark County because we're going through a comp plan update. So do I understand right that we can't rezone anything in Clark County because of the comp plan, or am I misunderstanding what's said?

ORJIAKO: The Board, I don't know the exact date, but you did adopt a Resolution suspending the annual review, which is the process that County undertakes to, or once a year, and this is by statute, that once every year, we allow for opportunity for individual site-specific requests to be processed as well as dockets during once-a-year cycle. Because we are undertaking a countywide review of the comp plan, we asked the Board to suspend the annual review process while we undertake this periodic review and reopen the process again.

The criteria for reviewing site-specific requests is a little bit different from the overall periodic review. It doesn't mean that the County cannot rezone property during this process. After all,

that's what is being proposed in some of these alternative, but it's a question of site-specific requests is the issue.

MIELKE: Right. And that's where I was going, Oliver. So what we're saying is that there's more than one way to ask for a zone change. One way has been shut off for a year; the other way is a little bit more expensive?

ORJIAKO: Yes. But, Councilor, remember that the once a year only relates to requests that requires both plan amendment and a zone change.

MIELKE: Right. Right.

ORJIAKO: If a zone change is consistent with the comp plan, the property owners go straight to the hearing examiner and there is no suspension of that. Folks can still go to the hearing examiner to get a zone change, but a zone change that is not consistent with the comp plan will require the once-a-year process.

MIELKE: Got it.

MADORE: Okay. Thank you very much.

EDWARDS: Thank you.

ALLEN: I just wanted to say something. The Felida Neighborhood Association Board was very much supportive of the mixed use development that Mr. Edwards had done with the Felida Village. It is a place to go to. It is very attractive. It's making that intersection a much better, safer pedestrian as well as bicycle and motorist intersection. And with his proposal to take it across the street, the adjacent, I don't know if there's any way to, quote, unquote, expand the CUP boundary or whatever, but that would make that particular intersection as he's proposing to improve it much safer for the kids and the ADA and all of the other users of that particular area as well as the commercial area just up north of that area.

So the Felida Neighborhood Association is very much in favor of this particular proposal and we are looking forward to it when you can and will do this particular amendment because it is a public safety issue out there as we speak.

MADORE: Okay. Thank you very much.

Carol Levanen and followed by Susan Rasmussen will follow.

LEVANEN: Carol Levanen for Clark County Citizens United.

The GMA discusses the inappropriate conversion of rural land into

urban sprawl, with urban meaning urban sized lots and services and sprawl meaning irregular distribution of urban type development. To prevent sprawl, the GMA states what is rural and what should and should not be allowed in rural areas. It defines and discusses allowances at RCW 36.70A.030 Definitions and in other passages of the GMA. Given the parameters of the GMA regarding rural and urban services, what is generally accepted and considered to be urban versus rural in a technical sense?

The Natural Resource and Conservation Service, NRCS, Department of Defense and United States Postal Service use a formula of 1,000 persons per square mile as a definition of rural. The 1980, amended 1988 Clark County comprehensive plan defines rural as having 50 to 1,000 persons per square mile. All have various definitions of rural resource and rural development within their policy documents, but one thing they have in common is a statistical definition of rural, which is the basis for their policies.

The formulas are used for financial aid, grants and economic assistance. Conversion of one square mile to square acres equals 640-square acres. Dividing the square acres by 999 equals .64 acres or a little over one-half acre. Multiplying that number by 2.66 persons per household proposed by the Draft SEIS equals 1.7 acres. Therefore, State and Federal agencies recognize rural areas as having approximately a one-half acre parcel. Clark

County recognize their rural areas the same way from 1980 to 1994.

Using the current proposed household numbers, the County should consider 1.7 acres as being rural and not urban if urban services are not being provided. The Growth Management Act, RCW 36.70A.011, Findings - Rural Lands, discusses rural lands and rural character as important to Washington State's economy. RCW 36.70A.030 Definitions discusses resource lands and rural lands, what they are and what they must be. There is a great deal of documentation in Clark County's archives and public records supporting statistical definitions of rural with a small parcel similar to 1.7 acres.

Alternative 4 recognizes existing development patterns and historical rural character. It also accurately fits all of the descriptions contained in the GMA. It makes no sense to force the comprehensive plan into the courts by not recognizing these facts. There is no question Alternative 4, Option B, should be the preferred choice, and the Clark County Citizens United Incorporated urges recognition of technically correct rural by accepting these documents for review. Thank you.

MADORE: Thank you, ma'am.

Susan Rasmussen.

RASMUSSEN: Good afternoon, Councilors. Susan Rasmussen for CCCU.

This Board is assigned a difficult task for which there is a logical answer, that is Alternative 4.B. You can be sued by either side and either side can win; however, CCCU Superior Court action of April 4th, 1997, Findings of Fact, Conclusions of Law and Order stated by Judge E. Poyfair supports Alternative 4. The County disregarded the GMA's mandate in applying an unauthorized formula to the review of the Clark County comprehensive plan, land use densities. The interpretation was erroneous and unfortunate. The result is a plan that gives little regard for the realities of existing rural development in direct contradiction of the terms of the GMA.

June 11th, 1997, Superior Court, Order on Reconsideration, Judge Ladley, the Board had an end in sight and disregarded the GMA's mandate in applying an unauthorized formula to the review of the Clark County comprehensive plans land use densities. The result is a plan that gives little regard to the realities of existing rural development in direct contradiction of the terms of the GMA.

December 31st, 1997, Judgment, Superior Court of Washington for Clark County, Judge Nichols, supported. May 8th, 2006, Order to Show Cause Regarding Compliance, Washington -- Western Washington

Growth Management Hearing Board, Holly Gadbow, Presiding Officer. Compliance for several issues in this case have not been found and this case has been open for a number of years without action by any party.

The real story here is the apparent fact that the Draft SEIS has incomplete information that degrades and discredits rural concerns. Would you agree the remainder lots of cluster subdivisions shouldn't have been counted? Would you agree the 90/10 urban/rural ratio is not factual and needs to reflect the accurate 86/14 ratio? Why are different criteria for the rural lot census used versus the urban lots? Why have policies been in place to exclude the rural landowners as partners in the collaborative process? The 1994 plan is a completely senseless plan that has altered the course of the county's unique rural character and culture for 20 years. We have an artificial interpretation of the county's rural character in place.

The choice is simple: Carry on as business as usual for county planning, or recognize the inaccuracies and adjust corrected policies and the numbers. 93 percent of the F-40 lots do not conform to their size.

For the first time in planning history in Clark County, Planning Goal 6 of the GMA is recognized, Property Rights, and I commend

this Board for making this landmark decision. Thank you for your opportunity -- for our opportunity to speak this afternoon.

MADORE: Thank you, ma'am.

George Espinosa. George Espinosa and then Warren Neth will follow.

ESPINOSA: Good afternoon, Councilors. I'm George Espinosa, E-s-p-i-n-o-s-a, 10th Avenue, Ridgefield. Whose document was this?

MADORE: Mine, sir. That's the Resolution one.

ESPINOSA: So this is proposed or this has already been adopted?

MADORE: No, nothing's adopted. It's a draft.

STEWART: Not adopted yet.

ESPINOSA: Well, you know, this thing here, especially today and listening to this process, reminds me of a bumper sticker I once had that said, Bureaucracy: The process of converting energy to solid waste, and I didn't realize the accuracy of that until now. And, you know, I know that this is the same old argument. I can't call it an argument because there's never been a response to it,

so it's just a statement by us citizens in regard to our property rights.

And I -- and in spite of all the dissenters, I have to say this, of all the members of the Board that I've had to face, and it's been now I think seven over an eight-year period, nine years almost, David Madore is the only one that came out and met with us property owners and heard our concerns.

But somehow it don't translate over here, and I am one that, you know, I wore the uniform of this country. I did my job. I had a belief in our constitution that we had rights. I didn't think that they were ever going to be subjugated to - I'm sorry. This is not meant to be insulting - but to a bunch of bureaucrats. We have a representative government or we did have. I fail to recognize that anymore. I see the -- and I hope that the word bureaucrat doesn't offend these folks as much as it does me, but I see now they dictate to our -- what is allegedly our representatives, and our rights have been subjugated in so many ways I can't even recognize them anymore. Thank you.

MADORE: And I want to say thank you for your service to our country and thank you for remembering the foundations that this country is built upon.

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STEWART: Mr. Espinosa.

ESPINOSA: Yes, ma'am.

STEWART: Your property is locked up in --

ESPINOSA: Urban holding.

STEWART: -- urban holding.

ESPINOSA: With a business park overlay.

STEWART: And you are south of Ridgefield?

ESPINOSA: Yes, ma'am. We're one and, I think, three-tenths miles north of the fairgrounds on 10th Avenue. But I represent 27 of the 29 property owners in that area who have spoken in every way they can and have not been heard.

STEWART: And who is it that needs to release that urban holding?

ESPINOSA: I beg your pardon?

STEWART: Which jurisdiction needs to make that change?

ESPINOSA: I don't know. We've asked that question over and over again. We've been told, well, it's not up to us. It's up to the City of Vancouver because we gave that to them. I don't know.

STEWART: It's in the Vancouver city --

ESPINOSA: And I know that the City of Vancouver originally said they did not want that, but the County went ahead and adopted it anyway, and so the City of Vancouver just kind of now just says, well...

STEWART: I think if it's within the City of Vancouver jurisdiction we have no authority. Well, maybe we can get an explanation here.

ORJIAKO: County Councilor, in this area, we do have jurisdiction, although it's in the Vancouver UGA. The purpose for the urban holding, the urban zoning is already in place, and George Espinosa is correct, they've been coming before the Board raising some issues.

I believe that my staff have come out there to meet with your representatives. This was added into the urban growth boundary in 2007. And when the appeals was handled, this area was not appealed and it withstood the challenge, so it is in the urban growth boundary.

Part of the urban holding is that this area is as part of the 179th Street corridor and it is an area that has been in multiple conversation with the Council on the relieve of that urban holding and other properties that have been in limbo. The purpose of the urban holding is, one, to help in phasing development as we develop over time, and also indirectly to really acknowledge that infrastructure is not in place and we use the urban holding as a tool to phase development. I believe that when the realignment and the improvement on 179th Street corridor is completed, that the urban holding will be relieved.

The second thing that is happening out there, as you're aware, is the original sewer lines. There is sewer now being installed from Ridgefield coming south. So there are opportunities out here that it's now a question of timing.

But I think George is correct in terms of their interest to see something done out here, not only George, the other property owners along 179th that would like the urban holding to be relieved. There is interest in both at the State and local to fund improvement on 179th, so we are hopeful that as soon as that improvement is made, the urban holding will be relieved.

STEWART: And what kind of a time frame?

ORJIAKO: That's the --

STEWART: Estimate, rough estimate.

ORJIAKO: Councilor, I cannot say. That's what I mean that is a question of timing.

I know that some of the property owners out there, particularly George Killian, is interested in moving this forward quickly. I also am aware that there's discussion even at the State level that have already funded this, but I'm not sure when in terms of timing when that funding will be released.

STEWART: What will be the process for Mr. Espinosa to get relief from that urban holding, will it require an appeal on his part --

ORJIAKO: Well --

STEWART: -- or which jurisdiction will lift it?

ORJIAKO: -- it will be up to the County to release the urban holding, and when the County --

ESPINOSA: Ma'am, as much -- you know, it's become, seems to us,

to be a futile argument to ask again to be released from the urban growth boundary. That was our original request, I think, in 2008.

So now our biggest concern is, if we can't accomplish that, can we please be accommodated with the zoning that would be more compatible with our intended use of our property at the time of purchase and our lifestyle out there we would like to preserve, which is very urban -- I mean, very rural with, you know, all kinds of habitat. It's -- anyway, that's if we can have the zoning that we could live with, that would be fine. But, you know, other than that, I suppose our only choice is litigation.

MADORE: I have a couple of questions. What color, is there more than one color that you're speaking of on the map?

ESPINOSA: No, sir, it's all business park now north. I'm only concerned --

MADORE: You and your neighbors.

ESPINOSA: I can only honestly represent those north of 199th to 209th.

MADORE: And your neighbors, as best you understand, feel as you do. They would rather not be in limbo. They would rather have

the underlying zoning just simply be reverted back to --

ESPINOSA: Back to, you know, rural, some type of rural residential zoning. It was in ag residential zoning prior to all of this.

MADORE: Chris, do we have the authority here today to remove the urban holding from that area?

COOK: No, sir. No. That hasn't been noticed at all. So there's no -- it hasn't been noticed. It hasn't been through the Planning Commission. That would not be an appropriate action to take.

MADORE: When would be the soonest opportunity for that to happen?

COOK: I couldn't tell you the date. How many times has this been before the Board of Commissioners to remove urban holding? It's been at least once or twice.

ORJIAKO: That's correct. And I think the issue, again, is the needed improvement for both road and sewer and other services that is not yet planned. I believe that NE 10th to the south is being -- I think is on the County to improve from south to the fairgrounds. From 179th to, I believe, now 219th used to be State Route that had been converted back to the County. There are some needed infrastructure improvement out here that is not yet in place

and I think that's really the real issue.

What George Espinosa is requesting are two things: One is, if I may state this correct - and if it's not correct, you can please correct me - they want to be taken out of the urban growth boundary. That's one. Two, if you do not take us out of the urban growth boundary, give us a zoning that is not BP. Those are the two issues. Now --

ESPINOSA: That's correct.

ORJIAKO: Yeah. Now, I don't think you can consider removing them from the urban growth boundary today. Two, making that decision to give them a different zoning, which is residential, is not before you.

This is an area that is known as the Discovery Corridor. Many multiple studies have been done for this area in terms of the potential for jobs. So it will be a policy call on behalf of the Board to revert this area to residential. That's going to be your call, but it's not today.

COOK: And I have to point out that there are multiple property owners here, and Mr. Espinosa says that he represents 27 of the 29. We have seen some of the other property owners in the prior

attempts by the Planning Department to get urban holding lifted. I don't see the -- I don't know whether any of the others are here today, but we certainly have no verification that Mr. Espinosa speaks for them.

ESPINOSA: You have had two petitions submitted to the Commissioners with the signatures of all 27 of those property owners.

MADORE: I have a question. If when the door is open for receiving requests fall of next year, can the County, can this Board propose that that area be lifted from urban holding?

STEWART: Yes.

COOK: There are comprehensive plan requirements that need to be satisfied in order to lift urban holding, and that's why Mr. Orjiako was talking about extension of sewer and the transportation facilities.

The idea of urban holding is that it prevents a property from developing inappropriately before infrastructure is in place. So if the infrastructure is in place and any other criteria are met, then that's certainly something the Board could do.

MADORE: So there's a proposed business park and there's the existing original residential. If it reverts back to the original residential, that doesn't sound like that's extra development. That sounds like it would just simply be like any other property.

COOK: I think that before the property became -- the existing zoning is business park. That's the existing underlying zoning. It was residential when it was rural. So it would have been R-5 or R-10 or whatever, but there's no R-5 within the urban growth boundary, so it's not likely to revert back to that.

ESPINOSA: Several of those parcels are under five acres. I think there's seven of them there from one to two and a half acres. And I would also like to point out that right across the corner, 209th and 10th Avenue, there's, I think, six perc tests going on right now.

MADORE: Okay. Did you want to say something?

MIELKE: We have a lot of history, and having been here for seven years, I mean, we've looked at this and talked with George about is that the holding is put on there because of the infrastructure is not in place.

The reason we were able to do a little bit more on 219 was the

improvement of that intersection that removed that urban holding on that, and one of the things that we're trying to do right now is potentially, possibly building the interchange ourself on 119th to remove that holding --

MADORE: You mean 179th?

MIELKE: -- because all of those things will affect this area. But right now the infrastructure is not there.

At one time George came in and I think you were concerning -- asking for a mixed, change to a mixed use; is that correct?

ESPINOSA: No. There was one individual that at one time was with it and somebody, somewhere did change on the map. They changed his parcel and one adjoining parcel that belonged, I think, to the Johnsons, which they really objected to, was changed to mixed use and the purpose of that was that individual was trying to sell that property and the property owner now feels that he was really deceived because what he was told the zoning was and, you know, of course, buyer beware.

MIELKE: And, George, I thought I recalled you coming in and asking that you consider something else and you had had it --

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ESPINOSA: No. We had come in and asked for that we be considered in a rural residential zoning.

MIELKE: But anyway, that's --

ESPINOSA: And we brought you and, Mr. Mielke, we personally presented you the petition.

MIELKE: Uh-huh, he did. I see that.

ESPINOSA: Addressed you the Commission.

MIELKE: At least --

ESPINOSA: And all 27 of those property owners --

MADORE: Excuse me.

ESPINOSA: -- that I'm here representing --

MADORE: Excuse me.

ESPINOSA: -- signed that.

MADORE: Mr. Espinosa, we are frustrating our verbatim minutes

taker. One conversation at a time, please.

ESPINOSA: All right. Sorry.

MADORE: I see the alarm is going off there.

ESPINOSA: I'm sorry. Very sorry.

MADORE: Okay. Did you want to continue this conversation?

MIELKE: No. The point is it has nothing to do with what we're doing right now.

MADORE: Right.

MIELKE: And it's in the urban growth boundary. Vancouver has to say whether or not to remove it in or out of that urban growth boundary. And somewhere down the way, I think we might be able to change the zoning, but that is part of the Discovery Corridor and something that we'll have to figure out what we're going to do, but not today.

MADORE: Between now and the end of next year, Mr. Espinosa, let's spend some time together and see what we can do; okay?

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ESPINOSA: Thank you, sir.

MADORE: Yes. Okay.

Warren Neth.

MIELKE: Oliver has something.

MADORE: Oh, Mr. Orjiako.

ORJIAKO: Councilor, you just said it to George Espinosa, after the adoption of the plan, if we are there in 2016, property owners can submit for release of the urban holding and we will, as Chris indicated, we will look at the criteria. If it's met, we will remove the urban holding. That is how it is done.

MIELKE: And we've addressed that in some form when we went back and to look at how we look at concurrency on roads. We don't use just one prime (inaudible). Now, we use two. So that we've never gone back to look at that, it might meet that criteria today.

MADORE: I do have a question, Oliver. The -- thank you -- the normal process, let's say when the door opens in 2016, would be for individual lot owners to come in and make application?

ORJIAKO: That's correct.

MADORE: Okay. Is there also the opportunity for this Board to work with a group of landowners and for the Board to propose lifting urban holding on their behalf?

ORJIAKO: The answer is yes, and that will fall under the Clark County initiated docket item, if the Board puts that on our plate to do, yes.

MADORE: Okay. Thank you. That's what I have in mind. It's not a foregone conclusion, it's something to look into. Thank you.

STEWART: So if the property owners wanted to come in and petition for their property to be removed from urban holding, does that need City of Vancouver approval?

ORJIAKO: No. We have to coordinate with them in our review of that application.

STEWART: Okay. And what is the earliest time property owners could come in individually or collectively and request that?

ORJIAKO: Councilor, when we reopen the once a year --

STEWART: Yes.

ORJIAKO: Yes.

STEWART: And so I'm just asking for an approximate date. Is that the fall of 2016 or --

ORJIAKO: We are saying the fall of 2016. I have to come back with you to make sure that with the suspension that I can give you a straight answer that is consistent with our code. And I will also reach out to George Espinosa and any other property owner that want to know when.

STEWART: And so I -- and the reason I'm asking is so that the citizen or the groups of citizens that have parcels that are affected, if we even have an approximate time where they can start watching to see when it's appropriate for them to come forward.

ORJIAKO: Yes. Typically what we will do is we put an ad in the newspaper telling folks that the County are now accepting applications, so we will do that as well. But I want to make sure that I don't want to give you dates that are not consistent with our code.

STEWART: Thank you. And if there would be a way that Mr. Espinosa could be alerted when that comes forward, I think that would be

a respectful thing to do. Thank you.

ORJIAKO: We will do that. Thank you.

MADORE: Okay. We'd like to be able to have one more person to speak before we have another break, so Warren Neth, you're it.

NETH: Yeah. Afternoon, Council members. My name is Warren Neth, N-e-t-h, here as representative for Slow Foods Southwest Washington.

While I'd like to speak to you about land use and farm use conservation and your use of nonconforming lots, I don't think I have the time to speak about that today. I have a lot of comments sent in that discusses those issues. But in my short time, I'm here to express my opposition to Alt 4 on two accounts. One, as an advocate for the waves of comment this Board has received in opposition to Alt 4 over the last nine months; and, two, asking the Board to turn down Alt 4 because of its costly litigation the County will face if Alt 4 is adopted in the preferred alternative today.

As has been discussed by numerous experts on GMA, Alt 4 has come in as a whirlwind in this last nine months of this four-year comprehensive plan process. And I believe the intent to

strengthen land, rural landowners property rights is needed. The mechanisms Alt 4 proposes along with the hasty process it has been chosen -- that is chosen during, will set the County up for untold thousands of dollars of litigation costs at the GMA Board and will eventually be overruled.

In that light, my comments today are largely targeted at Tom Mielke and Jeanne Stewart since I believe your fiscal conservativeness make you most likely to recognize that the need to back away from this hastily created Alt 4 that will lead us directly to the costly litigation at the GMA Board.

Beyond responding to just that concern, I ask that you listen to the voice of the majority of the advisers and the majority of the constituency which you have heard from over the last nine months in opposition to Alt 4, whether it is the majority of the 74 comments that were made in April on Engage Clark County against Alt 4, whether it is the majority of public comment that you heard at these numerous public hearings, whether it is the city representatives, economic development representatives, agricultural representatives, whether it is the Planning Commission that has twice provided thorough assessment of the many holes of Alt 4, whether it is the community planning staff that has been involved in GMA for decades since the beginning of GMA that advises against Alt 4, whether it is from the numerous local state groups that are

preparing to overrule your update at the GMA Board, I request that today two things: One, you go back to the white board, bring more groups to the table and create solutions that will give rural landowners flexibility, but also do your job to protect resource lands in the GMA process in the next GMA update, and, two, hear the counsel from the advisers of the illegitimate nature of Alt 4 and choose to save our county from thousands of dollars of litigation costs since it will not actually pass the GMA Board.

MADORE: Thank you, sir.

Okay. We will take a break here until 20 minutes till, if that's okay. So we are in recess.

(Pause in proceedings.)

MADORE: If everyone will please take their seat, we will continue our public hearing on the comprehensive plan update. We are continuing our citizen testimony time. We have some sign-up sheets that we're still walking through.

The next person in line is John Ley. After John, John Matson.

LEY: Good afternoon, Councilors. John Ley, L-e-y, for this sweet young thing taking things down, 444 NW Fremont Street in Camas.

As an airline pilot we plan our flights from the ground and we plan what's our weather at departure, what's our weather on arrival, our departure, our crews and our descent and landing, and one of the problems we've learned over the years is that oftentimes we get so committed to the course that we are on that we don't want to step back and say, whoa, let's take a minute. Are we making an incorrect course? I've started my descent so I'm committed to finishing that descent and safely landing the airplane, and occasionally that's resulted in incidents or accidents.

And so what the airline industry has done is created a human factor set of training for pilots where they aggressively encourage their fellow aviators, even though you're a copilot or a lonely flight engineer to say, whoa, hey, boss, something looks wrong. And usually in accidents and incidents, there's a series of three, five, seven, ten opportunities that the accident could have been avoided if just one person stepped in and said, whoa, wait a minute.

And what we find here today is normally this process would be fairly simple. If you started with a good plan, you would just be making small adjustments where growth has occurred and industry, and it would be small adjustments. But as we've heard from so many citizens, there was egregious error committed back in the 1994 plan where citizens had prior property rights, where their land was zoned in 5-acre lots or whatnot and they expected that to continue

and suddenly the government made them out of compliance and has been reported before 57 percent of the R zoned lots and 70 percent of the ag zoned lots and 89 percent of the forest zoned lots are suddenly out of compliance. That's the flashing red flag that says, whoa, stop. Let's not continue down this course. We need instead of small tweaks in amending the plan, we need a serious addressing of it.

And I appreciate your willingness to consider the concerns of these rural landowners, and the first goal in my mind would be rectifying the problem that was created in 1994. Can we fix all or a majority of those R zoned lots? Can we fix a majority of the ag zoned lots that they are now back in compliance? In the words of good doctors and physicians, first do no harm. Sadly that happened back in 1994 and today you have the opportunity to rectify that. Thank you so much my friends for your service. It's sincerely appreciated.

MADORE: Perfect timing. Thank you, John.

John Matson.

MATSON: John Matson, M-a-t-s-o-n, from Hockinson.

I guess I'm really disappointed at the Thursday night hearing. There was so many of the all this I hear about assumption, assumption, assumption that we're going to ruin all

the timberland and destroy all the timberland. We're going to destroy all the farmland. Assumption that we're going to destroy all the farmland if we give the rural people their rights that they had prior to 1994 and under the constitution. We're going to destroy all our water. Pollute all our water and it's going to be all gone. The sewers are going to be, septic systems are going to be destroyed.

Facts have been proven on the timber at the Dollars Corner, one of the timber professionals was at one of the (inaudible), they ask, oh, we can't let this 80 acres, divide it up because we're going to destroy all our timberland. They said, well, what's too small? So they asked a professional. He said one acre is not too small to grow timber and it can be harvested good and it can be managed. So one acre isn't too small. Let's divide some of the land up so people can live there and manage the timber more.

Farm ground. It was proven at Dollars Corner, somebody they said, oh, we can't cut 20 acres down because it will destroy it, but somebody proved it on two and a half acres, all the produce that they raised on the two and a half acres because you can't make a living on 20 acres.

And they were saying we're going to destroy the water. Well, at the last Thursday night it was proven there's water out there that

can serve the people for 60 years out in the rural area that are building out there.

Septic tanks. It was proven by one of the top men of the county that the septic tanks are safer than the public sewer. It recharges the water and it's clean what it goes back into the ground.

So with that, there's land out there that property owners should be able to have. There's 320,000 acres in rural Clark County. And they say, well, we can't let 5,000 lots be out there. Well, if there was 8,000 lots out there in the 320,000 acres, that would be 40 acres per lot. Now, that isn't urban sprawl. That's letting the people divide out there.

In the urban area there's 99,000 acres. And just close to our place, there's about 2,000 units out there that's going within about a two mile radius right there. Now, that's urban sprawl. I can't put a second house on my 25 acres, but they can put all these pieces on there, so...

There's land out there and it wouldn't be urban sprawl, but people could build on their own land, so it's good that we could do that within a two mile. It's 10,000 acres in that where those 2,000 lots are going, so that's urban sprawl. They say we don't want

urban sprawl. Well, the cities are making it so it is urban sprawl. Pretty quick it's going to be Los Angeles all the way out there.

But if people could build out there on their land and build some nice houses, they couldn't go out there and develop it all so we could live in a park all our life. So let's do the right thing --

MADORE: Thank you.

MATSON: -- and we need for the property owners in Clark County.

MADORE: Thank you --

MIELKE: Thanks, John.

MADORE: -- Mr. Matson.

Liz Campbell. Mr. Lee Jensen, are you -- if she's not here in person, then she needs to be here in person. Are you going to speak for yourself later?

JENSEN: I would like to speak for myself later. This is the testimony from Liz Campbell.

MADORE: Okay. You can be one person, sir, not two.

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JENSEN: You know, Liz Campbell and myself are both citizens of Clark County and we both chose to speak here. Due to your lack of planning and poor scheduling, you've scheduled a bunch of things on the same agenda.

MADORE: Mr. Jensen. Mr. Jensen, you will have your turn. Now, the citizens must be present in order to testify. Thank you, sir.

JENSEN: Then I will speak for Liz Campbell. I will take this testimony and this will be my testimony.

MADORE: Did you sign up?

JENSEN: I have signed up as well.

MADORE: Okay. Then I ask you to wait your turn. You can read whatever you want to read when you get there, sir. Okay. Pat Anderson -- this is a relatively formal process and normally I like to be very flexible. We want to make sure that we apply the rules equally to each citizen and I want to make sure that we can't be accused of playing favorites or creating winners or losers.

Pat Anderson.

ANDERSON: Afternoon. I would -- my name is Pat Anderson, 7101

NE 109th Street.

MADORE: Go ahead.

ANDERSON: Okay. Today I'd like to talk about citizens' property rights and there hasn't been any open discussion of citizens' property rights while they've been putting together this new GMA update. And so I was wondering, does Clark County consider the constitution and property rights for all property owners in the GMA?

The Planning Commission discussed this issue at their September 17th meeting that they should have a conversation about property rights and fairness with dealing with property owners. I'd like to review information about what property rights or a property owner should have the rights of real estate ownership in the -- is the main way Americans save money and accumulate wealth. They use real estate to improve their life, start businesses and to leave money to their children. Homeowners tend to protect their surrounding environment and build more stability for their own future. When people lose all or part of their property rights, they often lose their greatest source of wealth and well-being.

To that point, I'd like to direct you to the comprehensive planning map in the gray area. In the gray area, the urban reserve area,

it starts at 150th Avenue and 170- -- or 139th Street, across the street is the south, to the south is the urban growth boundary. A portion of the gray area is across the street from that. The Pleasant Valley Schools in the Battle Ground School District also across that. Also across from there is the Highlands which was developed off of 50th Avenue to the west. The Highlands was developed after the 1994 urban or the comprehensive plan and they had one acres and then they had lesser acres.

MADORE: Ms. Anderson, I'm so sorry to cut you off, but your time is up.

ANDERSON: I'm sorry.

MADORE: Kelly Achen. Is Kelly Achen here? I don't see any response there.

Chuck and Lisa Perigo, P-e-r-i-g-o. No one responding to that.

Jeffrey Milles, M-i-l-l-e-s. No.

Gretchen Starke.

MIELKE: I saw Gretchen. There she is.

MADORE: Okay. And then after Gretchen, Eric Golemo. It's all right. Do what you need to do to get that microphone where it should be.

STARKE: Yeah, I'm getting shorter all the time. Okay. Am I heard? Okay.

MADORE: Yes.

STARKE: My name is Gretchen Starke and I am conservation chair of the Vancouver Audubon Society, but this time I am mostly representing myself.

I have lived in Clark County since 1968 and I have followed growth management issues from the start. In addition to my involvement work and work with the Vancouver Audubon Society, I was the president of the League of Women Voters of Clark County, 1975-1976. I mention this to show that I have observed how the county has dealt with process and citizen involvement for a very long time.

The process of development of this plan and the treatment of citizen involvement has been the worst I have ever seen. Up until January of this year, the process of developing the update of the growth plan was on track and citizen involvement was according to GMA. Then Councilor Madore introduced his idea of a rural option, that

was when everything went off the track. I have a timeline on citizen involvement in my written comments which I'll turn in, but I will speak to this hearing right now.

The maps and assumptions have been posted on the County website. I have been told they have been frequently posted on the website because the maps and documents keep changing. This makes it difficult or maybe impossible for people to analyze. It isn't possible to do an adequate job of analyzing a map by reading it from a screen especially in the short time they have been available for public scrutiny.

Councilor Madore has deliberate -- has been deliberately trying to prevent the public, the citizens of this county, his constituents from learning about his efforts to shape the growth plan exactly as he wants it, let alone actually comment on it. His disinclination to allow public comment is perfectly shown by the way this hearing has been set up. It is almost exactly the same as the previous hearing, the one in which Councilor Madore presented his assumptions.

One, it is in the daytime instead of the evening. Although personally convenient for me, it is not convenient for most people who have to work. Two, there is a super long agenda with extraneous items thrown in. In the case of today, a dedication of a sign that

has provoked controversy. At least today, unlike at the previous hearing, we are spared presentation by Representative Pike.

There was another hearing, this one on stormwater just before, and at the previous hearing, it was the growth plan hearing didn't start until nearly noon. Today it was even later. Judging from the documents on the County website, it appears that the decision has already been made and this hearing is just pro forma. The attempts by Councilor Madore to shut off public process have been numerous and --

MADORE: Ma'am, your time is up.

STARKE: Yes.

MADORE: Thank you.

Eric Golemo.

MIELKE: I just didn't keep track of that. I didn't hear one thing about the plan, just about you.

GOLEMO: Good afternoon, Councilors.

MADORE: Good afternoon.

GOLEMO: Again, Eric Golemo, SGA Engineering, also served on the DEAB and active in the Building Industry Association.

First, this is a challenging process. I don't envy your position. There's a lot of competing interests. I know everyone has good intentions at heart and trying to please everybody, it's such a tough process, so I don't envy your position.

I really have one request here today, and I know time is running out and we do need to adopt a plan, there's too much to lose if we don't, there's funding, there's a lot of things that need to happen and we need to adopt a plan. So I testified early on basically about the growth rate and some of the planning assumptions and having concerns, and through the process, we've already experienced much higher growth than we anticipated under the original projections. Understanding that, trying to go back now would be extremely difficult. It requires updating the capital facilities plan, doing a lot of planning that we don't have time for.

So what I'm really asking for is a commitment to go back and revisit the plan as soon as we possibly can. And if that's not possible, even look at options to an extension based on a change, substantial change in circumstances, and those circumstances being that the growth rate that OHM gave us was much lower than what we've even

antici- -- what we've seen so far or what we anticipate for the future. So that's really what I'm asking for here is just a commitment to visit it later.

And I do want to see something adopted, but the problem I see is that none of the -- none of the alternatives we have right now adequately provides for future urban and suburban development and we need to accommodate everything. We're spending a lot of time on the rural area, which I appreciate. I understand and I have some sympathy for the rural property owners and their rights. I do feel that to do that we need to make sure we do it right and I encourage you to do that.

You know, part of that doing it right is planning for future urban and suburban development so we know what areas we have to protect and we can do that. So thank you and good luck.

MADORE: Thank you. And I want to thank you also, you were one of the first to recognize the exceptionally low population growth rate that was presuming that our current or the previous recession would continue for the next 20 years. You caught that and I wish we could have caught that earlier as well.

GOLEMO: Well, thank you.

MADORE: Thank you.

GOLEMO: And, you know, you can't go back. What we can do is look at the future now, and I think we have an opportunity to do that in the near future without sacrificing or affecting this plan. So thank you.

MADORE: Thank you.

Toby Dittrich, and then after Toby will be Don McIssac. Can you spell your name, sir.

DITTRICH: Toby Dittrich, D-i-t-t-r-i-c-h. I come before you - thank you for the opportunity - I come from Whatcom County, and Whatcom County and Clark County have much in similar in that we have an urban area and a very beautiful, wonderful residen- -- you know, rural and native mountains and forests and we need to preserve those.

My father in the 1960s in Whatcom County recognized the need for preserving land and created the Whatcom County Park System and worked tirelessly until finally he got an award from President Carter for having the number one park system, county park system in the country. I asked him one day, why are you working so hard for these parks? And he said, well, God created this land and there's only so much of it and it's our responsibility and God

trusts us to preserve that land.

So I speak today against Alternative 4 and for the alternatives presented by the Planning Commission. We must not -- as a flight instructor, I know that when you fly a plane, you operate only by a checklist, never on your own. And if you go down the checklist meticulously checking off everything until the final destination or the final point, you are flying safely; if you don't, you will crash. And not checking the checklist properly for Alternative 4 is destined to make this a situation that results in a crash, not only financially and in problems that have been discussed here, but also a crash amongst the respect that the thousands of people out there who are not here today aim towards the due process from this Board.

I am here today to ask Jeanne Stewart, Commissioner Stewart in particular, if the vote is to not accept the Planning Commission's recommendations, that you make a motion to table further vote on these alternatives until the Planning Commission has sufficient time to take and look at the environmental impacts and the things that they have done over the last two years for the other alternatives. It's only fair that all alternatives receive the same commitment. In doing that, I doubt if that motion will pass, but it will make certain to every voter in this state, in this county who is behind the ramrodding of this process, the high jacking of

due process.

I know my words are heading out over the river being blown by the wind, but at least I said them and I at least asked you to take a reasonable Democratic course for the future.

MADORE: Thank you, sir.

Don McIsaac and Carrie Parks will follow.

McISAAC: Thank you for all the time this afternoon and throughout the process for the past couple of years. For my -- for the record, my name is Donald McIsaac and I represent myself and my family and various neighbors in the Hockinson area.

I have some comments in three areas, the preferred alternative, finalizing the SEIS and updating the comprehensive plan document. Regarding the preferred alternative, we recommend that you reject the reiterated recommendations of the advisory Planning Commission and adopt the following mix within the range of alternatives as your preferred alternative today.

Adopt Revised Alternative 4 in its entirety. Adopt Alternative 3. Adopt any portions of Alternative 2 that you feel are appropriate and do not conflict with Alternatives 4 and 3. And adopt the balance of Alternative 1 not changed by any of the above

elements. This preferred alternative provides something for all the factions that have been active in the process over the past year or two.

Adopting Revised Alternative 4 responds to the interest of the rural residents of the county. Adopting Alternative 3 responds to the request made by the cities. And for those who advocated for pure status quo of Alternative 1, the unchanged elements, provide them most of what they've recommended. By lot count, the vast majority of lots remain in status quo conditions with this recommendations after satisfying Alternatives 4 and 3.

In terms of land use policy and growth management, you've heard me say the door has been rusted shut for any policy changes in rural areas since 1994. Yet for virtually any change proposed by a city, the door has been wide open. It's time for the rusted door for rural area changes to be loosened and opened up at least a little.

The changes embodied in Alternative 4 are actually fairly modest. If all 6,140 potentially buildable lots were built over the next 20 years, that would only be about 300 new homes in the rural areas per year over the entire geography of the county. If many of the landowners don't elect to build, as has been the pattern, it will be far less.

Alternative 4 is not the huge shakeup of the county that is being portrayed by some. Don't keep the door rusted shut for another 20 years. It's just not reasonable. Alternative 1 for rural folks but not Alternative 1 for city folks just does not pass the red phase test of fairness.

So seeing the yellow there, I'm going to pass, even though I've got it in writing some comments on the finalizing these other process, other than I'll say that we do recommend you adopt as Clark County policy the planning assumptions in Exhibit A that represent policy decisions and the analysis in Exhibit B and assign the staff the task of finalizing the DEIS.

MADORE: Thank you, sir.

McISAAC: I'd be glad to answer any questions about F-10 in particular or the process that has been claimed to be a whirlwind process.

MADORE: The F-10, sir, do you want to elaborate on that?

McISAAC: Yeah. There's a concern about F-10. F-10 is a legitimate size in other counties and have been adopted in other counties, Skamania County, for example, a timber-producing county. So F-10 has been vetted and approved by State authorities and is

entirely a legitimate designation.

MADORE: Okay. Thank you very much.

MIELKE: Thank you for your comments.

MADORE: Carrie Parks.

PARKS: Hi. My name is Carrie Parks and I live in Orchards and I've been a long-time resident of the county.

I do want to say that it would be nice when you have a hearing like this, if you did just focus on the one issue. You only have two-hour parking lots around here for the most part and there's a couple of five-hour ones. I've exceeded my time limit down there, so to come down here and testify and wait through a bunch of sermons and a bunch of other stuff that has nothing to do with growth planning, it is a barrier to coming down and trying to give testimony. I'm only able to be here today because I'm retired. If I wasn't, I wouldn't have been able to come down and talk to you and give you my opinions, so you're shutting out a lot of people.

Also, the people that were asking for individual consideration got way more than three minutes. You guys spent about a half an hour talking about how to accommodate those people when your staff told

you that you didn't, you couldn't make a decision about that today.

So, again, those of us who came down here to testify on this had to wait through all of that. And so I would like you to really consider what it takes for people to come here and give you their opinion, you know. It takes a lot of time. It takes money and a lot of us don't have that ability to come sit here all day. Okay.

So, anyway, I'm against growth 4, the growth plan 4. I think you should be following what the Planning Commission has done. They're the ones with the training and the expertise that have studied it, and as other people have said, you know, the process has been stripped of all meaning when last-minute changes are continually introduced and nobody's had time to study them adequately, including your staff.

As a taxpayer of this city or this county, you guys took off the developer fees a couple of years ago when you first got into office, so that means that I have to pay for all the new development that's going to let your buddies make money by subdividing their lots. I have to pay for the lawsuits that are going to happen because you're not following the procedure, and I think there's better things that my money could go towards, like solving the homeless problem in this county that you haven't even addressed at all. I'd really like you guys to start thinking about solving real problems,

like, what are you going to do about homelessness and the rising cost of rents.

People in this community are working hard, but it doesn't do them any good if they can't afford to live here and they need you guys to address the housing issues instead of dinking around on all these things that don't matter and serving a couple of your friends.

I've lived in the Seattle area which does have sprawl. Down here it's been really great to live here and where the sprawl is contained. I can drive for 15 minutes out to a local farm and get fresh food because the boundary is contained and we don't have sprawl all over the place. I can go out and get some green space that I -- I can't afford to buy hundreds of acres to live on, but I can get out and enjoy the parks and the forest in this county, and I think that's important to everybody who lives here to the livability --

MADORE: Thank you, ma'am.

PARKS: -- and that's why people come to live here and to have jobs here.

MADORE: Sorry to cut you off, ma'am. I need to be fair to everybody.

PARKS: Well, I still have a few seconds it looked like there.

MADORE: Actually, no, you're 15 seconds over.

MIELKE: That's going the other way.

PARKS: Oh, okay. All right. Well, thank you.

MADORE: Thank you.

Sue Marshall and then Val Alexander.

MARSHALL: Council, my name is Sue Marshall. We have a 20-acre family farm going into our third generation in the Ridgefield area. We are currently zoned AG-20. We'd like to retain that designation as a strategy to preserve our land in agriculture for the long-term.

I urge you to adopt the Planning Commission's well-vetted preferred alternative and to move forward with this process. The new Alternative 4, which I believe more accurately should be referred to as Alternative 5, is based on faulty assumptions, invites legal challenges and places both the public and cities at financial risk. Some of the flawed assumptions were pointed out in a staff memo and I'm disappointed that the staff memo was that's in your packet wasn't publicly presented, would be worthwhile if you asked them

to do that before they vote on this, before you vote on this.

But some of the assumptions, just to summarize very briefly, Alternative 5 assumptions, there's unrealistic 100 percent exclusion of environmentally constrained lands, and this is directly from their report. At the very least, lots that are platted, subdivisions or short plats should be counted as buildable even if they fall below the one-acre threshold since it has already been vetted and deemed buildable.

Alternative 5 assumes 10 percent of nonconforming lots will be developed within a 20-year planning horizon, and again from the report. This the data used to establish this presence -- premise cannot be verified and, therefore, the conclusion to reach cannot be justified. There is a proposed 29 percent increase in the rural population above what was considered by the Draft Supplemental EIS. This is a significant change that should trigger a restart of the process so that all alternatives can be fully analyzed by staff and fairly vetted in a side-by-side comparison and by the cities and informed by SEPA and EIS. The assumptions continued that never to convert factor was greatly underestimated what additional lots will be developed in the next 20 years.

And, finally, the market factor reduction does not apply to rural lands and, therefore, should not be deducted from the projected

lot increase in rural lands. You add up all of these wrong assumptions, and the number becomes much bigger, the impact becomes much bigger. These faulty assumptions will have a long-term negative impact in part in underplanned and underfunded capital facilities plan.

And then just to mention, the information that was late yesterday afternoon posted this preferred alternative comp plan policy I think needs to have the vetting of staff before you vote on this. And it sounds to me Policy 2, which I've never seen before, is an attempt to thwart involvement of the new council, in particular 2.1 materials and information submitted for analysis.

MADORE: Your time is up.

MARSHALL: You can read 2.1.

MADORE: Thank you, ma'am.

MARSHALL: It's a concern.

MADORE: Okay.

Val Alexander.

MARSHALL: I'll be speaking for Val. I'll read her testimony.

MADORE: Okay.

ALEXANDER: The subject is water availability. In the huge amounts of comments and data submitted regarding the alternatives by the Clark County Council Chair, there has been little mention of that I have seen of the water availability.

As a 50-year resident of rural Clark County, I have had to deal with water issues constantly, investing large amounts of money and effort to keep an adequate supply of water for my properties. I can see where the issue can seem unimportant to someone who's never had to address a water problem, other than paying the water bill. To we who have had to provide our own water and even operate a farm, it is critical.

I would like to ask that you and other decision-makers to protect my water rights as well as consider what others describe as their property rights. Without water, we can't produce crops or even live on our parcels. If all of the water is used up by the new lots with homes, we will be left with some property we cannot live or sell.

According to the Washington State Supreme Court, 36.70A.070(5)(c) provides in relevant part that the rural element shall include

measures that apply to rural development and protect the rural character of the area as established by the county by protecting critical areas as provided in RCW 36.70A.060 and surface water and ground water resources.

In reviewing these GMA requirements, the Washington Supreme Court has held that several relevant statutes indicate that the County must regulate to some extent to assure that land use is not inconsistent with available water resources. This is provided in the letter sent to you previously by Tim Trohimovich of Futurewise.

As I have stated earlier several times, a well at the north end of my property dried up in the 1990s after all the property around me was subdivided into 5-acre parcels. It has never worked since. I have to pipe water to it from my main house. In addition, for most of the 50 years I've lived on my farm, I have planted numerous trees, shrubs, perennials and done extensive landscaping which also needs a dependable supply of water. The profit margin for farmers is very narrow and one cannot afford to run a farm with public water.

I would greatly -- I would appreciate greatly if you would consider my comments and those of the rural residents who value their properties and do not want to sell or subdivide. Val Alexander, Coyote Ridge Ranch.

MADORE: Okay. Thank you very much.

Joel Mattila, and then Sydney Reisbick. Is Sydney Reisbick, yes.
Okay.

Joel, do you want to spell your last name?

MATTILA: M-a-t-t-i-l-a.

MADORE: Welcome.

MATTILA: Thank you. My name is Joel Mattila. I'm here
representing myself and my family and many of my neighbors.

I urge you to include the Revised Alternative 4 in the preferred
alternative. I urge you to adopt the new planning assumptions in
Exhibit A and incorporate the analysis and logic described in
Exhibit B. Please direct staff to correct the Draft SEIS when it
is finalized to be consistent with the new planning assumptions
and the new information presented on November 9th.

I own property in the Hockinson area. I own a 5-acre lot in an
area that is predominantly 2 and a half acre lots. We were not
aware that the freeze on changing lot size like my neighbor's was
going to happen in 1994, nor that there was not going to be any

real consideration of change in 2004. There is much precedent in Washington State for a predominant lot size change and it is not right that the rural areas have been frozen with no zoning change for 20 years. Please do not freeze us out of any change for another 20 years.

My father has been a farmer his entire life, has worked hard and is getting on in age. Alternative 4 gives him a little leeway on one piece of property to downsize and provide for some level of retirement income without forcing him out of the rural area we love. 20 years ago, he was working hard to raise a family and not aware the County was adopting zoning changes that would take away what he thought were his property rights. He needs Alternative 4 to be in the preferred alternative.

We are not asking anything out of compliance with the Growth Management Act State law. That law allows you, as the elected policy leaders of Clark County, to make changes and the vision for those of us who live and want to continue to live in the country, not in the cities. It is called the Growth Management Act, not the growth moratorium act.

The people who are against Alternative 4 have exaggerated in trying to block any changes whatsoever for people in the country. New homes in the country will not cause infrastructure hardship on the

cities. Taxes from the new homes will pay their own way for new sheriff deputies and firemen. The small changes in Alternative 4 are not a significant environmental impact. The relatively few number of new lots in the country will not dry up the underground aquifers or clog up the road system. Don't believe these exaggerated claims.

In summary, please adopt a preferred alternative today. Do not wait or delay. Adopt a preferred alternative that has something for everyone, the Revised Alternative 4 for those of us that live and work in the rural areas, Alternative 3 to accomplish whatever the cities want and some parts of Alternative 2 that do not conflict with Alternative 4. And then after these changes, the rest of the county can remain in the status quo which gives the people who like Alternative 1 something as well.

MADORE: Thank you, sir.

MATTILA: Thank you for making the change for the better for those of us that live in rural areas.

MADORE: Thank you.

Sydney Reisbick and then Heidi Owens will follow.

REISBICK: Sydney Reisbick, Ridgefield. I'm going to just very

quickly hit some points that you have written for already.

Sandra Towne, City of Vancouver, has checked with State SEPA and Alternative 4 plus 5, whatever you call it, would reset the process. Two, there's a contradiction in the assumptions between what the County is doing with permits and what the assumptions says.

The County is permitting development in critical areas, even some rather surprising critical areas in Washougal along the river. There's a housing project that's been permitted on an unstable slope. The road to it goes across the alluvial fan. It's an Oso waiting to happen. There are also permits given often for other critical areas, therefore, that's contradictory to the assumption that parcels with critical areas will not be developed. In other words, there's a lot -- by that simple assumption takes out a lot of parcels, hundreds of parcels, which will develop, false assumption.

Three, question of affordability in the capital facilities plan. The County has already taken out half of the 2007 funding for the capital facility plan. If you go into the future with assumptions that are very much below the actual growth rate, which is going to happen, then you're going to have a smaller capital facilities plan too. That's going to leave us unprepared for the growth and affect services. Okay.

If you look at Plan B, it's still the same relationship assuming that the assumptions are the same for both, you still have Plan 4.B being more impactful than Plan 1.

MADORE: Okay. Thank you, ma'am.

REISBICK: Thank you.

MADORE: Heidi Owens and the next one after Heidi Owens will be Lee Jensen.

OWENS: Okay. Heidi Owens, city of Vancouver, well, I live in Vancouver, Clark County resident.

On the overhead is an exhibit that I did for a document that critiques the planning assumption choices that shows how these assumptions from Column B in Table 1 result in add backs to this 6,140 potential home sites that were identified in that document by Mr. Madore through his running of the rural VBLM. So you can see that these -- these are just some of the assumptions and they add back specific numbers which makes a total of 6,253 lots bringing the potential home sites to 12,393.

Now, there may be some double-up ones that are in there, but there's

also some additional parcels that should have been counted, and the net result is that the difference between the original Alternative 4 and this Revised Alternative 4 is about 650 lots. So, you know, what we're doing and what these assumptions do is they basically hide potential home sites from the model. There's still plenty out there that can be developed. They're just not being counted. The picture painted by these assumptions and what is presented in those numbers is not accurate. So I -- you know, and I just don't get it.

The Draft SEIS identified a number of environmental issues with Alternative 2 and Alternative 4 and the public testified on those concerns, including me, you know. We talked about -- I mean, I talked about, like, the transportation needs, the energy needs, the groundwater needs, the wildlife impact, a host of other people talked about those issues as well and the changing these assumptions in the model in a way where you're still reducing, you're not addressing those environmental impacts that were identified in the Draft SEIS.

So, Mr. Madore and Mr. Mielke, you both talk about the importance of transparency and then this use of these broad strokes to change the picture to meet your agenda, that's just not planning.

These issues, these numbers will propagate down through the

planning process, particularly into the capital facilities plan where the Commerce Department says that an accurate inventory is your number one thing that you need to start with and that will have huge ramifications where the County will not have maintenance planned for, the need for services, a number of other issues because we won't have an accurate inventory.

It also complicates the SEPA process, possibly causing a complete restart and it will make it difficult to complete the rural element of the comprehensive plan because of the way that has to be documented and there won't be this full picture of all of these lots that are basically not being counted and not being tallied.

So I would encourage you to approve the Planning Commission's recommendations. Thank you.

MADORE: Okay. Thank you.

OWENS: Thank you.

MADORE: Lee Jensen.

JENSEN: I'll try this again. My name is Lee J-e-n-s-e-n, Jensen, and Liz Campbell and I wrote this. And first of all I'd like to say, Councilor Stewart, the first sentence does not apply to you.

Councilors, at last week's council meeting, you were admonished for ignoring the advice of the citizens on the Planning Commission, Citizens appointed by the council to give the council advice on the physical development of the county. Councilor Madore replied at length saying that the Councilors appreciated the work of the Planning Commission and respected its advice. He claimed, however, that the Planning Commission was working from data that was way off and that it did not have access to the most fundamental assumptions.

Well, after a joint work session and one more public hearing, the Planning Commission's advice to the Councilor remains the same. The members have rejected Councilor Madore's personal or personally developed assumptions and data formulated for the benefit of a small number of Clark County's residents.

Now, the planning staff -- or excuse me -- now, the Planning Commission members responsibly recommended that a process be formulated to serve the special needs of these residents; however, they rejected Alternative 4 and Councilor Madore's ever-changing assumptions and data. I urge the Council to follow their advice. The Planning Commission's recommendation represent the views of the majority of Clark County residents.

Alternative 4 proposed today is a travesty. It undermines the GMA purpose and process. Citizens and cities of Clark County will have cause of action against the County for financial damages resulting from the adoption of Alternative 4 or any versions of 4. Councilors who approve this resolution should personally indemnify Clark County against the cost of their arrogant malfeasance.

Now, Councilor Madore, you asked for compelling arguments regarding these alternatives. How about education in the field of growth management? Councilor Madore, I could not find a confirmation of a graduation from any university or college or trade school for you. Most people are proud of the education level they have achieved and post it. Since you have not posted any history of your own education, I can only assume that you don't have any specialized education in the field of growth management, yet you have authored all the versions of Alternative 4. All of these are from a person with no education in the field of growth management as compared to the County staff which consists of many highly educated people, PhDs and master degrees.

Listen to your staff, Councilor Madore. You are not educated in growth management and certainly have no expertise in the growth management. You are not qualified to write an alternative plan; the County staff is.

MADORE: Thank you, sir. Thank you. Jeffrey M-i-l-l-a, it looks like or e. Do we have Jeffrey here? 7115 NE 309 Street.

PUBLIC: Nope, that's not me.

MADORE: Okay. That's not you. Okay. Jim Malinowski.

MALINOWSKI: I come up here to give you a perspective of someone who has grew up in north Clark County. I'm past president of Clark County Citizens United. I'm currently president of the North Clark Historical Museum. I'm the grange, Mountain Valley Grange treasurer. I'm a board member of Fish First, and I was a member of the ag forest task force. I'm currently serving as PUD Commissioner for Position 1.

The reason -- and I'm representing myself. The reason I bring the PUD position up, I believe I was the most qualified candidate, but I also was seen as a rural property rights advocate. I won by 15,000 votes. 12,000 of the votes of that margin came from north county. I strongly believe that the vast majority of rural citizens support reversal of the massive downzoning of the '94 plan. No other counties have similar large lot zoning in the rural areas. And numerous court cases prove that the GMA does not require that type of large lot zoning.

I'd like to ask you please adopt Alternative 4 as your preferred alternative. It's the only alternative that reverses the massive downzoning of '94, and don't make us wait another ten years for relief. I'd ask you to honor the letter and intent of the GMA and honor the rights of rural citizens.

MADORE: Okay. Thank you very much.

Jeff Niten and that is the last person I have signed up. If you signed up and your name was not called, let me know, but we're staying with the rules that say you must be signed up, so that's the last name I have.

Yes, sir.

NITEN: Thank you very much for the opportunity to comment. Jeff Niten, I'm the Community Development Director for the City of Ridgefield, and we did submit a letter for the record this morning under our mayor's signature, Mayor Ron Onslow, but I wanted to highlight a few points here that were on that letter.

The first is that the DSEIS relies on assumptions, and all of those assumptions should be applied equally to all of the alternatives being studied. One of the things that concerns us is that if it is not applied equally, that could be considered significant, very well might be considered significant and reopen the Environmental Impact Statement for further study which will threaten the

June 30th, 2016, deadline for completion of the plan.

The other concern we have is internal consistency. If the County's plan differs in assumptions from the City's comprehensive growth plan, there is an internal consistency issue and it is a requirement of the GMA.

One other item I wanted to speak about, our mayor pro tem was here earlier and spoke about the expansion that we requested on our northern boundary. We do support that for a couple of different reasons, but that particular area of the expansion that we were looking at was studied in the 2007 Environmental Impact Statement. It was also studied in the Draft Supplemental Impact Statement during this update and we do believe that we can serve that property and we request that the Board of Councilors adopt the Planning Commission's recommendations with the addition of the expansion that we requested, that the City of Ridgefield requested.

One last item that I wanted to bring up. Many of you know, many of you don't, that I worked for Oliver Orjiako from January of '06 to February of this year. The planning staff here is extremely professional, has a tremendous amount of integrity and I believe that they can help you meet their goals or your goals for the comprehensive plan, if they are permitted to.

Thank you very much too for allowing me to comment and I'd be happy to answer any questions.

MADORE: Okay.

MIELKE: I had one short question.

MADORE: Yes.

MIELKE: How many acres is involved in the east side of the freeway that's been brought in?

NITEN: The golf course?

MIELKE: Yeah.

NITEN: I believe that is approximately 50. I don't have the exact number.

MIELKE: That's all.

NITEN: The northern, northern expansion is 107.47, I have that one exact, but I don't know the golf course number exactly.

ORJIAKO: About 120.

NITEN: 120. Okay.

MIELKE: 120. Okay. Good to see you.

NITEN: Thanks.

MADORE: Okay. Thank you very much.

So that is the last name we have. Rebecca, there's no more signed up; correct?

TILTON: Correct.

MADORE: Okay. That closes public comment.

HOLLEY: I need to change my disk.

MADORE: You need to change your disk. Okay. How much -- so you need what a five-minute break at least? You just need a minute.

HOLLEY: I just need to turn it off and turn it back on.

MADORE: Okay. We will hold my breath for a minute. Take your time. I can't imagine keeping track of every single word.

MIELKE: Quit talking.

MADORE: You don't have to record that.

MIELKE: She's trying to memorize all this, yeah.

MADORE: Only of consequence.

MIELKE: Next time we do this, we're going to have lunch and dinner for everybody.

MADORE: Pizza.

Okay. We're good to go? Are you ready?

HOLLEY: Yeah, I'm ready.

MADORE: Okay. We will continue. All right.

Well, first of all, I thank everyone. This has been a very, very long process and it's taken a lot of patience for everyone involved, not just us to hear you, but for you each to take your turn and to take the time to come down here and sit through the other business before you even got to this hearing, really appreciate that.

The Planning Commission also, we appoint -- the Board appoints those members. They volunteer their time. They're not paid for that and they chew on all this stuff and they do what they can to recommend the best judgment that they have to this Board. They are advisory.

The staff is also -- I want to thank the staff for the work that they have undertaken for all this time. It's a lot of work. They've signed up for a lot of work, yet to go ahead on and I appreciate all of that. GIS staff has been at the core of providing lots and lots of data, lots of information, lots of records. They have equipped us all to be able to turn on the lights so that we can make an informed decision.

The path going forward here, you know, we have delayed to the point where we had, to make sure we have extra, we had four extra meetings this month where we listened to citizens. We want to make sure this is your plan and our job as your representatives, we don't work for the Planning Commission, we don't work for the staff, we don't work for the cities, we work for the people. And our job is to represent the people, and we wouldn't be able to do anything if it wasn't for the staff to be able to get the job done for us. We can't take credit for their work. So very, very thankful for them.

We have introduced each of the documents on The Grid at the beginning of this meeting, and in sequence, the logical step, and I just propose this to my fellow Councilors to see if they want to make a motion to approve Resolution, the first Resolution, which would select Exhibit A and Exhibit B. And that motion doesn't necessarily approve it. The motion puts it on the table with a second, then we can discuss it and consider action after that point.

STEWART: Which Resolution is that?

MIELKE: This one. We don't have numbers for these?

MADORE: We don't have a number for it.

TILTON: Not yet.

MADORE: There's only --

STEWART: Is this the one proposed by you?

MADORE: Yes, ma'am.

STEWART: Thank you.

MIELKE: So...

MADORE: What is on the Resolution? Just simply to identify, Resolution No. 2015-11-blank, that's the only blank we have. There we go. That one.

STEWART: And the effect of this Resolution adopts your amended preferred alternative?

MADORE: The Exhibit A is this document, and this document includes the two tables of the assumptions, the proposed growth and the accommodation for both population forecast, that one, and the ability to accommodate that population, the table that -- that table there that shows the historical split in population between the rural areas and the urban areas.

And the next table is the capacity for the rural areas to absorb the population with Assumptions A and Assumptions B.

The last table has to do with the -- there's a bit of a disagreement as between the Draft Supplemental Environmental Impact Statement even within itself and a few things. There are fine-tunes. This basically shows a little bit of that history. Reference Number 4 is the one that, according to planning staff, is the appropriate numbers for us to be able to be consistent with the decisions gone

before. And what follows after that is just simply the calculations to show your work.

MIELKE: So in the interest of opening discussion, I'd like to make a motion that we accept the Resolution here, that I believe it's keeping the policies, Schedule A and the actions in B column. Is that the way you identify it or how do you want me to identify it?

MADORE: It's Exhibit A, Planning Assumptions, that's this document and that one in itself --

MIELKE: We just call it Exhibit A.

MADORE: -- selects the B column and it is the -- in other words, Exhibit A and Exhibit B, and Exhibit A is the selection of column B as well. So sorry about that.

MIELKE: Well, I think that's kind of what I said, so...

MADORE: Yeah.

MIELKE: So it's the policies of the existing and the proposed changes that we have to recognize. That's my motion.

MADORE: So your motion is to accept Resolution No. 20- -- I'm

sorry -- 2015-11-blank, which is the Resolution --

MIELKE: Yep.

MADORE: -- to accept Exhibit A and Exhibit B.

MIELKE: Yep.

MADORE: Is there a second to that motion?

STEWART: No.

MADORE: Okay. I will second that motion. And now we welcome discussion, I guess.

MIELKE: So I would, Mr. Chair, since I made the motion, I'll bring it up. I am -- this has not been without challenge. We have -- I have no less than three reams, maybe four reams of input. A lot of it is discouraging because it's just like a vote, a popularity vote. Some of it has some real good ideas and we heard some of those today. Nothing is perfect the first time out.

I come from the legislature, you know. We correct ordinances and laws or legislation years afterwards to refine it to make it better, and I think that's where we need to go here because this has been

parked for 20 years and ignoring the rural rights of the people. We didn't come back and address it the way the Growth Management Act said we should have been doing. And one of the most important things that we scooped up here at the end is that we thought the number ratio wasn't really, really important, then we learned that it was.

So when we looked back over the history and the continued growth ratio was 87 urban, 13 rural, we should have paid attention to it because that told us what the ratio was growing at before 1994 and after 1994. So that was really important that we go back and correct that little bit of piece so it's self-explanatory when we move into the other proposals.

And with that, we get into the populations. Some of those populations, they're guesstimations, and so we can move those guesstimations around to make the ratios still the same and it doesn't affect the cities or the County's in that fashion, but probably more so recognizing the County's. And staff has done an outstanding job putting up with us, looking at it, changing it, new information, new input. I was still receiving input today.

One of the last ones I had was along the line, it was a 100 person mistake after -- no problem with everything here, just that mathematically we had made 100 people mistake. So I think it's

the right thing to do. It's good planning and something that should have been corrected long ago and the methodology that we use when we move forward and I'm still counting on an outstanding staff that we have to help us finish up.

MADORE: Okay. Councilor.

STEWART: Well, it's really -- it's really hard to sum this up. So in my opinion, it's premature to approve anything, and it's premature for a couple of reasons. So much of what has been offered has been offered by one Councilor and offered within the last two or three weeks. That is an issue because that does not represent collaborative working with the Planning Commission, other Councilors and the planning staff. We need more time to work this out. And I'm not pleased to say that, because I do think we need to move forward. We need to meet our June deadline, but we need to get our act together and how we put this plan together.

One of the things we're trying to do is, within the last two and a half weeks, correct the inaction and negligence of 21 years of other Boards of County Commissioners who incrementally and progressively in comp plans over the years should have been looking at the natural progression of some rural land development, and that should have been done incrementally each year. I think it's too ambitious to try to fix that in one plan in our current year, but

I do believe we need to look for some incremental plan. A plan, that's land use planning.

So I would like to see us look at what is our policy, what's going out over time and to establish a policy that can be carried forward by other Boards, not just by the three of us. We're not going to always be around, and I really wish that I was dealing with planning by prior Commissioners where we could be building incrementally on perhaps what policies they established.

The other concern that I have about this is that this ended up being a promise to people with rural land that this can be fixed overnight and that there is really, I think, in some sense money on the line, ability to subdivide. And a lot of multiple generations are here talking and they would like to see their next generations be able to build. And then there are other people that see nice big chunks of very developable, desirable land that are worth a lot of money. So and that's their right. You own the land. It's reap the profit. That's how the world is -- well, in America. So I would like to see us get together and be more collaborative on this.

I respect what the Planning Commission has done, and I think they did a lot of good work, and I think Alternative 4 goes too far. And my concern about that is sometimes you want to push the boundary and just go do something to make up for what people didn't do in

the past. You want to try to solve the problem. I don't think what we've looked at is upstream and downstream consequences of what we're going to do, and I think we need to consider that.

And I think the comp plan requires us to understand the implications of our decisions, and by doing that, it gives us the ability to mitigate problems so they don't develop. But that takes some time to put together, but it's critically important that be done.

So I'm distinguishing here basically between a staff role, which we have very highly qualified, very effective planning staff, and we've had a lot of people consulting with us about this. Those people are all great. And I also respect what Mr. Madore is trying to do, which is what inventors and entrepreneurs do: Let's just fix it. I respect his desire to do that.

On our side, we don't on the elected side, though, we don't fix this block-by-block, lot-by-lot. We create an overall policy that talks about how we're going to move forward and what our expectations are for how rural will be respected, and that's the part of this that I don't see. We haven't developed that so that that policy moves forward.

We're looking at this right now at one point in time and how to fix this one point in time, and I think we would be better off in

the longer term to zoom out a little bit and do what electeds do, which is create a policy moving forward and maybe we can create some remedies and make some changes. But I really think it should be in the big picture, and by establishing an overall policy, we'll do what no other County Commissioners have done in the last 21 years, which is say this problem was created.

This was an unfairness to some property owners, too many property owners in the rural area so over time, how are we going to see that enter into a correction area, and then hopefully that policy will stay with this Board as we come and go and that in the future, people are going to have more of a template, a policy template. And we can do that. We can create that sound policy. So I'd like to see us pause and do that.

And I understand how frustrating that is for every citizen who's here and is hearing, oh, no, once again, here it is. All this talk and nothing will be done. I understand that frustration, but we don't need a Band-Aid here. We need a big fix, so... That is my immediate comment.

MADORE: Okay. Thank you. You made some very good points there. And one of the things that I feel like we cannot continue to do is to fault previous Boards for inaction when we ourselves would end up just simply kicking the can down the road and end up doing

the same thing as they did. This is our watch. We cannot fail on our watch to fix what's been broken for two decades.

The Growth Management Act requires us by law to plan for the foreseeable growth for the future. It requires us to make that plan realistic, honest, forthright, ground-truth and verified. I believe we would be negligent if we did not fix what is so broken.

A good plan does not have, in my eyes - this is my personal opinion - a zoning map where six out of ten of the R zones in the rural area are broken, eight out of ten of the ag zones are broken, nine out of ten of the forest zones are broken. What's broken? It doesn't comply with what the requirements are, what the specifications are that we set as a Board. That's not realistic. It should not be driving, that whatever it is, that's not a reality kind of an agenda. It's government serves the people, not the other way around.

One thing that we've heard -- well, two things: One is that you can't do this because we're going to get sued and we're going to lose and it's going to be really bad. I believe that whatever we do, every plan that's ever been adopted by this county, someone sued, multiple people sued, there will always be lawsuits. I'm taking that for granted. What makes the difference this time is what side is the County going to be on? To prosecute the people

or to be on the people's side, to side with them?

We serve as representatives of the people. We're on their side. That's what our job is. We will comply. We must comply with the Growth Management Act. And as best as we understand, we do, this does. Other counties have done this. We stand way out as outliers with constraints and inhibitions and stifling and all those stagnation things that influence the rural areas. So I believe that this is legally defensible, we'll go to bat for the people we have.

The second part of this is that healthy relationships are always mutually beneficial. We've heard from a lot of the cities that says we want theirs, but we don't want them to have theirs. That's not healthy relationships. We've said yes to every single request that the cities have wanted that's in their interest. That's good. We want them also to be good neighbors to the rural citizens. The rural citizens have not been at the table for decades. It's time they were.

Countywide plan says we count the whole county and we don't stifle and we don't disadvantage anyone. It's been a multiyear process. The rural plan has been going on a year now. We can do this. We've been through all the hard work. We need to complete it, be decisive and to move forward with what is going to advantage this county

for the next 20 years. I believe in this county. We're here because we care. So enough said.

MIELKE: With that, I'll call for the question, Mr. Chair.

MADORE: I don't think we need to do that. I think we're ready to --

MIELKE: I'm afraid you're going to say something else.

MADORE: I'm not going to say anything else. Is there any more discussion before we vote?

MIELKE: I called for the question.

MADORE: Well, call for the question means that we need to be able to have a vote to terminate the conversation. Is there a second to call the question? Well, to be cooperative, okay, I'll second that.

MIELKE: That's a good thing.

MADORE: That's non-debatable, so... And now we have a vote to call the question. It's all in favor.

BOARD OF COUNTY COUNCILORS
MINUTES OF NOVEMBER 24, 2015

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MIELKE: AYE

MADORE: AYE

STEWART: NAY

MADORE: Okay. It passes. That means it's time to vote. All in favor of the proposed Resolution which is Resolution 2015-11- and it's to be assigned a number that adopts Exhibit A with choice B and Exhibit B say aye.

MIELKE: AYE

MADORE: AYE

STEWART: NAY

MADORE: Okay. Motion passes. Thank you.

We have an additional document to consider. It is the document called Preferred Alternative and Comp Plan Policy, and if we could put that on the table, I do have one amendment I'd like to be able to offer for that. And so the motion to put that on the table would be to move to select, adopt Preferred Alternative and Comp Plan Policy, that document. Is that the correct motion there, Oliver, are we good? You catch it so if we do anything wrong; okay.

ORJIAKO: That's your motion, so...

MADORE: Yeah. Okay. So we're good.

Is there -- well, it's not my motion. I'm saying that that would be the motion. If there -- is there a motion to approve that document?

STEWART: A point of clarification.

MADORE: Yes, ma'am.

STEWART: Is this the document you created for your version of the preferred alternatives --

MADORE: Yes, ma'am.

STEWART: -- what should be approved and what should not?

MADORE: Yes, ma'am.

STEWART: Thank you.

MADORE: It's entitled Preferred Alternative and Comp Plan Policy at the very top.

MIELKE: Mr. Chair, I don't have that.

MADORE: You don't have that? Here you go. I'll share it with you. Don't want to rush the process.

MIELKE: Oh, this looked like Alternative 2.

MADORE: Well, it has all of the Alternatives 1, 2, 3 and 4. Can we -- there it is on the overhead.

MIELKE: Mr. Chair, I'll make a motion that we adopt this Preferred Alternative Comp Plan Policy.

MADORE: As presented?

MIELKE: As presented.

MADORE: Okay. All right. Is there a second?

STEWART: No.

MADORE: I will second that motion.

Is there discussion? Councilor.

STEWART: No.

MADORE: Councilor?

MIELKE: No.

MADORE: Okay. I'd like to offer an amendment to it. On the second to the last page under Policy No. 2, there's an item 2.3, if you can bring that up. It says, "The Board policy is hereby adopted to complete the FSEIS as scheduled by February 1st, 2016." I would like to offer an amendment to that because, Oliver, I understand that there's some question as to whether or not that existing consultant would cost more money and take more time.

So I'd like to be able to bring that particular action item to our Tuesday hearing to consider the path forward for the FSEIS to ensure that we have the right, that we understand and we open up for consideration of alternative sources to make sure we have the right source, a good source, a good time, a good timing, we have the ingredients and staff has the ingredients that they need in order to ensure that that very important process moves forward. So the motion would be to --

MIELKE: Mr. Chair, I'll second your amendment.

MADORE: Okay. It would be --

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STEWART: Could you tell me what page this is on?

MADORE: This is the second to the last page.

STEWART: Is it Page 5?

MADORE: Yes, it is numbered.

STEWART: And what number is it again?

MADORE: 2.3.

STEWART: 2.3. Thank you.

MADORE: And we would basically move Item 2.3 to our Board, to Tuesday's agenda, this coming Tuesday.

STEWART: That's next Tuesday?

MADORE: This coming Tuesday.

STEWART: Do we have a date certain if somebody can tell me what next Tuesday is?

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MADORE: That would be December 1.

STEWART: December 1?

MADORE: Uh-huh.

STEWART: And that's a Tuesday regular Board meeting?

MADORE: Yes. Let me just confirm here.

TILTON: 6:00 p.m.

MADORE: And that's a first of the month meeting, so that would be at 6:00 p.m., December 1.

MIELKE: Are you talking about the hearing, not the Board meeting?

MADORE: Yeah, the hearing. A BOCC meeting here --

MIELKE: Yes.

MADORE: -- at 6:00 p.m., December 1.

MIELKE: There is no Board meeting next week.

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MADORE: Okay. So that's a motion.

MIELKE: And I second it.

MADORE: Okay. Any more discussion? Okay. All in favor of that motion which is to move 2.3 to our Tuesday hearing.

MIELKE: AYE

MADORE: AYE

MADORE: Is there --

STEWART: NO

MADORE: No. Okay. So the motion passes 2 to 1. Thank you. I don't have any other amendments to offer.

Is there any more discussion regarding that document? Okay. Hearing none, all in favor of approving the amended document.

MIELKE: As amended?

MADORE: Uh-huh.

MIELKE: AYE

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MADORE: AYE

STEWART: NAY

MADORE: Okay. Thank you very much. Motion passes.

Okay. That's the -- are we -- do we have any other action items regarding this to do today, are we missing anything?

COOK: That's your choice.

MADORE: Okay. So you're not aware of any. Okay. All right.

Well, first of all, I want to thank my fellow Commissioners. You notice any time we have a split vote, it means that we don't agree on something, and I respect Councilor Stewart's seeing things differently. That's okay. That's diversity in action, so I respect that. Okay. I believe that wraps up our hearing. We can move now to our Councilor communications. Who would like to go first?

STEWART: I'm going to pass.

MADORE: Okay. Councilor.

MIELKE: Real brief, I want to go back and thank everybody for being

here. I want to thank our staff especially. I know they've worked very, very hard with us. GIS has worked very hard with us. I want to thank the Planning Commission. As we've said before, we really appreciate them. We don't always see eye-to-eye, but we do appreciate them.

MADORE: Yes.

MIELKE: These decisions are not easy. They're hard. In this particular case, it's something that we've got to quit kicking the can down the road and start fixing it. Is this perfect? I don't believe so. But is it better than what we've been doing? Absolutely. And with that, Mr. Chair, I want to thank everybody.

MADORE: And I want to thank staff. Mr. County Manager, do you have anything to say?

McCAULEY: No.

MADORE: Our wonderful verbatim minutes taker. Is your name Ann?

HOLLEY: Cindy.

MADORE: Cindy. I should know that. I want to thank Cindy. Cindy, you've been here for six hours. Thank you. We appreciate

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you.

Okay. Is there a motion to adjourn? Is there a motion to adjourn?

MIELKE: So moved.

STEWART: Second.

MADORE: Okay. All in favor.

MIELKE: AYE

MADORE: AYE

STEWART: AYE

MADORE: We are adjourned. Thank you.

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David Madore, Chair

Jeanne E. Stewart, Councilor

Tom Mielke, Councilor

ATTEST:

Rebecca Tilton, Clerk of the Board

Minutes Transcribed by:

Cindy Holley, Court Reporter/Rider & Associates, Inc.