JOINT HEARING OF THE BOARD OF COUNTY COUNCILORS & PLANNING COMMISSION 2016 COMPREHENSIVE PLAN UPDATE TUESDAY, MAY 24, 2016

Public Services Center
Councilors Conf. Room 679 & 680
1300 Franklin Street
Vancouver, WA

6:30 p.m.

WELCOME; INTRODUCTIONS & PURPOSE OF THE HEARING

MORASCH: All right. Good evening. We are on tonight so we will start. Welcome to the May 24, 2016, joint hearing of the Board of County Councilors and Planning Commission. I'm chair of the Planning Commission, Steve Morasch, and I will turn it over to Marc Boldt, chair of the Board of County Councilors, if he has any introductory comments.

BOLDT: Thank you very much. Thank you Planning Commission, and thank you all for coming to our last night of testimony.

I think as we talked last time, I believe we're taking written comments till the end of business day tomorrow and then you will have one last opportunity to speak to the Council right before we deliberate in June. So with that, thank you very much. Looking forward to your testimony.

MORASCH: All right. Thank you. Oliver, is there anything from staff?

ORJIAKO: Good evening, Mr. Chair and members of the Planning Commission and the Councilors. For the record, Oliver Orjiako, Community Planning Director and tonight also I have counsel Steve DiJulio who will be with us throughout this process and be helping us answer questions that you may have.

Again, tonight is a continuation of your hearing from May 19th. What is before you are the proposed changes that we've made to the comp plan text, to the zoning maps. Included in that comp plan text, as I mentioned last week, are the community framework plan which is the first introduction section of our 20-year plan, that is a 50-year vision, followed by countywide planning policies which the County and the cities all came together to develop, and you have also 20-year policies that pertains to the unincorporated portion of the county. You have the

capital facilities plan that we've developed to support the plan. You also have the six-year capital facilities financial plan.

We've made some amendment to some section of County Development Regulation which is our Title 40. You have a copy of that. You have also proposed amendments to arterial atlas. And then within the capital facilities, you have the school districts, parks and also TIF all associated, that are associated with the capital facilities plan are all the items that are before you.

As I mentioned last week, the Planning Commission already took testimony on the school impact fees and their associated capital facilities plan with the exception of Woodland School District and also the recent change that the Ridgefield School District made to their CFP. The Planning Commission have also reviewed the traffic impact fees, although we made some changes given the adjustment that was made to the TIF district on the fact that Vancouver have gone their separate ways, and the parks impact fee is new. The Planning Commission has not acted on that. So all of that is what is before you.

As I mentioned last time, you had Issue Paper 8.1 which summarized all the proposed changes that have been made. And as I indicated last time, you got your binder 1 and 2. It seems very voluminous. My staff is kind enough to prepare me a draft of what the comp plan policies is going to look like, so I'm holding a draft here. You haven't made any decision yet, but I'm just assuring you by the time you finish and we followed your direction, it will look much smaller. Thank you. That summarizes my remarks.

STEWART: I have just a quick question. The documents that are at our place here tonight, are these new submissions for the public record?

ORJIAKO: I'm glad you brought that up. Yes, Councilor, these are all the comments both via e-mail that we've received since the last hearing, so we are putting that before you. You just received this one dated May 24th. So everything we've received until 5:00 p.m. today is what is before you.

STEWART: Thank you very much.

ORJIAKO: You're welcome.

PUBLIC TESTIMONY

MORASCH: All right. Thank you. Any other questions? All right. Well, with that, we will open the public testimony. Again, this is for people who didn't have a chance to speak to us last week on the 19th. Testimony is limited to three minutes, but if there's questions from either the Planning Commission or the Board of County Councilors that will come at the end and will

not count towards your three minutes, so please, when you're done, stay up and make sure there's no questions before you before you sit down.

Testimony – Elected Officials

And with that, we will begin with the elected officials. The first person on our sheet is Ron Onslow. Oh, and can you for the court reporter spell your last name for the record, please.

ONSLOW: My name is Ron Onslow, O-n-s-l-o-w. You can see it on a couple of buildings downtown from the past and I am the mayor of Ridgefield. And thank you very much, Councilors and Planning Commission for listening to us. I want to thank you for supporting our expansion request and you already have all the testimony that we've given before are on record.

Basically there's a couple of things in there that are really significant and one is the land is already subdivided into 18 buildable lots ranging in size from five to six acres. The land was studied as part of Alternative 3 and it's adjacent to all our current services, so it would be easily handled. It's our understanding and other than that the next thing is it's our understanding that the County is supporting a reduced minimum lot size for parcels zoned for resource uses.

As part of that initiative, a cluster provision and/or a building envelope may be a requirement, and we ask that they create a halo surrounding the existing urban growth areas where subdivisions of agriculture parcels with or without other requirements isn't, is not allowed. Ridgefield supports creating a halo surrounding existing urban growth areas where a subdivision to ten-acre lot sizes for agriculture is prohibited. This proposal will ensure that as Ridgefield expands in the future, larger parcels of land are available to attract economic development opportunities.

And regarding clusters, while we understand the need for innovative zoning techniques, under the GMA to reduce resource parcel size, we think requiring a cluster development will almost certainly guarantee future conflict between jobs and cluster property owners. And I can give you a perfect example of that. The Helens View moved in as a cluster years ago and they're right next to a chicken farm and a farm that has been there for many years and, of course, now the St. Helens, the Helens View property does not want the farm next to them, but...

And one other thing and that is we support the Ridgefield School District capital facilities plan and their school impact fee request. Ridgefield City Council has already approved this fee recognizing the greatly increased need for new school facilities, one of the fastest growing districts in the state. By adopting these fees, it ensures that all new families are paying the same amount for the same schools with their impact fees regardless of whether they are in the city or the county. And I want to thank you for listening.

MORASCH: All right. Thank you very much. Any questions?

MADORE: I have a question. I wanted to make sure I understood the cluster, your provision that you're trying to communicate there. As I understand, there's a cluster requirement as one of the options here and the other one is a cluster option and the question is, what do you prefer and you can clarify this?

ONSLOW: I can probably I can clarify it, but Mr. Niten could probably clarify it better than I.

NITEN: Thank you. For the record Jeff Niten, I'm the Community Development Director for the City of Ridgefield.

At this point I think we would prefer the option that allows either a cluster or the building envelope provision, but we would also ask, as Mr. Mayor Onslow's testimony reflected, that a halo be created around current urban growth boundaries where the subdivision is not permitted.

MADORE: Thank you.

OLSON: So I have a question. When you talk about the halo around the UGA, how big is the halo that you would --

NITEN: I would think a halo of one and a half to two miles would be appropriate to preserve future economic development opportunities and expansions for the cities.

ONSLOW: If you do that, it keeps intact acreage that can be used for jobs. If you don't, you end up with five-acre parcels which are really difficult to get people to have jobs. I mean, if they want to come in there, a big company does not want five acres. They want 20 or 30, so...

OLSON: Do you have an idea of that, and we can look into it later, but of that existing mile to two miles around the Ridgefield UGA, what those actual parcel sizes are in that? I mean, even if it's an AG-20 zone, are there actually 20-acre parcels or are there predominantly smaller parcels than that?

NITEN: I do not, but I can certainly put that together and have that available for you before the close of the record tomorrow evening.

OLSON: Okay. Thank you.

ONSLOW: We've had it. It's been before us before, but I can't give you a definitive answer there.

MADORE: I wanted to make sure that everyone else has an opportunity before I ask my question. Okay. The question is the halo that you're asking for outside the urban growth boundary for the sake of providing large acreage for jobs, the question is, the halo inside the urban growth boundary provision for that, are you recommending any changes that would make provision for that inside as well or only mostly homes?

ONSLOW: Well, we have, you'd probably be better at it to answer it than I, but we do have in our urban growth areas parcels set aside for jobs and we do have through our zoning or potential zoning, I guess you'd call it, that we would have for residential. So does that make sense?

MADORE: Okay. It would be an area I'd like to be able to have more conversation one-on-one with you at another time to learn more about the mirror affect leading by example. Thank you.

ONSLOW: Happy to do that.

STEWART: And I would like to know if there is a provision in GMA for this haloing. In my estimation, it's the first I've ever heard of that, so I don't even know if there's a provision for that. I mean, that doesn't preclude us from talking about the notion, but before we jump on this right here right now, we need to know what other cities are interested in. This is kind of a big deal to go outside the urban growth boundary and create yet another urban growth boundary, so...

ONSLOW: Well, it would be to preclude from having these -- what do you call them? I can't find it --

NITEN: Preclude subdivision down to 10 acres where currently it's an AG-20 zone and one of the proposals for the County's comp plan as we understand it is for 10.

STEWART: Sure. My thought is --

ONSLOW: Clusters.

STEWART: Clusters.

ONSLOW: I was looking for the word, clusters.

STEWART: Yes. So we certainly could never provide ourselves an option for Ridgefield that we would not provide the same or similar option for other jurisdictions, but I think -- I think the key is what's in the Growth Management Act, which I think is urban growth boundary, which I think the question would be why don't you make a request to expand your urban growth boundary? So we do have someone here that can maybe talk about if there's a provision for that in GMA,

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Mr. DiJulio.

DIJULIO: There's no specific provision Council Member Stewart; however, as I think the Planning Commission and the County Council is well aware innovative techniques are encouraged by the Growth Management Act and certainly Ridgefield has suggested an innovative technique. I'm not aware of it being employed by other counties, but that's not to say that it may not work. It is new to me as well, but again, innovation is encouraged and who knows.

BOLDT: Well, I think one of the things we did in the '97 plan is we employed the urban reserve especially around Yacolt and a few others and that's probably a thing that we should look at again.

ORJIAKO: That you're correct, Mr. Chair. That's what the County has employed and I think that withstood with challenge; however, when we employed the urban reserve and extended that urban reserve in areas that were identified and zoned as agriculture, we were asked to while retaining the urban reserve to in addition retain the agricultural zoning but put the urban reserve overlay on the ag. That satisfied the Growth Board when we were challenged. So that is one of the techniques that we've used.

ONSLOW: Yeah, I don't believe it was called a halo effect in the past. In the past year, it came up as a something for Washougal and Camas because --

MCCAULEY: Yeah. Yes, buffer. I think it was called a buffer zone.

ONSLOW: Maybe that's what it was, yeah. Got a new word.

STEWART: We get the point.

MORASCH: All right. Any other questions? All right.

ONSLOW: Thanks for listening.

MORASCH: Thank you for coming. And before I call the next speaker, I will ask everyone to spell their name for the court reporter. I should have said that in my opening remarks. I didn't mean to pick on one speaker individual speaker for that.

The next speaker is Bryan Snodgrass.

SNODGRASS: Good evening, Councilors and Planning Commissioners. It's B-r-y-a-n, S-n-o-d-g-r-a-s-s.

First of all, I want to thank you for your efforts and work in this lengthy process now coming to a close. I think although there's certainly been some controversy, it's important not to lose sight of many positive decisions that have had a lot of --

MADORE: Can you move your microphone closer.

SNODGRASS: Sorry. Important to not lose sight of various decisions that you've made that have community support and I think are beneficial to all, and I would put at the top of that list early in the process, you identified increasing the ratio of jobs to housing in the community followed up with growth forecast and land supplies that can help allow that to happen. I also want to recognize the work of staff. We understand the public process component of this is now getting some statewide recognition, which we applaud, as well as just our thanks for the forthright work that they have done.

We are here to recommend support for Alternative 3, which had been recommended by the Planning Commission twice in 2015. We don't -- Vancouver is not proposing or recommending any urban growth boundary expansion but does support the small cities and their efforts for targeted site-specific, primarily jobs-oriented expansions.

I want to make a couple of points about Alternative 3. One is that at least in our view, if you look at the numbers, it is certainly not a no or slow growth alternative. It's driven by ample jobs and population growth forecast that were adopted by the Board back in December 2013 and then increased in the following year in April, I believe, been supported by City staff and officials testifying before you since.

The forecast was -- the population forecast, as you know, was increased once as mentioned. It calls for 15,000 more people than the State Office of Financial Management projects is most likely to occur here. It would 130 -- about 130,000 people over the next 20 years. You're not required to adopt an annual increment of that, but what it averages out to is 1.26 percent. That's faster as you may have seen in some of the prior letters, but it's worth emphasizing than either the states of Oregon, the Portland metro region are planning for over a comparable time frame. It's a little bit faster than, in fact, Clark County itself has grown since the end of the national recession in 2010.

To ensure that there's adequate land to accommodate that population forecast, one of the decisions that the County has made is to increase its market factor of additional land that must be provided strictly for market reasons, not for environmental or others which are already accounted for in the analysis. And as you know, the Growth Management Act requires frequent or allows update, requires rather, updates every eight years, allows them more frequently to the land supplies and forecasts ensuring that if growth occurs faster than projected, the land is there.

In the rural area, the alternative provides opportunities through the rural industrial land bank, through growth in rural centers, through growth that I think the County has provided for through changes in rural zoning in recent years. These are not, admittedly, not as extensive as the opportunities that existed prior to the Growth Management Act, but certainly they are not those that would prevent growth from occurring.

Our concerns with Alternative 3 or 2, rather, are provided advisedly as a City. We would -- we support a dynamic rural area and we'd normally not comment; nonetheless, the recent information the FEIS concerns, some of the concerns confirms those concerns about Alternative 2. There would be 5,000 properties upzoned allowing for the creation of 8,000 lots primarily in resource zones. The FEIS found that the cost for the roads might be prohibitively expensive that would only be partially paid for by impact fees, would change the character of rural Clark County.

MORASCH: All right. Thank you. I hate to cut you off, but if I don't stop you - you've been over three minutes - and if I don't stop you, I'm going to hear it from other people. But I will, at this point, open it up to questions.

Councilor Madore.

MADORE: Mr. Snodgrass, you had two numbers, two parameters that you would prefer to change to increase the jobs ratio to housing ratio and the market factor. Can you tell me in contrast what we have now what you propose those numbers to be, those ratios?

SNODGRASS: No proposal for change. I'm supporting the decisions that this Board has already made to increase those.

MADORE: Oh, okay. So we're good like we are?

SNODGRASS: Yes.

MADORE: Thank you.

MORASCH: Any other questions? All right. Thank you very much.

Erin Erdman.

ERDMAN: Good evening. It's Erdman, E-r-d-m-a-n, with Community Development Director for the City of Battle Ground.

I just want to, as we've stated from the very beginning, we're in support of Alternative 3. We appreciate the consideration of our boundary expansion. We have some concerns about some

of the upzoning of the ag and forest lands, mostly the creation of the new jobs out in the county. We already deal with the traffic issue as it stands now, and with the possible creation of 8,000 new lots, this just increases that demand on our traffic system, so that is definitely a concern.

Also, as the City looks to expand in the future with the new 502 expansion of the freeway going west, there's quite a bit of AG-20 lands out there. Some of those are -- some quite larger parcels, so the division of those further and it being environmentally constrained as well makes it harder for us to develop those in the future for potential jobs.

We feel that the PC did a very good job last September of really going through the Preferred Alternatives and we're completely in support of what they moved forward the last time. And thank you for the opportunity.

BOLDT: Very good.

MORASCH: All right. Thank you.
Any questions?

BARCA: I do have a question. So your proposal for the additional land you want to bring in to the urban growth area is broaching west of 92nd. You have a contiguous line on 92nd right now. You have a significant amount of land that's already in urban holding that you're still holding on. Do you have plans to annex any of that in the near future?

ERDMAN: Our City boundary now is out to 92nd --

BARCA: Yes.

ERDMAN: -- so this expansion extends our boundary.

BARCA: Goes beyond that.

ERDMAN: Yeah.

BARCA: Right.

ERDMAN: We don't have an immediate plan to annex it at this point.

BARCA: Do you have a plan to annex any of the land that's in your urban growth boundary now?

ERDMAN: We have a couple of people looking to the north on some annexation, smaller areas

there that we're vetting through at this point. We are definitely looking to go west, but we have some infrastructure issues with sewer that we need to address at this point, yeah.

BARCA: True. All right. So the reason I'm asking the question is most of the other cities are working towards job creation and this one is talking about mixed use, I believe.

ERDMAN: It is. That was consistent with what we have in that area now. That gives us the opportunity. We are a little short on our residential property as well, so that provided us kind of that balance for the job creation and to give us some housing options as well.

BARCA: Yeah. Okay. That was the question.

ERDMAN: It's mixed use employment.

BARCA: Because you say you're short of residential land, but you have residential land that's available that could be annexed in now.

ERDMAN: Yes. That's short with what's existing in our urban growth area.

BARCA: The land that's being annexed is what's short?

ERDMAN: No. Overall as in our urban growth area as we do our grow, future grow out of that area, we are not short, but we're right -- we're really close, so... This just provided us a little bit of flexibility by bringing that in as mixed use employment.

BARCA: Okay. Thank you.

MORASCH: All right. Any other questions? All right. Thank you.

Next we have Rob Maul.

MAUL: Good evening, Council, Planning Commission. It's brighter in here. Robert Maul, for the record, M-a-u-l. I'm the Planning Manager with the City of Camas.

I would like to echo many of the statements made by my partner cities. I do want to continue to thank them and appreciate the support of Oliver's staff as we've navigated through this process. The City of Camas was not and still not asking for any urban growth boundary expansion and we do still support Alternative 3.

While we don't have any formal position on any sort of a halo, if you will, you know, generally I think with most cities, there is a concern about the addition of continued parcelization of cluster developments that would abut city areas, because once boundaries are expanded and

they are included in future urban growth boundaries, they do present redevelopment challenges, not only from the parcel size and location, but just on in terms of public infrastructure. They tend to be inconsistent with city standards versus county standards whether it's, you know, lack of sidewalks and streetlights and things like that, so... Otherwise, we are very close to landing the plane in our end and we appreciate the continued dialogue and support from the County.

MORASCH: All right. Thank you. Any questions?

MAUL: Thank you.

MORASCH: All right. Thank you very much.

Testimony - Schools

Now we're moving on to schools. Helen Charneski.

CHARNESKI: Good evening, Planning Commissioners and County Councilors. Charneski is C-h-a-r-n-e-s-k-i. I am a contracts and purchasing manager in Camas School District.

Camas School District has a current enrollment of 6,850 students. In the next six years, we project that we will increase by approximately 1,050 students. Camas School District provides public education and services in six elementary schools, two middle schools, one comprehensive high school and one alternative high school. The district also maintains offices, transportation facilities, a warehouse, grounds building and shop.

Over the last six years, the district has experienced an increase in student population. While other districts may have experienced a flat growth rate during the economic downturn, Camas experienced an average student population growth of approximately 2 percent per year. Our school board held hearings in 2015 to consider our capital facility plan and the impact fees that were calculated. In May 2015, the Board adopted the plan and requested that the cities we serve, as well as Clark County, adopt the plan at the recommended impact fees in the amount of $5,371 for both single and multi-family dwellings.

In February 2016, Camas voters passed $119 million capital projects bond to fund a new high school, a replacement elementary school and for the purchase of property to house our growing middle school population. An important component to the passage of this bond in our community was the district's commitment to increase impact fees to help fund construction costs.

The majority of the costs for capital facility improvements will be paid for with bond proceeds and State construction funding assistant funds; however, school impact fees remain a critical

source of funding which specifically addresses growth. The cities of Camas, Washougal and Vancouver have adopted and are assessing school impact fees at the amount the school district requested.

The Clark County Planning Commission recommended these fees be collected in the county. We are respectfully asking the Council, the County Council to do the same. Do you have any questions?

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

CHARNESKI: Thank you.

MORASCH: Jennifer Halleck.

HALLECK: Thank you very much. Jennifer Halleck, H-a-l-l-e-c-k. I'm with Vancouver Public Schools.

Vancouver Public Schools currently has about 22,500 students. We have 21 elementary schools, six middle, four comprehensive high schools, two 6-12 magnets, an alternative school and a Flex Academy, rather large district.

Our capital facilities plan was developed from October 1, 2014, and in that plan we show that we have capacity at our middle and our high schools. Our elementary schools are where we are lacking capacity. A total of 1,011 elementary school students do not have a seat set aside for them in elementary. Our capital facility plan shows growth of approximately 151 new students over the next, elementary students, over the next six years and so we only have an impact fee request at the elementary level.

Our single-family impact fee in 2011 went before you and was passed at 1,523; our 2014 request is 2,880. Our multi-family was 845; our 2014 capital facility impact for multi-family is 2,381.

As adopted by our elected Board of Officials in February of 2015 and by the City of Vancouver in December 2015 and is being recommended by your Planning Commission here, we ask that you adopt the Vancouver capital facilities plan and associated impact fees. Thank you.

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

Peter Rosenkranz.

ROSENKRANZ: Good evening, Planning Commission and County Councilors. My name is Peter Rosenkranz, R-o-s-e-n-k-r-a-n-z. I'm the Director of Special Education for the La Center School

District and I'm here at the request of our superintendent, Dr. Mark Mansell, who is attending a La Center School Board meeting tonight.

The La Center School Board -- La Center School District serves approximately 1600 students, preschool through 12th grade, and continues to grow in enrollment each year. At this moment we are beyond facility design capacity resulting in an increase number of portable buildings being required. Additional growth will require even more portable classrooms. This is why our district is taking the following positions to help pave the way for expanding our school facilities in the future.

We ask that you approve the City of La Center's request to change the urban growth boundary. The City's request includes a parcel of land adjacent to the UGB that is owned by the school district and earmarked as a site of a future elementary school. Approving this UGB change will allow all of our schools to be within the city limits and thereby served by just one government entity. More importantly, this change will allow our new school to connect to the City sewer system thus saving us long-term costs.

Second, we ask that you approve our school board's request to increase the impact fees to the maximum allowable under the formula described in Marnie Allen's report. Even though our single-family impact fee request is less than previously approved, our board is asking for the maximum impact fee allowable by the formula.

In conclusion, on behalf of the school Board of Directors and Superintendent, I want to thank you in advance for consideration of these requests.

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

Joe Steinbrenner.

STEINBRENNER: Joe Steinbrenner, Washougal School District. S-t-e-i-n-b-r-e-n-n-e-r. I'd like to thank you for the opportunity tonight.

Washougal School District has a current enrollment of 3,104 students. We expect that number to increase in the next six years to 3,389. Our capital facilities plan that we're asking Clark County to adopt identifies the facilities we need to build to serve our students and their families.

As reflected on Page 9 of the CFP, we're in the process of constructing a new elementary school, a new replacement middle school, a new replacement alternative high school, adding high school portables, purchasing future school sites, enlarging our maintenance warehouse and replacing our transportation facility.

In February of 2015, the Washougal community supported a bond to fund needed improvements. At that time the anticipated cost of the improvements was $57 million. Now with the rapid escalation we're seeing in the construction industry, the cost is anticipated to be closer to $62 million. We will be using impact fees to help make up this difference.

The Washougal School Board, Washougal City Council, Camas City Council have all adopted our requested fee amounts. Now we request that Clark County adopt the same fee amounts of $5,600 per single-family unit and $5,800 per multi-family unit. I'd like to thank you for your consideration.

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

Sandra Yager.

YAGER: Good evening, Planning Commission and County Councilors. My name is Sandra Yager, Y-a-g-e-r, and I'm the Superintendent of the Hockinson School District.

Our lovely district serves about 1700 students every day. We actually are one of those districts that has -- for the first year we are not decreasing, so we're kind of excited, but we had had a decline in enrollment for the last six years and we have lost about 300 kids, but this is all about to change. As you probably know, we have about six new subdivisions coming into our little district adding about 868 homes with a conservative, you know, idea of about one kid per home. That could take our district to a number that we have never seen before. Our highest number of students ever served was 2,000 and this could be a conservative of about 2500.

As you know Hockinson did pass a bond. Our community has been very supportive and passed a bond last year of very short of $40 million. We are building a new middle school. We actually just opened the bid. And to echo to what my Washougal colleague had just said, our bid came about a million dollars over what we expected and that is the lowest bid. The other three were $3 million over what we had planned and expected. So certainly our impact fees are a critical piece of how we can continue to house our students, and that also, you know, adding the addition of the class size reduction, which is wonderful, also adds another stress to, you know, our potential needs for facilities.

Hockinson has approved, as you know, a single-family fee for impact fees of 5906 and multi-families of 1617. The Clark County Planning Commission recommend these fees be collected by the County and I respectfully ask that you approve the same. Any questions?

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

YAGER: Thank you.

MORASCH: Nathan McCann.

MCCANN: Good evening, Council members, Planning Commission members. Nathan McCann, M-c-C-a-n-n. I'm the Superintendent for the Ridgefield School District.

Our district approximately serves 2400 students currently. We house them in two elementary schools, a middle school and a high school. Currently all four of those schools are over their listed capacity. We anticipate conservatively 1342 new students in the Ridgefield School District during the time of this capital facilities plan.

The Ridgefield community is experiencing very rapid growth. We're going to see student enrollment increases of approximately 60 percent during this next six years. Just within the City of Ridgefield alone, there will be 300 or a little more single-family housing permits issued, and the Ridgefield School District encompasses a fair amount of land beyond the City of Ridgefield's limits.

We need to prepare for the students that are coming to the district; in fact, we have 11 portable classroom units each housing two classrooms per portable that are coming to the district for the '16/'17 school year. We had our capital facilities advisory committee just make their recommendations to the school board earlier tonight, that includes a recommendation for a bond election in February of '17 that will include a new intermediate school and a new middle school as well as an expansion to our high school. We desperately depend on school impact fees to help augment those costs, very little, in truth, because this will be about $100 million bond as well as pay for the immediate growth that can only be served through the portables.

The community of Ridgefield expects new development to pay its share. The City has, Planning Commission and City Council in Ridgefield have accepted our capital impact fee request of $6530 for a single-family and 6500 for a multi-family dwelling as well, and we respectfully request that the County Council accept our recommended impact fees as well. Thank you.

MORASCH: All right. Thank you. Any questions?

QUIRING: I have a question. Is this the original impact fee?

MCCANN: This is not. We came to the County Council with a fee that was significantly higher. As you may remember, it was had a two-step increment going up to 11,2 for a single-family and we worked with our City Council and came to one that was more comfortable for our city officials.

QUIRING: Thank you.

MCCANN: You bet.

MORASCH: All right. Any other questions?

STEWART: Is that the one that is in our notebook?

MCCANN: You'd have the updated one, yes.

ORJIAKO: That's correct, Councilors.

STEWART: The corrected one?

ORJIAKO: Yes.

STEWART: Thank you.

MORASCH: All right. Thank you very much.

Sue Steinbrenner.

STEINBRENNER: Good evening, Planning Commissioner and Councilors. Thank you for the opportunity. It's Steinbrenner, S-t-e-i-n-b-r-e-n-n-e-r. I'm the Director of Facilities at Evergreen Public Schools and appreciate the opportunity to be here before you.

Evergreen, we serve just under 26,500 students in 21 elementary, six middle schools, four comprehensive high schools, an alternative school, a magnet school and we have some home schooling opportunities as well. So I wanted to talk just a little bit about the school construction assistance plan.

The way that districts pay for new construction is we have to pass a bond which is a super-majority, 60 percent vote. Evergreen has not had success passing a bond since 2002. We went out in 2008 but failed. The State does provide a match, but in order to get that match for construction, you have to have unhoused students, which explains why there are so many portables throughout our county. Unfortunately Evergreen has about 370 portables to kind of make up for that expansion before we're able to build in bricks and mortars, bricks and mortar.

I did check the numbers, about 34 percent statewide, the State match for construction was about 34 percent of all the new construction in the state since 2010. Someone had asked what percent is State match, it really varies by district. Impact fees pays a very small percent of the new construction. We were able to use some impact fees on our new high school in 2013 and then also when we lost a school to a fire, we were able to expand by about 14,000-square foot, so we did use a percentage of impact fees for that.

Our school board really struggled with reducing the number from the multi-family. As you know, it's significantly up. What our board really struggled with was affordable housing and taking that money away from the development paying their proportionate share of growth. Our school board, it was a difficult decision, but they felt like if they were to reduce the multi-family impact fee, some of the resources that go toward family resource centers and support for our free and reduced kids and kids in poverty would be diminished.

We are working with the Vancouver Housing Authority to create incentives for families in affordable housing so that they stay there and, you know, part of the problem is that they're so transient. Impact fees are intended to pay the proportionate share of development, but it is really a pretty small cost in the overall construction. We have been to Vancouver and the City of Camas. They've adopted our fees, and we're respectfully requesting that you also consider adopting 7641 for multi-family and 6100 for single-family.

MORASCH: All right. Thank you. Any questions?

MADORE: I have a question. We've had a number of school districts indicate the percentage of impact fees of the total is very small. Do you know about what that is?

STEINBRENNER: At HeLa High School it was about 20 percent, which is high for a high school. Crestline, that was a replacement school - it was a fire - so it's not really accurate. The thing with the State match, 34 percent is only of construction, so there's about 30 percent of soft costs and land acquisition. None of that is covered in the State match of the construction. So that 34 percent isn't really 34 percent of the total project costs, which makes the impact fees go up a little bit more, but not much. It really varies by school.

MADORE: Thank you.

STEINBRENNER: We're really trying to focus on bricks and mortar and not put money into portables.

MADORE: Thank you.

JOHNSON: Can I have a clarification. You said 370 portables?

STEINBRENNER: 370 portables.

JOHNSON: All used, not just -- I mean, there are students in 370 portables?

STEINBRENNER: Uh-huh. And the majority of those are from the mid '90s.

JOHNSON: Yeah. Thank you.

MORASCH: All right. Thank you very much.

STEINBRENNER: Thank you.

MORASCH: Marnie Allen.

ALLEN: Good evening, Chair Morasch, Chair Boldt, County Council and members of the Planning Commission. My name is Marnie Allen, A-l-l-e-n. I'm an attorney. I represent all ten school districts in Clark County. I represent them in land use, facility planning and impact fee matters, and I calculated all the school impact fees for all ten school districts that are before you.

I want to touch on just a few things. First, I want to thank County staff, Oliver, Gordon, Jose, Laurie who have been very collaborative and professional in working with the schools. You have a lot of representatives from school districts here. The partnership between the County and the school districts is critical to making sure we have quality schools in our county, that we're planning for them, that we're funding them, that we're talking about and recognizing land needs, all of those issues.

Impact fees are calculated using the same formula, so I use the same formula to calculate every impact fee that's calculated for the school districts. The amount of the impact fees vary because the facility needs and costs and growth and property taxes in every district is different.

So in Vancouver, if you're growing slower and only need to add capacity to build elementary school, you're going to have a lower impact fee; whereas in Ridgefield, if you need to build elementary, middle and high school and you're growing at over 60 percent, those costs and facility needs are going to go up.

This year you've heard from most of the districts. You've seen their calculated school impact fees. You're seeing an increase in the multi-family fee, and in a lot of cases, it's higher than the calculated single-family fee, and you may be wondering why.

There are two primary reasons why multi-family fee calculated amounts have gone up. The first is there are more kids living in multi-family housing units in the county. There's been significant growth in the amount of multi-family that's built, but then kids that are living in those housing units.

The other reason is because the impact fee formula itself recognizes property taxes that will be paid as a primary source of funding schools through bonds. So the formula recognizes and provides a discount when you calculate the fees based on the amount of taxes. The amount of taxes that are paid by the owners of multi-family housing units is significantly lower than the

amount of taxes that are paid for single-family homeowners.

So if you're paying more in property taxes, you're going to pay less in an impact fee. If you're paying less in property taxes, for example, with multi-family housing units, you're going to pay a higher -- or the formula's going to calculate a higher multi-family fee.

I'm almost out of time. I want to just stress three points. One, quality schools are essential to the quality of life in our community and to economic development and to everything that we're all trying to accomplish. School districts can't build and provide quality schools without school impact fees. There are only three funding sources: property taxes, State match and fees. Fees are critical. We're asking that you adopt and collect the fees.

We want to thank the Planning Commission for your deliberate and great discussion on impact fees and recommendations and want the County Council to adopt those same fees.

MORASCH: All right. Thank you. Any questions?

QUIRING: I have a question. I just want to clarify where the formula comes from. Is it legislative? Is it created by the group of schools that you represent?

ALLEN: It's legislative, but it's in the County's ordinance and in the cities ordinances, so it's local legislation. It's the same formula in all the counties and cities throughout the state.

QUIRING: Okay. Thank you.

MADORE: I have a question as well. When it comes to the formula, is it one formula that defines both single-family and multi-family and then there's some discretion as to how it gets mixed, or can you describe that?

ALLEN: Sure. The formula's the same, but you calculate the fee amount for single-family and multi-family separately but the cost for construction. So you start off with how much is it going to cost to build a new school.

So, for example, in Hockinson, if it's 30 million, it was about $30 million to build a 500-student middle school, the formula says 30 million divided by 500 students is $60,000 for one student. So there's $60,000 for one student at the middle school. That's the same in single and multi-family.

Then what the formula does is it says what impact is housing having so that we're charging multi-family and single-family for their impacts, and we calculate that by looking at the average number of students living in a new single-family home and in an apartment. So if there are .5 students across the whole district living in a single-family home, .5 of the $60,000 would be

then allocated to a single-family home. If there's .7 students living in an apartment unit, .7 of $60,000 is going to be allocated to an apartment.

Then the formula provides a discount. We subtract amounts that each district are going to get in State match and we subtract an amount for property taxes. In the formula, the way you calculate the property tax deduction is based on the average assessed value of a single-family home and a multi-family unit. So you'll use the district's tax levy rate and their average assessed value.

But, for example, in the Camas School District, the average assessed value for a single-family home is about $340,000. So if you use their tax levy rate and that average assessed value to provide a credit or a reduction for taxes, it's about $9,000 that comes out of that 60,000 that was allocated. The average assessed value for one multi-family unit in Camas is about, I think, it was $70,000. So when you do that same calculation, there's about a $3,000 reduction in the formula for taxes for multi-family. That's what drives the multi-family fee up higher is there's less in property taxes.

MADORE: Are each of the school district formulas, the show your work documents, published online somewhere, are they available to us?

ALLEN: They are. They're submitted with the capital facility plan. There's Appendix A to the plan you have.

MADORE: They're a part of?

ALLEN: Yeah.

MADORE: Okay. It would be good if we could receive a link that would point us exactly to those for our education. Thank you.

ORJIAKO: I will certainly do that. I think what Marnie is also saying that when you, in the package that we've provided the Planning Commission and the Councilors, you look at each of the school districts, the formula is in there and the calculation is in there, and I believe in working with the school district and Marnie in particular, we've developed a spreadsheet that is available that you can plug in the numbers and it automatically does the work for you, so we will provide that to the Councilors.

MADORE: Thank you.

MORASCH: All right. Any other questions? All right. Well, thank you very much.

Next we have MaryBeth Lynn.

LYNN: Good evening. I'm MaryBeth Lynn, L-y-n-n, and I'm the Assistant Superintendent of Finance and School Operations for the Battle Ground School District.

I appreciate the opportunity to be here this evening and tell you a little bit about the work our district's done to plan for school facilities that are needed to address the growth throughout the county. Right now Battle Ground School District serves about 12,500 students. We have six elementary schools, six middle schools, one K-8 school, two comprehensive high schools and three alternative schools. These schools have permanent capacity, so not counting the modulars and the portables, we have permanent capacity to serve 11,598 students.

In the next six years we conservatively estimate that we'll have 600 new students coming to our, to schools in our district. I figure that that is very conservative knowing the construction currently occurring within the district, particularly at the south end of the district. We see a lot of homes and apartment complexes coming in that will have a major impact on Laurin, Glenwood, Prairie High School and the Pleasant Valley Campus. We need to build two K-4 primaries, two 5-8 middle schools and we need to add capacity at Prairie High School to serve these students. The cost to build these school facilities is estimated to be around $97.5 million.

We've had a community advisory group, we call them the FIT Team, Facilities Improvement Team, and that team has met on an almost weekly basis for the past one and a half years and they recently made a presentation to our school board on the need to run a bond. Their recommendation is run a capital bond ASAP. School impact fees are a critical source of funds for us to build the schools that are required to serve the forecasted growth.

Back in 2010, our impact fees were as high as $9,880 for a single-family home. As you're probably aware, we built some schools, opened some new schools, and once we did that, some of the pressure was off and the fees decreased to 5,128 per single-family home. Well, the growth is back and there's a need for additional facilities bringing us to the rate we're asking you to approve this evening.

In 2015, our school board held hearings to consider our capital facilities plan and the impact fees that were calculated. Our board adopted the plan and requested that the cities we serve in Clark County adopt the plan and recommended impact fees in the amounts of $6,397 per single-family home and $2,285 per multi-family unit.

The Clark County Planning Commission recommended these fees be collected in the county and we've been to the City of Battle Ground and the Town of Yacolt which have both adopted the plan. We respectfully ask that the County Council do the same.

MORASCH: All right. Thank you. Any questions? All right. Thank you very much.

LYNN: Thank you.

Testimony - Public

MORASCH: Okay. Moving to the general citizen testimony. The first person on the list is Tracy Rude.

RUDE: My name is Tracy, T-r-a-c-y, Rude, R-u-d-e. I'm hoping my voice holds out. It's been a little rough. I serve as a consumer member on the Public Health Advisory Council.

MORASCH: Can you speak up, please.

RUDE: I'll try.

MORASCH: Maybe speak a little closer to the mic.

RUDE: Is that better? Oh, yeah.

MORASCH: Yeah. Thank you.

RUDE: I serve as a consumer member of the Public Health Advisory Council and I would like to talk to you about the Growing Healthier Report. I serve also as a volunteer in Clark County with the Medical Reserve Corp, the Trauma Intervention program. I'm a nurse. I'm a teacher. I teach in Evergreen School District. I also serve at the pleasure of the Governor on the Nursing Care Quality Assurance Commission in this state. I also serve on the National Council of the State Boards of Nursing. I most importantly am a wife, a mother and a grandmother.

As a result of my local, state and national participation, I have a bit of a unique view of my community and what happens locally and the ripple effect throughout the country and the global community as well. I've been, through my volunteer opportunities, to some of the finest homes in Clark County and as well to some of the most poverty stricken areas we have in the county. I serve without judgment, but I am able to see what can happen in areas where the built environment has impacted the residents.

I am in support of the Growing Healthier Report's inclusion in the comprehensive growth and management plan and would ask you to support the work it charged its staff and the volunteers to do. They've done their jobs and due diligence in this project. Thank you.

MORASCH: All right. Thank you very much. Any questions? All right. Thank you for coming.

Next we have Bill Ritchie.

RITCHIE: Thank you so much for allowing me to have this time. And it was Bill Ritchie, R-i-t-c-h-i-e. I'm the chairman of the Commission on Aging for Clark County.

Councilor Boldt sort of got this thing going and put together an Aging Readiness plan which was adopted in 2012 with all kinds of forward-looking thoughts about what Clark County needed to do vis-à-vis aging. You should have in your packet a letter from us that highlights things in your comprehensive plan that we think are exceedingly significant to help people aging going forward.

There are 11,000 and change people turning 64 every single day until 2030, and we are going to have a significant portion of those people in Clark County, many moving from Oregon for tax purposes and other things in retirement. And we -- we have the opportunity to do some exceedingly exciting things if we just get ahead of the curve and especially in relationship to housing and Chuck, who helped, was a part of the Americans with Disabilities Act who will also testify tonight.

There are things that we need to do proactively. A year ago I spoke to the Commissioners about things like ADUs and the fact that in going forward in time for a lot of seniors in their golden years, there's more years than there is gold, and that's one of the ways to help supplement income, and yet in half of incorporated Clark County, you can't have a stove in an accessory dwelling place. It makes no sense. You can have it everywhere else in Clark County. Little things like that. Other things in code especially when it comes to accessibility which has been called Universal Design, but really making homes accessible.

More and more what is good for the older is good for the younger. You know, levers instead of turning doors are really good for people who have groceries in both hands as well as for people who are have arthritic hands. But when Chuck went out to visit a new subdivision in Camas that was touting their granny flats, he couldn't get into the house with his wheelchair. And you say what sense does this make? What's a granny going to do if she gets in a wheelchair, how is she going to get into her flat? And so we have to be proactive about that.

And we're excited about the fact that we're in a place in a county and the people who can do that. So I say here here for you guys. Go for it and help the rest of us move forward. Thank you.

MORASCH: All right thank you. Any questions? All right. Thank you very much.

Val Alexander.

DYRLAND: My name is Richard Dyrland, D-y-r-l-a-n-d. I'm speaking for Val Alexander, A-l-e-x-a-n-d-e-r.

ALEXANDER: I've lived on my property northwest of La Center for more than 50 years. I have seen many changes through the years as lots were developed around me. Almost all of them were five-acre lots so there was quite a few new wells to be drilled. I had a good supply of water from my first well until more and more houses were allowed, suddenly my well dried up. I did everything I could to bring it back, had it fracked and some other techniques used also in the '70s to assist well output but nothing worked.

By this time I had bought some other property around me and so I had to pipe water from another well at the south end to the northern property where I had a house. I am one of the lucky ones since I could do that. Most other people do not have that option.

For those of you who will be deciding on which option to choose, I'm hoping you will take seriously the damage that will be done to existing rural residents if you allow 8,024 new families to establish homes in rural Clark County. There's a crisis in the groundwater supply and the County, as indicated by Dennis Dykes, a hydrologist in the Department of Ecology, take the risk, many existing homes will lose their water supply and it is an incredible irresponsibility.

Try to put yourself in that situation. Some would have to move away, abandon their homes, since one couldn't easily sell a lot without a water supply. You'll have to choose between protecting the present rural residents or trying to please a small group of vocal greedy landowners who want to profit from land sales.

Last summer several of my neighbors ran out of water. One of your responsibilities is to protect farm land and farmers cannot make a living by having to pay for public water. Please study the water situation as described by Ecology and Dennis Dykes before you ignore the needs of present residents who have no access to public water. Thank you, Val Alexander.

MORASCH: All right. Thank you. Any questions?

BENDER: Yeah, I've got a four-part question. How deep was your original well?

ALEXANDER: 149 feet.

BENDER: Okay. And it's original flow?

ALEXANDER: Five gallons a minute.

BENDER: Okay. And date when the change started when you finally abandoned the well?

ALEXANDER: In the 1970s.

BENDER: And when you abandoned it, when you gave up on the well?

ALEXANDER: Yeah.

BENDER: Okay. It appears that you're not into the Troutdale aquifer then, you're into the higher aquifer?

ALEXANDER: I don't know.

BENDER: Okay. Thank you.

STEWART: It depends on where she lives.

MORASCH: All right. Any other questions?

MADORE: Yes. The new well that supplies you water, has that solved your problem and how deep was that?

ALEXANDER: 150 feet.

MADORE: 150. Okay. Do you know how many gallons per minute and when that was --

ALEXANDER: Five.

MADORE: And the problem has been solved for your particular parcel?

DYRLAND: She has to be very careful how she uses her water.

MADORE: Thank you.

MORASCH: All right. Any other questions? Okay.

Mr. Dyrland, I see you signed up. Did you wish to testify individually as well? Mr. Dyrland.

DYRLAND: Not at this time. I'll submit a paper tomorrow.

MORASCH: Okay. Before close of business.

DYRLAND: Yes.

MORASCH: All right. Thank you very much.

DYRLAND: What's the time on the close of business?

MORASCH: Oliver?

ORJIAKO: 5:00 p.m.

MORASCH: 5:00 p.m.

DYRLAND: Thank you very much.

MORASCH: All right. Thank you.

So then that brings us to Chuck Frayer.

FRAYER: Thanks. I'm Chuck Frayer, F-r-a-y-e-r. I'm with the Commission on Aging and I'm the chair for the Housing Committee.

I'm here tonight in support of the recommendations for the Aging Readiness into the 2016 comprehensive plan. As Bill mentioned, about 11,000 people a day turn 65. Just think about that number: 11,000 people per day turn 65. About 5,000 of those are retiring each day. I happen to be in both camps right at the moment, just turned 65 and I'm retiring. And we all know that in the Pacific Northwest, this is becoming the mecca for moving here and retiring. Yes, they're coming and they probably are already here.

The Commission on Aging has been -- the Commission on Aging has been in -- has been working with our community over the last four months and many aspects of looking at housing. We have learned that over 87 percent of individuals, if given the chance, want to age in place, 87 percent. Again, another huge number. And I would bet that most in this room tonight would definitely want to do that.

We learned that many experts now believe that the communities that best -- that fair best tackle the challenges and embrace the possibilities that are created by a population as it ages. That's really important. Think about that, as it ages. We have also learned that what aging in place means.

I personally really thought many years ago I knew exactly what it meant, but over the last five, six months, I've learned differently. And what that is is achieving a physical, emotional and social methods of living within our neighborhoods and our communities.

MORASCH: All right. Well, I have to cut you off because you're out of time, but I appreciate you coming. I'm going to open it up for any questions.

BLOM: I have a question. First of all, thank you and your committee for the work on the

report. I think it's a fantastic product and it mirrors a lot of what's seen and real on the ground.

As I read through the report, the take-away that I have from it is that it's primarily focusing on education, helping people understand what it means to age in place, as you said, and allowing the market to respond to that, absorb that information. It's not about mandating it and saying this is how you have to build, this is how you have to do things, but it's about providing education so that decisions can be made to better reflect what really is the market. Is that how you would summarize the report as well?

FRAYER: Yes. That's the best hope. Okay. That's the best hope.

Now then, is the market moving fast enough? You know, that's the question. Especially whenever you're talking about 11,000 people per day, you know, and half of that retiring and what that means in 10, 15 - just think about it - 10, 15 years from now where we're going to go and be. Where are we going to be? You know, I think yesterday we were way behind. We were way behind and I'm not sure by us allowing to watch the marketplace adjust to it is going to work fast enough for us because I believe, I personally believe we're way behind.

And we know that there are a number of things that we can go and do right now then that basically cost no money for us to go and enhance the livability of homes being built today. I mean, within, you know, to spend an extra $1,000 on a $400,000 home means what? Nothing. It's not even a penny, so...

So I truly believe that, you know, we have to really be looking at what we're calling visibility and trying to adapt some of our -- of where we're going to to adjust to the marketplace. And the marketplace is moving in that direction, but it's moving way, way, way too slow.

MORASCH: All right. Any other questions?

BENDER: Yeah. The 11,000 and 5,000 number, is that the 50 U.S. states that you're talking about?

FRAYER: Pardon? Yes, within the United States.

BENDER: Okay. It doesn't count Canada or anything else?

FRAYER: No. No. That's just -- that's just here. That's just here, yeah.

BENDER: Thank you.

MORASCH: All right. Any other questions?

MADORE: I have a question for Oliver Orjiako regarding the Aging Readiness Report. I'd like to know, is that recommendations and encouragements that translates to shoulds or are there policies that translate into mandates?

ORJIAKO: Councilors, I believe it is policies that encourages, supports. I have to be more specific when I look at the proposed language, but I believe that those are encourage, support, enhance.

MADORE: Thank you.

QUIRING: So I would have a question then. How do you encourage? Are you going to give incentives, tax incentives to build Universal Design homes? How are you going to -- what was the other word? -- encourage is one. What was the other word?

MCCAULEY: Enhance.

QUIRING: Enhance?

ORJIAKO: Enhance, support, encourage.

QUIRING: Support. Okay. So does that mean that as a government, as the county, we're going to be doing some financial incentive?

ORJIAKO: No. If we look at the work that the Commission on Aging is doing and the appointment of the Commission on Aging, I think that's the way that the County is encouraging that they continue to find ways to implement the strategies that are in that plan, if I may use that as an example. They are advocating our time bank, for an example, is something that I've taken up and it's now running in the County among other areas when compared to other states. That is a good outcome of the work of the Commission on Aging.

The Universal Design (inaudible) that they develop, it's out there. It doesn't mandate home builders to do anything. It just provides information and encourages those that want to do it. As Mr. John Blom was alluding to, there are some developers who are doing that in their model and people are picking up and learning and wanting to do the same thing. That's how you encourage and support that effort.

I think as the chair of that commission mentioned, it was something that the County under leadership of the Chair, Marc Boldt, saw the need to look at what is happening nationally and here locally and then back on what do we do. And I think you're aware that that report have been championed at the State and so many of the Commission on Aging are using that at the State legislature as a model.

So I think when you talk about encourage, that's what staff mean by encourage. You look at the language that is in the comp plan. It doesn't mandate the County to require or any of that. It's just encourage, ensure and continue to support the Commission on Aging and their work.

FRAYER: And we put out a small booklet of ideas --

QUIRING: Yeah, I saw the booklet.

FRAYER: -- which is part of our --

QUIRING: I've seen it.

FRAYER: -- part of that, you know.

QUIRING: I think, actually, I believe that the education process is an important one. That's the most important one, that people know, that people prepare. I mean, I think we all know when we turn 65, we know when we're going to choose to retire; therefore, we can plan ahead for that.

Now, if there isn't a supply of the kind of home that we want to live in, certainly that has to be made known to the building industry, but supply and demand in a free market economy is really the important factor, and I feel like if the -- if this is written into a comprehensive plan what is going to happen over time is those words are going to be changed and it will, I believe, at some time down the road become mandated and I just wouldn't agree with that.

ORJIAKO: I have no comment. I will only add that my staff and the Commission on Aging have partnered with Clark PUD in the Marrion neighborhood and others to do weatherization of seniors because that's an area that -- predominantly areas that senior citizens live, and the work that came as a result of that, I believe without really looking at the numbers, have weatherized more than 300 homes, you know. There are things that the Commission on Aging have done as a result of that work.

I believe those that live in those areas would really be proud of my Community Planning partnering with Clark PUD and the Commission on Aging, some members of that commission to do that effort. I can't speak to what the language will change. If you look at the language that is proposed and have any way you want to word that, that, I think, that's the purpose of this hearing. I don't think it will separate what the Commission on Aging is doing when we are looking at this comprehensive plan and looking forward and not being reactive, but being more proactive, I think that says a lot for what the County is trying to do.

MORASCH: All right. Thank you. I'd like to kind of refocus back to questions. It seems like we're getting a little bit into deliberation. We should probably save that for next week.

But are there any other questions for --

ORJIAKO: I appreciate that.

MORASCH: -- for Mr. Frayer? All right.

FRAYER: The only thing I'd like to go and add is that, you know, the Americans with Disabilities Act has been around for 20-plus years. We've been educating for 20-plus years and many, many people still don't know how to spell that.

MORASCH: All right. Well, thank you very much for coming.

Fred Pickering.

PICKERING: Good evening. My name is Fred Pickering. That's F-r-e-d, P-i-c-k-e-r-i-n-g.

And a couple of things I'd like to address is, one, the map on -- I should clarify that my expertise and my concerns are the forest and agriculture areas and especially in the rural part of the county where I've spent the last 49 years. The map over the last 22 years has been pretty much in error as far as parcel size in the forest and agricultural zone in the northern part of the county. Now, that was corrected on Alternative 4, but that got thrown out so we've lost that corrected map, and I'd love to see the thing come back.

The other thing I've heard quite a bit of talk on clusters, and I have some mixed feelings about clusters. If I was going to sell the farm and move out, move away from it, I might be inclined to cluster, but I would not be inclined to cluster on a piece of property that I wanted to live on because the difference in demographics are the people that you move in. You're moving in people that want that small piece of ground that are not connected to the farming community. It's a different group.

I feel that our major crop that we produce on our agricultural lands in the county is the next generation, and the way we produce that next generation easiest is on small farms, 4-H and getting people on, getting the young people on the ground to be part of that agriculture and grow up with some responsibilities.

We heard the school people talking about the disadvantages of apartment houses. The same thing as that kid that we're raising that's got a 4-H project on a small five acre, two and a half acre farm is going to make a better citizen. We're working on social engineering here, and I feel part of it is negative because we should be trying to encourage those young families to be moving onto five-acre parcels and growing and raising our next generation that's a better generation than the one that we've got now. That pretty much concludes my thoughts.

MORASCH: All right. Thank you. Any questions?

QUIRING: I have a question if I could. What would be your desire? How would you like to see these parcels be divided, or rather if, you know, we have this cluster option, then there's another option. I don't know if you've seen the other option, but what would you see --

PICKERING: Yeah. I would rather see people have an opportunity to create more of the five acre, two and a half acre farms. And the other lady was talking about water, but I don't think that's a problem from what the PUD tells me, et cetera.

QUIRING: Okay. Thank you.

MORASCH: I have a question. You mentioned the five acre and two and a half acre farms. What type of farm is that going to be? Are you talking is that crops or --

PICKERING: That's -- let me see. I was talking to a lady the other day that's got two and a half acres down by Camas. She raises sheep. She's got garden products. She's got she sells eggs, you know. I have 50-some acres. I do timber and I do hay. In past times, I had corn. I had we had chickens and eggs and we grew -- we raised three kids that had horses and pets and so on, so... And I think the three kids was the major crop.

MORASCH: All right. Thank you. Any other questions? All right. Thank you for coming.

PICKERING: Thank you.

MORASCH: Eric Golemo. Are you doing okay? Do you need a break?

HOLLEY: Do we have a lot?

BOLDT: About a page and a half.

MORASCH: About two pages, we have the rest of this page.

BOLDT: Or more.

GOLEMO: Good evening, Councilors and Commissioners. My name is Eric Golemo, E-r-i-c, G-o-l-e-m-o, and I'm here representing the Development and Engineering Advisory Board today.

I first want to thank staff and all of you for all your work on this process. This is a long and tedious process. A lot of work goes into it. You guys are charged with balancing a lot of

competing interests and it's not an easy job and I appreciate everything you guys have done and I think the community does as well.

DEAB has participated in the process throughout and we started very early, and today is not any new material. It's really a summary of what DEAB's positions have been throughout the process, but being that this process has gone on for about three years, some of it, I think, has gone cold and we want to make sure that you -- to summarize what we did. I don't get into a lot of detail on these points, instead in a letter that's being submitted around it references other documents.

So one of the first things we commented on was the infrastructure percentage deduction. DEAB looked at what was in the record or what was proposed and they found it to be outdated and didn't account for changes in regulation and was actually established in the City of Vancouver where they have gravelly soils. It used about 27 percent for infrastructure. While that is appropriate in the City of Vancouver that has gravelly soils, it's not appropriate for the areas that we're seeing development now. There's been a lot of changes.

So in our independent study, we looked at a lot of development in those areas and they recommended 32 to 35 percent which better represents the development area. Using a smaller percent, it actually means less land is added than necessary to meet the projections. The most significant item that we commented on, and there's several letters from not just the DEAB, but also the Building Industry Association and different groups, was the growth rate.

We base the adopted growth rate on recessionary data of 1.12 percent. That's much lower than the historic growth rate in Clark County and already well below the most recent projections of actual population growth which right now are closer to 1.7 to 2 percent. This results in an inadequate land supply and it also results in an inadequate infrastructure planning.

While we understand it's too late in the process now to change that and to revisit it, we do ask that you revisit the plan as soon as possible to amend the plan, to compensate for the higher growth rate we're seeing. It should also be noted that the lower supply of land drives up prices contributing to the local housing affordability crisis in Clark County. It's a fundamental economic principle of supply and demand.

Some of the other things DEAB commented on were park impact fees. We looked at the -- there's formulas, but there are also variables in those formulas and we dug into a few areas where it needed -- where things looked like they were a little off. One of them was the high land values in the park impact fees. We also recommended smaller incremental increases. Our concerns were also raised about the effect on house and affordability. Now, an update to that is the development, the departments who looked at these, I think, took our comments to heart and I know they're doing what they can to balance the impact on a level of service with the impact.

MORASCH: All right. I hate to cut you off --

GOLEMO: Yes, no problem.

MORASCH: -- but you're over time, but I want to open it up to questions.

QUIRING: I have a question because there's a segue into a question about you said there's no time to do anything. Actually, I want to ask the attorney a question about delaying the comp plan. I talked with the department or I e-mailed the Department of Commerce about this and was told that if it were delayed, what happens is is that grants and State loans are not given to the County if we're late, and until we have our plan going, but I'd like for you to clarify just what happens if we would be late with this comp plan.

DIJULIO: Well, as I said to the County Council at previous meetings, Commissioner, the sky will not fall if June 30th is missed. There are numerous examples. In fact, if you go on the Department of Commerce website, you'll see a spreadsheet of many cities and counties that are not currently in compliance with their scheduled deliverables with respect to Growth Management Act planning. It is a mandate.

The staff has properly advised the Council and, I believe, the Planning Commission in the past that there is no exception. The statute doesn't provide for an exception, as you pointed out. It does disqualify the County from certain grant programs and not all grant programs, but certain grant programs as are identified therein.

What we have encouraged the County Council to do is that if it believes that it is not going to meet the June 30 deadline is to adopt a resolution documenting its progress to date and reporting to the Department of Commerce accordingly. There has been one example in the state where there's actually been enforcement action taken by the Governor's Office against a county that did not move forward with their planning in a timely fashion and that is a single incident in GMAs history, so... I would say that there are some penalties associated with delay, but the Department of Commerce recognizes that sometimes you're just not going to get it done on that date.

QUIRING: Okay. And I understand too, though, that some of the cities, if the cities have their comp plan in and they have grants or loans that are already in place for their infrastructure, for instance, I know Battle Ground has a couple of things that are coming up, they would not be denied these funds because they're already in place, is that correct, from the State or the grant?

DIJULIO: I can answer the question with respect to infrastructure and grants relating to within the corporate limits of the city. I can't answer the question if the grant is dependent on funding

of both city and county improvements.

QUIRING: Okay. Thank you.

MORASCH: All right. Any other questions? Councilor Madore.

MADORE: Yes, I'd like to probe a little bit further. So if the County - I'm not suggesting that we do, but I just need to know what the limits are - if the cities submit their plans and the County delays in their plan, is there any negative impact to the incorporated, to the city limits of any city?

DIJULIO: No.

MADORE: Is there any impact to the urban growth boundaries of each city?

DIJULIO: Well, until the County's acted, the urban growth boundaries have not been changed. The city can adopt a comprehensive plan that recognizes an urban growth boundary, but it's nonexistent until the County action.

MADORE: So the question is --

DIJULIO: The County sets urban growth boundaries. The city can plan for urban growth areas whether they are within the designated UGA or not, but until the County acts, the city can't take any action, cannot incorporate or annex -- excuse me -- annex into that UGA. That's not a UGA until the County acts notwithstanding the cities adopted plan.

MADORE: I understand. The question is really not whether or not we move the urban growth boundary or try to do anything else there. The question is, if the cities all submit their plan and the County delays their plan, do the areas inside the UGAs, are they impacted in any negative way for grants or for other qualifications or benefits?

DIJULIO: If it is an existing UGA but an unincorporated area, then it's subject to whatever the County does. The city doesn't have any jurisdiction outside of its corporate boundaries. So the County's delay in adopting a comprehensive plan affects the county unincorporated area. It doesn't affect within incorporated cities. If the area is already recognized as a UGA in the existing comprehensive plan and adopted regulations, the city can proceed to annex that area whether the County's adopted a new plan or not.

MADORE: Okay.

STEWART: I'd --

MADORE: Go ahead.

STEWART: I'd like to follow up on that. It's my understanding - and if this isn't correct, please let me know - the County is the umbrella for all of the jurisdictions to submit their GMA plan and the County brings those all together, and when the County submits their plan, then the entity and the subentities are complete.

So let's say that there's a big city that gets State grant money directly and they submitted their plan to the County on time, but the County hasn't acted on the plan as a whole, which that's when, I think, it has the potential to preclude the grant money from going directly to a city if the city's out of compliance because the County's out of compliance. Is that incorrect?

DIJULIO: Well, as far as I know, and there may be something unique in Clark County if you have an interlocal agreement that I'm not aware of between the County and one of the cities, cities can independently submit their plans to Commerce. They don't have to wait for the County to act.

Now, it's nice, it's a good coordination piece for the County to submit all the plans together, but there are numerous examples around the state where a county has adopted a plan, but a city has not and examples where the city has adopted a plan and the county has not, and it's just the way it is.

STEWART: Well, in 2007, I thought it was all done under an umbrella because the County was talking to the city about whether their plan complied with growth management rules like where, example, is this density going to be and in what period of time and so there were some push-backs on that and maybe I assumed that's the way it's always done.

DIJULIO: That's an assumption that's not based in GMA law. There is no obligation under law for a city to wait for a county to act before it submits an adopted plan. I mean, frankly, cities have been doing this annually for years adopting its comprehensive plan updates and submitting them to Commerce. It doesn't have to wait for the county's blessing for that.

STEWART: So I'm sorry to be tedious, but cities that ask for changes in their urban growth boundaries and the county hasn't submitted their plan, what's the status of the city plans?

DIJULIO: Okay. Again, if you are talking about UGAs, you're not talking about cities, you're talking about county unincorporated area. Until the county acts on a UGA approval, it remains unincorporated and undesignated county area and the city doesn't have any jurisdiction to do anything about it. It can submit a plan to Commerce and it may very well be approved because it is anticipated that that will be UGA.

The classic example is the City of Shoreline designating Point Wells as part of its UGA. Point

Wells is within the city of -- within Snohomish County. Snohomish County never approved the City of Shorelines inclusion of Point Wells in the City of Shoreline UGA. That didn't mean that Shorelines designation of Point Wells was improper under its comprehensive planning because, in fact, the only way to get through to Point Wells is through the City of Shoreline, and that's been a continuous battle.

There's been a number of those throughout the state where cities adjacent counties - Bothell is another example - and cities within a county have battles over what areas should be their UGAs, and that doesn't prevent the adoption of a comprehensive plan.

STEWART: Thank you very much.

DIJULIO: Yeah. But, again, if you're talking about UGAs, you're not talking about cities unless they're already designated in an approved plan by the county. Cities don't control UGAs; counties control UGAs.

MORASCH: John, you had a question.

BLOM: It would be helpful to know before our deliberations, I don't expect you'll have this number off the top of your head, but what kind of grant money we received on average over the last two or three years that we would be essentially leaving on the table if we did not adopt a plan on time?

ORJIAKO: We can certainly do that. I know that Bill who has been here, Commissioner Bill Wright, who has been here knows very too well the predicament that Public Works was in when our plan was not in compliance. So we will probably get you some numbers, if we can work with Public Works, for example. I don't know if that extends to parks for instance, so we'll get you some numbers.

BLOM: Thank you.

DIJULIO: The precise language from the statute is the Public Works Trust Fund, the Centennial Clean Water Account and it precludes preference for other State grants and loans. It doesn't preclude other State grants and loans. It just prevents a preference for other State grants and loans.

ORJIAKO: Yes.

BLOM: Thank you.

MORASCH: Councilor Madore.

MADORE: Yes, Steve DiJulio, you mentioned that there is a spreadsheet that lists the cities and the counties that have been listed that they had took extra time. Could you send us a link to that list if you get to it?

DIJULIO: I'll be happy to. It's just if anybody else wants to look at it, it's Department of Commerce. It's called a compliance status. It's a -- I think it's a list of every city and county in the state and it was last updated a month ago on April 14th, so I'll send it to the Councilors.

MADORE: Okay.

OLSON: So I --

MADORE: And --

OLSON: Oh, I'm sorry. Go ahead. I'm sorry. No. No. Go ahead and finish your questions.

MADORE: Okay. You mentioned three different categories of grants that could potentially be held up until the County's plan was submitted. One of them was the Public Works Trust Fund, and if I understand correctly, there's no more new money in that; right?

MCCAULEY: Yeah. I think the money was swept by the legislature, so we actually lost grants when they did that.

MADORE: Yes. And the second one was Centennial what, what was that?

DIJULIO: Centennial Clean Water Account. That is a rotating fund.

MADORE: Okay. And I don't know what the status of that. It would be good to know which of these actually had probability of making a difference for us. And the third one was that preference grants and loans, if you could put a little more specifics when you -- you could send us. You don't have to list the details here now, but if you could provide each of us the practical, realistic or likely impacts from each of these if the County weighs to delay in order to improve our planning for that would accommodate better.

And I do have a question for Eric Golemo. Your first point there in recommends the increase in the percentage for infrastructure deduction and in there you first mention the -- you differentiated between residential and commercial/industrial. In the recommended change, you recommend from 32 to 35 percent. You're lumping all three of those together, residential, commercial, industrial or some difference between them?

GOLEMO: It's a general. The commercial tend to have less infrastructure because they're not building the public roads. I believe that's a little bit smaller, so maybe the lower range for

commercial and the higher range for residential. There is another document referenced and that document itself is two to three pages with quite a few examples and that should be in the record from probably about two to three years ago.

MADORE: Okay. If you could send us the whatever, put flesh on bones, that would be good. I assume also that since commercial and industrial only happens inside the urban growth boundary, that defines that well, there's nothing other than the urban centers out there. Are you assuming that the urban centers would -- and that are inside the urban growth boundary would be treated the same?

GOLEMO: The urban centers --

MADORE: I'm sorry. The rural centers.

GOLEMO: Rural centers. I'm sorry. Those tend to take on more of an urban nature and, you know, I would have to look at it on a project-by-project basis. This is really based more in the urban area. We didn't look at the rural centers when we looked at our examples, but we'd be happy to as a board. We're here. The Development Engineering Advisory Board is here to advise you, so if it's something you'd like us to take a look at, we'd be happy to.

MADORE: So basically this applies only to areas inside the urban growth boundary?

GOLEMO: That is what we looked at, correct.

MADORE: Thank you.

GOLEMO: Thank you.

MORASCH: All right. Any other questions?

OLSON: I just had one quick question for Mr. DiJulio. If this process isn't completed on time, are we then technically and specifically out of compliance?

DIJULIO: Yes.

BENDER: Okay. My question is, the comprehensive plan has already been sent to the State; is that correct?

QUIRING: A draft has.

BENDER: A draft of it?

DIJULIO: Yes.

BENDER: And at this point we're just allowed to tweak. We can't make wholesale changes?

DIJULIO: No. You have sent it for 60-day review, but it doesn't mean you can't pull it back and then submit a revised draft, depending on how significant the changes are.

BENDER: So then we would fall into a noncompliance on the time frame?

DIJULIO: Then you would fall into a noncompliance.

BENDER: All right. Thank you.

MADORE: I'm curious, Eileen, you were shaking your head. What was --

QUIRING: I just -- well, the draft goes because the staff has created the draft. We're here to decide what actually happens to that draft, so of course we can tweak it.

BENDER: It's the degree of tweaking, though.

QUIRING: Well, it's our job to do that. That's what we're here for. We're here to represent the people in the county.

JOHNSON: Mr. Chair, question. Are we here to hear testimony or deliberate?

MORASCH: We're here to hear testimony. I haven't heard much deliberation. It's mostly been questions for staff, but I would like to keep the deliberation for next week.

I do have a question for Eric. Is the DEAB recommending that this process be delayed or are they recommending that a plan be adopted and then the process be started over again?

GOLEMO: I'm glad you asked that because I wanted to butt in and say, like, actually make a statement, but good question.

DEAB's formal position is not to delay the process. It is to adopt and then revisit the process. I guess there's too much work that's went into this plan to throw the baby out with the bath water and we don't want to take any risks with the projects that the County staff has worked on and different cities have worked on.

There's, like I said, there's too many good things in the plan that we feel the best approach is to adopt and then get a commitment to revisit it, you know. It would have been great if we looked at that data earlier, but we didn't, so we're in the position we're in and we're trying to

help fix the problem and that's the recommendation that we had.

MORASCH: All right. Thank you.

And I have a question for Counsel. I believe the Growth Management Act requires us to go through this process like every eight years. Is there anything in the Act that would prohibit us from starting it early, maybe even as early as next year?

DIJULIO: No, there's absolutely nothing in the Act to prohibit that. And as I suggested, while the County has had a moratorium on its annual update process for a few years, many cities do serious work on their comprehensive plans on an annual basis, not just, you know, parcel-by-parcel considerations.

MORASCH: All right. Thank you.

Any other questions?

MADORE: Yes.

MORASCH: Councilor Madore.

MADORE: Tagging on to that one, if we were to revisit this plan, and I assume that we don't do it drastically next year, would that be also required to go through the process of another Draft Supplemental Environmental Impact Statement?

DIJULIO: It depends on how dramatic the proposed changes are. I can't answer that question. From a substantive standpoint, you know, if there are potential significant adverse environmental impacts associated with the proposed changes, then there would be the requirement for an environmental impact, a Supplemental Environmental Impact Statement. But if there is a determination made that there are no probable significant adverse environmental impacts associated with the proposed changes, then it can be handled by a checklist and a DNS or a mitigated DNS.

MADORE: Who makes that determination?

DIJULIO: The County Planning Director who's the County's responsible official.

MADORE: Thank you.

MORASCH: All right. Any other questions? All right. Well, thank you, Eric, it's been lively. Are you okay to do three more and then take a break? Yes. Okay.

All right. Then Jamie Howsley.

HOWSLEY: Thank you, Councilors, Commission members, and happy birthday tomorrow, Mr. Barca.

BARCA: Happy birthday to you, brother.

HOWSLEY: For the record, Jamie Howsley, H-o-w-s-l-e-y, with Jordan Ramis Law Firm, 1499 S.E. Tech Center Place, Suite 380, Vancouver, Washington 98683. I'm here tonight in my capacity as the attorney for the Holt Group.

Two weeks ago on a tangential basis, we were here - well, tangential to the growth plan - we were here with the Board of County Councilors at a work session on 179th and Discovery Corridor area talking about a private/public partnership on how to fund some interchange improvements.

I had been working busily on a draft development agreement last week and I wanted to confirm the zoning on some of the parcels that I had been working on in my representative capacity that were zoned UL R1-7.5 with urban holding on it, and I just happened to turn to what the proposed Preferred Alternative had said and it had suggested that these parcels would get a zone change as part of this process.

Specifically these are parcel numbers 181466, 181548, 181580, 181581, and they all have zeros after them. I'll be providing a letter to this effect tomorrow so you have all those there.

I just wanted the Council and the Commission to know that I've worked on these parcels since 2001 first bringing them into the urban reserve holding area and then defending those up through the Growth Management Hearings Board through the 2004 and 2005 process into the Vancouver UGA. And then again, we brought -- worked on bringing those properties into the Vancouver UGA in 2007 and then again defended those all the way up through the Growth Hearings Board to the Court of Appeals.

It has always been, those parcels have always been Urban Low R1-7.5 and we cannot develop those properties because of the urban holding designation on it due to the infrastructure constraints for transportation. It really was not a lack of the will from the property owners nor the developers.

As I stated previously, we've been actively working with the County and our State delegation to secure funding for the 179th Interchange and the associated improvements and changing those zoning designations now would seem to be counterproductive and us continuing to work together on trying to provide the financial solutions there.

So with that, I respectfully request that these parcels maintain the existing zoning designation so that we can continue to collaborate on the 179th improvements. And as you heard me say two weeks ago, I promise that if we can get this done and get to a development agreement this year, we will be moving dirt next year.

MORASCH: All right. Thank you. Any questions?

HOWSLEY: Thank you.

MORASCH: All right. Thank you.

Joan Caley.

CALEY: Good evening, Councilors and Commissioners. My name is Joan Caley, J-o-a-n, C-a-l-e-y. I'm here on behalf of the Clark County Public Health Advisory Council, a council that is appointed by the Board of County Councilors. And our purpose is to advise you as a council on what is the health of this community.

One of the activities that we've been involved in for the past several years was the development of the growth, the Growing Healthier Report. It was created to address the many ways that the built environment impacts our health. And, again, our concern is to advise you on what we need to do to keep our community healthy.

In that report there were recommendations on how this county could grow in a healthy way. We worked on this for two years doing extensive work on the latest evidence and research on what it would take to build a healthy community, and we were -- throughout that two years, we were very involved with the Board who attended our meetings and we presented reports.

In 2012 there was a hearing, the Planning Commission hearing as well as a hearing at the Board of County Commissioners at that time where the Growing Healthier Report was approved for movement to be included into the growth management plan. We are very supportive unanimously. We have sent a letter to the Council about our support for the language and has currently been proposed by the staff in for the comprehensive growth plan, in particular the language related to environment, transportation, housing and community design.

These are elements that came from the work of the Public Health Advisory Council that we did on your behalf in advising you and we strongly recommend that you include this language in the report. Thank you.

MORASCH: All right. Thank you. Any questions?

Councilor Madore.

MADORE: Yes. Similar questions to the Aging Readiness, does this plan - this is directed to our Planning Director - does this plan translate to recommendations and encouragement, support, enhancement or does it translate to policies that mandate changes?

ORJIAKO: Councilor, I believe, generally speaking, I think it leans towards encourage pretty much and I don't think there will be any language in the policy that says the County shall. So I think I'll be more specific as I have the proposed language in front of me, but I think it's more encourage, because what the Board at the time recommended was to incorporate and integrate the Growing Healthier Report where it makes sense, and that is what the staff have done now that we are looking at the global periodic review.

And, again, to be more specific, I can cite you to, I think, Ms. Caley mentioned the Growing Healthier. You can find it in transportation. I believe housing and community design, as well as the transportation element. So the majority of this is encourage. I don't think there's anything that is mandated there.

Although, when you look at the transportation element, which is mandated, and the housing, you will find some language that says require activities that enhance a healthy community, that is in the RCW itself, but I believe that the language that we've included just specify encourage.

The County has already adopted the bike and pedestrian plan, as an example, and you will find that throughout the transportation component, so I don't think there is anything in the new proposed language that mandates anything.

MADORE: Thank you.

MORASCH: All right. Thank you. Any other questions?

CALEY: Thank you.

MORASCH: All right. Thank you for coming. One more speaker and then we're going to take a break.

JoAnn Johnston.

HOLCOMB: Good evening. James Holcomb, H-o-l-c-o-m-b, and I'm with the Clark County Association of Realtors. I'm on the Board of Directors.

JOHNSTON: Good evening. Thank you for listening to our statement. My name is JoAnn Johnston, J-o-h-n-s-t-o-n. I am the executive for the Clark County Association of Realtors. We are here on behalf of our 1700 members to express concern over the comprehensive plans

population projections.

Affordable housing is an important issue not only to our members but to the residents of Clark County. A study conducted by Merrill Lynch last year found that in every age category from millennials to baby-boomers more than 80 percent of respondents believed homeownership to be a fundamental part of the American dream.

Following the economic downturn, the housing market rebounded very quickly. In 2015 it was the third straight year in which the average sale price increased by more than eight percent. This rate of price growth, while good for current homeownership who have increasing equity, is pricing many first-time home buyers out of the market.

We believe the growth projections adopted by the County and supported by planning staff and the cities do not reflect the most likely growth rate over the next 20 years, nor do these projections remain consistent with the actual long-term growth rates in Clark County. The data used by OFM in making its projections include the great recession during which the population grew at a much slower rate than the observed historical rate. Census data from the last two years showed the population is growing at a rate much higher than the OFM projections.

While we recognize that it may be too late in this process to make changes to this plan's growth projections, we would respectfully ask the Board going forward to consider the impact that constraining the supply of available land for housing has on housing prices and also use the best possible data when making decisions.

MORASCH: All right. Thank you. Are there any questions?

BOLDT: I have a question. Thank you. I agree we're probably too late in the process, but the interesting thing, I guess it's a request, when we did the 2004 plan and didn't change the boundaries, it created the artificial demand that we all, you know, suffered through because of lot prices. The question was, when we really got to the 2007 plan because it was going at a probably skyrocketed by then, you know, it was almost too late.

So it would be helpful, I think, especially from the realtors that we really take a -- really keep an eye on them lot sales, because if we really need to work on this next year and do maybe an interim plan, we need to get on that before we let it get too far out of hand, so that would be my request.

JOHNSTON: We'd be more than happy to help.

MORASCH: All right. Any other questions?

MADORE: I have a question for Counsel. When it comes to -- because the OFM projections,

even the high choice in that was way below our traditional, our historic growth rate for Clark County. The question for Counsel is our -- if we were to revisit this next year or sometime very soon in order to better accommodate the realistic population growth for our future, I assume that we would still be constrained by that OFM projection that basically is flawed.

And so a follow-up question to that, if we as a Council want to appeal to increase to the authority there, to increase that OFM projection, is that a fairly simple process for us to be able to just simply look at our historic levels, provide the necessary documentation, submit it to the State and have them give us an answer so that we can respond to it?

DIJULIO: The OFM guidelines are guidelines. They're not bright-line tests.

MADORE: I thought that we were by RCW limited to have to stay below that top level number?

DIJULIO: I'm going to read from your adopted comprehensive planning policies. Population projections used for designating urban growth areas will be based upon information provided by the Office of Financial Management and appropriate by State regional sources. So you can consider other sources as well.

MADORE: So would we have to actually submit something to the State to exceed that top OFM projection?

DIJULIO: Like any planning action under GMA, you're going to have to satisfy the Department of Commerce as well as any appeals that you might get from that plan.

MADORE: I'm just curious about the sequence. If that sequence, if we were to start the process, have to submit that in, get an okay from Department of Commerce or if we could just simply go through the whole process with the plan, submit it to Commerce at that point?

DIJULIO: Your -- all right. Remember that you have an OFM forecast and you have your other estimates of population. You have already -- how shall I say it? -- you've already employed alternative methods of evaluating the population demand for the next 20 years in the actions that the Board of County, the County Council has taken and the Board of County Commissioners took in 2015 in setting population.

I think you have adopted three different resolutions during the course of this planning process regarding your population forecast based upon different evaluations of data that you have received. If you vary substantially from OFM projections, you better be able to show your work, but you're not locked into that number.

MADORE: Great. Okay. Thank you.

MORASCH: Any other questions?

BARCA: I do.

WRIGHT: Yes, I had a question.

BARCA: Go ahead, Bill.

WRIGHT: You mention that the number that you feel the growth is going to occur over the next 20 years will be higher than shown in the adopted numbers so far, but do you have any specific numbers you would recommend? Because I think it's one thing to say one number's wrong, it probably most certainly is wrong, but it would be good to have a better estimate from your point of view.

JOHNSTON: I can certainly give that to my Government Affairs Committee to give a better defined answer on that and have that to you in writing.

WRIGHT: Thank you.

BARCA: So while you're speaking to your Government Affairs Committee, why don't you come up with a position on the strategy for Growing Healthier Report so you can talk to us about community development as well and you can talk to us about the Aging Readiness plan, so it's more than just about growing the inventory of land.

MORASCH: All right. Any other questions? Okay.

Mr. Holcomb, we need to take a break. I see you're signed up. Did you wish to come back after the break and testify?

HOLCOMB: No.

MORASCH: No. Okay. Great. Well, thank you for coming.

And with that, we will take a - is ten minutes enough? - we'll take a ten-minute break and then we will resume testimony.

(Pause in proceedings.)

MORASCH: Okay. Welcome back. We are live. We're returning to the public testimony here at the joint Planning Commission, Board of County Commissioners hearing on the comprehensive plan.

The next speaker is George Sundem.

SUNDEM: That must be me. Good evening.

MORASCH: All right. Thank you.

SUNDEM: Or good night. I am here because I have a five-acre parcel on the N.W. 149th Street that's about six blocks north of the schools, like Chinook, and which it didn't get -- I tried to get it in the urban growth boundary ten years ago and it didn't get in there. And a couple of years ago, I tried to see what I could do with it and I went to get to see if I could hook up to the sewer and they said, no, you can't hook up to the sewer if you're not in the urban growth boundary. And I tried to see if I could get a perk on it and they says, no, you can't get a perk on it if you've got sewer in the street.

So I went along and then -- and then it went along and then I saw Julie Olson at a meeting there in the neighborhood association and I ran that by her and she got interested. And I was amazed that she checked it out and talked to the planners and contacted me and said didn't see why it couldn't be put in there, but I'd have to apply through the City.

So I went to the City and went through three people that didn't have a clue what I was talking about. And then I finally talked to Mr. Snodgrass and he indicated that the City wasn't doing anything with planning and he says but they wouldn't have any problem if the County wanted to put it in there. And so I said, well, how do I proceed from here? And he said, well, I'll e-mail them. So I don't know if that happened or not, but I tried to -- I e-mailed Julie to tell her that and I don't know if she got it or not. But, anyway, then so I'm at a loss as what's happened since then.

And I went to the planning and there wasn't anybody there to talk to. They gave me a card and I called and I didn't get any information. He says go to the meeting, so that's why I'm here. And then another thing I after I was frustrated with it because after what happened with the sewer thing, I applied to go to the Board of Equalization on the assessment on it, and that I kind of forgotten about it, but that's coming up pretty quick, so I was wondering if anything was going on here, I'd cancel that, but if not. So that's why I'm here because I --

OLSON: I have a question. I actually have a question for Counsel or for Oliver. Mr. Sundem's property is right on -- I think we've talked -- we talked about this. It's -- I think bordered two sides on the Vancouver UGA, and it seems to me that this is in particular a parcel that would be easily incorporated with little to no impact and if the City says it's okay, we're fine with it if the County wants to. I mean, this I can't -- can you just advise as to whether this is something we could literally do?

I mean, it's one parcel and it fits this -- I spoke with, you know, a couple of attorneys about it as

well -- it kind of fits this circumstance where we should be able to take some action on this for this gentleman that is really stuck between a rock and a hard spot. So I guess I'm asking for a legal opinion and/or a practical opinion on what we can do for Mr. Sundem.

STEWART: Has there been a formal application or formal letter to City of Vancouver or are you in the urban growth boundary?

SUNDEM: No.

STEWART: You're just outside?

SUNDEM: Yeah.

STEWART: You're on the border?

SUNDEM: Yes.

OLSON: It borders on two sides.

STEWART: Have you made an effort to contact the City to ask them to bring you in?

SUNDEM: Well, not this time around, outside of -- I did and I was (inaudible) that it didn't get in there ten years ago.

OLSON: But didn't you just have a conversation with them since our conversation? Isn't that what you just --

SUNDEM: Pardon?

OLSON: Didn't you just testify to the fact that you had reached out to them after you and I had spoken recently?

SUNDEM: Well, I haven't done anything since I went to the City, but Mr. Snodgrass, he told me he was going to e-mail you or the planners as to what about it, but I don't know if he did or not.

OLSON: Yeah, I don't recall it.

STEWART: So another piece of information that you might find interesting is the City of Vancouver has released a very ambitious annexation plan, very ambitious and it goes in some cases past 179th. The map that I have is so small. It's really difficult to see where all they're talking about annexing, and it's set as it's prioritized, different sites prioritized in different ways. So it would be interesting to see how close their annexation is and what that might mean for

you in a nearer future.

SUNDEM: Anyway, I don't know. He indicated that they weren't doing anything, but he didn't have any problem with the County doing it.

STEWART: Well, the annexation plan is in some cases going out to the extent of the urban growth boundary. So it's -- I don't know if that plan is related in any way to benefiting your property if not now, and I'm sure that if there's an easy fix, that our planning staff can talk to us about what the possibilities are, but it is a complication, of course, that it's just outside the urban growth boundary.

SUNDEM: Yeah, I've been owned this for 50 years and been paying taxes on it and there's always something. I was going to build on it three, four times and something always happened and never did. And first there wasn't any water over there and then, you know, at that time, when I bought it, there wasn't any public water there.

ORJIAKO: Yes, Councilors, I'm not sure, I don't have all the information relative to the testimony. One, the communication between the property owner and the City of Vancouver, and you heard the testimony, we will consult with our legal counsel and see what this type of situation presents to both the Planning Commission and the Council this late in the process. It may not be as -- I think I heard five acres. I can't speculate. It may not be significant in terms of inclusion into the boundary. I think the question will be process in terms of where we are now. So I will leave it at that.

I will also reach out to the City of Vancouver to see what type of communication have been made and probably come back during your deliberation, Planning Commission and the Council, and report back to you in consultation with our counsel too.

BOLDT: Oliver, I realize the unfortunate thing there's everybody -- is just a lot of people are just outside, you know. But the question I think I'm asking you and you can get back to him as far as the perk, I think through Board of Health and under our code, you can have septic if it's farther than 1,000 foot of the sewer. So if you could look at that, that might help you out for a little bit, but I thought it was 1,000 foot because I --

SUNDEM: No, it isn't.

BOLDT: It's in our code, so...

SUNDEM: No, but I mean it isn't 1,000 foot away.

BOLDT: If it's more than 1,000 foot away, you can put in a septic tank.

SUNDEM: Yeah. But I said it isn't 1,000 foot away.

BARCA: It's less than that.

BOLDT: Oh, it's closer?

SUNDEM: Yeah.

MORASCH: All right.

Councilor Madore.

MADORE: I've got two questions. One question for -- is it Mr. -- what was your last name? Spell it please.

SUNDEM: Pardon?

MADORE: Your last name, could you spell your last name, please.

SUNDEM: S-u-n-d-e-m.

MADORE: S-u-n-d-e-m.

SUNDEM: Yeah.

MADORE: Okay. Sundem. So the first thing is that the -- our County Code prohibits you from having a septic because our code says you're too close to sewer.

SUNDEM: Yeah.

MADORE: But you can't hook up to the sewer because you're outside the UGB.

SUNDEM: Yeah.

MADORE: So question, Mr. Orjiako, is that something that's at the County Code? Do we have the discretion to say to change that parameter to zero feet or to say if it's not available because it's outside the UGB, be able to say you can still do septic in our policy?

ORJIAKO: The Council can change the code any time you want to change the code. It depends on the issue. So, yes, it is something that is within your purview, Councilors, to amend the code. If that's an issue that warrants changing the code, you might look at the broader policy implications, but, yes, changing the code is the purview of the Councilors.

MADORE: Okay. So that's not a State mandate. Okay.

The second question has to do with, do you know your parcel number or can you tell us how we can identify that parcel?

SUNDEM: Yeah, in fact, I got the letter right here that I wrote in 2006. It's Tax Lot 25, Section 21.

MADORE: It has a --

MCCAULEY: It should be like a seven- or eight-digit number ending in three zeros.

SUNDEM: Oh, I guess I didn't have -- then I don't have the tax parcel number on here.

MADORE: Can you say --

MCCAULEY: Does it have a street address?

SUNDEM: Well, this was just a letter that I wrote before, that I had this that I thought this was on there, but it isn't.

MADORE: Okay. It would be helpful if staff could provide us that tax ID number, that parcel number, that would be great. Okay.

SUNDEM: But it's Lot 25 in Section 21.

MADORE: Okay. And so we can translate, staff can translate that to a parcel number.

SUNDEM: It's at N.W. 149th Street and N.W. 21st Avenue.

MADORE: Okay. And then the next question I have here is for Oliver. Oliver, if you could boil it down to, hopefully we can get a yes/no answer out of this, do we as a Clark County Council need the permission of the Vancouver City Council to bring this into the urban growth boundary or do we have the authority to make that call ourselves alone?

ORJIAKO: I don't have an answer without consultation of legal. I know that the cities propose boundary, urban growth boundaries to the County and the County makes the final decision on the urban growth boundaries as submitted by the cities modifying that, adjusting it or rejecting it. That has been how it is done. So I will -- this one thing that I will check with the legal counsel, but I think in the past, the County has, I will say I believe in the Vancouver UGA, adopted a boundary that the City of Vancouver didn't really ask for, so it is one issue that I can

ask our legal to check into. That's all I can say at this point.

MADORE: Okay. It would be very helpful if legal could e-mail us each an answer that would just simply be a yes/no, does the BOCC have the exclusive authority to say yes to bring this in without the permission of the city council. Thank you.

BARCA: Councilor Madore, just for your information, the number of the tax lot --

MADORE: Oh, thank you.

BARCA: -- that was given to me, 184971 with the associated zeros at the end.

MADORE: Thank you very much.

MORASCH: All right. Thank you. Any other questions?

All right. Thank you for coming Mr. Sundem.

SUNDEM: Thank you.

MORASCH: Dennis Dykes. I'm sorry. I'm having trouble reading some people's handwriting.

DYKES: Sorry, I get that all the time. Good evening. I'm Dennis Dykes with two n's and D-y-k-e-s. I would like to say that I could thank, you know, thank you for having me come and talk to you, but the last time I came at the -- both for the Planning Commission and the Council meetings doesn't seem to have been heard very well.

I looked at the Final Environmental Impact Statement on the -- on some issues and that -- well, actually I want to back up for a second. I've got two things. I'm a forest landowner. I have 65 acres up north of La Center where we live and I -- your Option 2 is a nonstarter. I mean, that's ridiculous. Forest, there's better information in the record than I can give you, forest land needs to be on bigger parcels rather than smaller. It's just economics. It's just the way it works. You need forest. If you're going to call it a resource land, keep the parcels as big as you possibly can. Option 1 is just kind of silly.

It would work on my property. I'm on a corner of the county road and you could put three parcels, you know, three one-acre lots down there. It would work well for that and the rest could be owned by somebody else who would have to have some kind of infrastructure there and could do forestry on it. But immediately north of me, there are several 80-acre parcels that just wouldn't work well. They just don't have access. They couldn't put their houses by the public land and you would have the normal conflicts, you know, how much -- how well can you put a septic tank on a one-acre parcel, all of those things.

So the other thing is you've got ADUs on your agenda, one or the other. Okay. You don't need clustering if you've got the ability to put ADUs on it. So work out your ADUs. That will answer the questions of, you know, if your kids are going to come back. I have three kids and I hope one of them wants to come back and live in the area and that would be fine. They can have my property. I don't need to subdivide it to provide for them. My next door neighbor across the fence has three kids and they all bought their own places within a few -- within a mile or two of their property. They're very happy. Everybody's good. The kids bought their own land. It's okay, you know.

Okay. So my other hat is I'm an independent hydrogeologist and what I was very disappointed with in the Final EIS was the water resources section, Sections 3.1 and 3.2. Okay. Under water supply, it basically doesn't say anything different than it did before. I brought up the issue since 2007 the Washington Administrative Code has been implemented two in-stream flow rules basically that are in the record. It doesn't even mention that really.

It does say that you have these rules allocated all of the water rights in the watershed. It has a reserve for future wells for independent properties, okay, the exempt wells they're called rules. So I guess I'm running out of time. But you really have to look at this. You cannot base a decision based on what's in the FEIS. It doesn't address water adequately at all.

I would highly recommend that you step back, pull the Alternative 2 stuff out, and then if you're going to look at this plan again next year, as a lot of people have said you need to, go ahead and do it then. If you have any questions, I'd be happy to answer them.

MORASCH: All right. Thank you. Any questions?

WRIGHT: Yes, I had a question about the point you were making there at the end. This allocation you're talking about, is that for stream flow enhancements from groundwater?

DYKES: It's in-stream flow. It deals with all water rights within the watersheds.

WRIGHT: So your point being then that theoretically this water may be out there. It may be available, but it's already being assigned by the State to the State and --

DYKES: Correct. The water law in Washington State establishes water rights and it has, through the process of developing the WAC, they came up with an allocation of water rights. Existing claims, there have been several dates that you could apply for or submit a claim for a water right on your property and that's if you go to the water resources section of the Department of Ecology, you can find a map that's interactive. You can zoom in on a particular area and find an overlay of all of the water right claims within it. A claim is just that: It's a claim. It's not necessarily a water right, but it's operated as a water right. They've accounted for that and

then what they need for the in-stream flows. Okay.

And then they've left a reserve from whatever was left for the exempt wells and they have a second reserve for things like PUD wells, okay, those are in there. There's a rule, there's part of the rule is to account for -- is to account for these parcels and be able to show you guys what is -- how much is left over the years. They estimated last year. They sent a spreadsheet around. It's in the record. You should have access to it, that shows that the existing parcels that are available for development in the county based on whatever, wherever they got their numbers will use up that reserve without adding a single parcel. Okay.

So what does that do? The exempt wells are not exempt from water rights. They've allowed 800 gallons per day for those wells. They didn't do the 5,000 gallon that most exempt wells are expected to do for a half acre noncommercial garden and all that. And, you know, stock watering, there is no limit on how much water can be used, but they used 800 gallon a day thing. So if you have -- and you have all of this, can use more than 800 gallons a day easily. So each of those lots gets that amount of water and it runs out at the end of the 20-year plan without Alternative 2. Okay.

WRIGHT: Thank you.

MORASCH: All right. Any other questions?

MADORE: I have a question.

MORASCH: Councilor Madore.

MADORE: I didn't catch the name. What was the name?

DYKES: My name? Dennis Dykes, D-y-k-e-s.

MADORE: D-y-k-e-s. If I understand correctly, Clark PUD Water said that they have enough water to provide for 2 percent growth for the next 60 years for the rural area here.

DYKES: How are they going to deliver that?

MADORE: Well, the question is do you agree with that?

DYKES: No. Well, no, because I think there's legal and physical and cost constraints to doing that. And they can say that, but, again, there is a reserve within that for community water systems, like the little satellite systems that PUD puts out there, it's limited. It's actually less than the amount for exempt wells. Okay. So the way the PUD would have to do that is to run a pipeline out into the rural areas.

MADORE: And they --

DYKES: Okay. Pumping stations, the whole thing. The water rights they're talking about that are still available, they're still applying for are all down in the lower part of the watersheds. Okay. For the in-stream flow, they establish control points and then they've allocated all of the water upstream of those control points. The only place where there is more water is down below where the rivers come out into the flatlands, so at La Center, it's just south of or downstream would be La Center.

MADORE: Okay. I understand. You don't need to go too much into the detail there. So your view is different than what their view is.

DYKES: Absolutely.

MADORE: It would be interesting to hear the dialogue with them.

DYKES: But ask them how they're going to pay for it. I mean, your capital facilities plan is the other I wasn't able to speak to tonight. It says nothing about the cost of delivering that water, your capital facilities plan. Are you expecting the individual property owners to pay for it? How much -- ask the PUD how much it cost per mile, how many pumping stations they'd have to put in in order to provide that water to my house, to my three lots that I could build under this alternative and ask them that question. I'm four miles, four and a half miles out of the La Center away from the end of a pipeline.

MADORE: Those would be good to ask those, to have those dialogues.

DYKES: And I'm also about almost 800 feet higher, so ask them how much it cost to pump water up and how much that water would cost at the tap in my house.

MADORE: Okay. Thank you very much.

MORASCH: All right. Any other questions?

BARCA: I do have a question for staff. Can we get the original written testimony from Mr. Dykes redistributed to the Planning Commission and the Councilors, please. I know it's buried deep in the record somewhere, but with the pile that I got today, I don't know if I could find it again, so I'd like to have it fresh, please.

ORJIAKO: Yes, we'll look for it and we will make it available. I'll leave it at that. During your deliberation, we'll answer more questions that you may have so, hopefully, we'll have that opportunity.

BARCA: Thank you.

ORJIAKO: And if you want anyone from Clark PUD or anyone to appear before you, we can ask and extend that invitation to them, if you so choose, but we will make that available to you.

I think without commenting any further, I think some of the issues that he raises is in the coordinated water system that we work in conjunction with other water providers to update that coordinated water system, some of the issues he raise is in there. So I will leave it at that, but we will make the comment available to the Planning Commission and to the Councilors.

BARCA: Thank you, Oliver.

ORJIAKO: You're welcome.

MADORE: Being that we're closing public testimony tomorrow, the question is, the really crucial information from Clark PUD Water, do we still have the freedom to be able to receive from them their documentation? I've heard them speak and address these issues at a town hall, and the question is, do we have any written testimony from them yet? And, well, let me rephrase that question. If we don't have that anything from them in our record now, can we ask them to provide something to us by the close of business day tomorrow? At least extend to them the request, and if they can't deliver, then we're fine, but they might, maybe we have not because we ask not.

STEWART: It's possible that they have a comprehensive water plan. It's required due to the -- and that comprehensive water plan should have all of these documents in it, so I don't think something new needs to be created, but maybe finding it in their master document would be helpful.

ORJIAKO: We can certainly do that. And someone like Doug Quinn, you know, if you want to call Doug Quinn to come and talk to you, that is a good person to come and talk to you.

MADORE: Who is that?

ORJIAKO: I said Doug Quinn. I think he's the --

MADORE: Oh, Doug Quinn.

ORJIAKO: Yes. He can come and talk to you. I know I mentioned the coordinated water system plan, that is also available for we -- when I say we, Community Planning -- participate in the update of that plan. I think we do that every five or ten years and bring it before the Planning Commission and the Council to adopt. So I will certainly extend invitation to Doug to see if he

can come to your deliberation and leave it at that.

BARCA: So the documentation that we have right now in the capital facilities plan, Page 6, has the Clark County Public or Clark Public Utilities statement. It's a paragraph long. It talks about how many gallons per minute they're capable of doing, their reservoirs, total pumping capacity. It does also have estimated cost for projects that are already on the books, something in the neighborhood of $50 million that doesn't account for putting additional capacity in and it shows the method of funding for those sources, which is system charges rates and bonds, so they're 50 million into it before we talk about putting any water into their rural lands, and that's in the capital. This is in your capital facility plan. It's already there.

MADORE: Great. And you said that's on Page 6 of the capital facilities?

BARCA: Page 6 and then it flips to Table 6-3 on Page 8.

MADORE: Page 8. Okay. Great. And I assume that they do have a comprehensive plan. I imagine that to be a really thick book. What I imagine, what I hope that they have is a concise summary of the important facts that would be relevant to us, and if that is it or if there would be a better form that would help us be able to have quick, easy, relevant, concise answers, that would be -- that would be most helpful. So if we can communicate to them our invitation that we're hungry for those facts. Thank you.

MORASCH: And we'd like to get it by tomorrow at 5:00, if possible.

MADORE: Well, my guess is that they should have that. That's their business.

MORASCH: All right. Anything else? All right.

Let's move to Bill Zimmerman.

ZIMMERMAN: My name is Bill Zimmerman. I own Bi-Zi Farms. I'm also the president of the Clark/Cowlitz Farm Bureau.

And I wanted to say this idea of splitting ag land into ten-acre parcels is unbelievable how you could justify this, that it meets with the Growth Management Act guidelines to preserve, protect and enhance ag lands. I also go back to what Mayor Wilson had or Onslow had to say from the City of Ridgefield that, you know, we need these large tracts of land to invite business or to induce business. How in the world do you think that a five-acre parcel of farm land is going to induce agricultural production is ridiculous.

Most of the growers I talk to, they admit that 20 acres is a bare minimum; other than that, it's not even economically viable to bother with trying to farm it, so... And also this idea of splitting

this into five-acre parcels or two and a halves or, you know, even more, so you must be aware that most of these lands will never be farmed. All that will ever become is a large grass, you know, yard or they become -- they revert to brush. They just are, you know, left. There's never going to be any real economic value to them and basically all they are is just development land, so...

And too many times I've heard that we've always said, you know, well, this is the way we've always done it. Well, you know, folks, that was fine when we had 50,000 people here in the 1950s and the '60s, but now we have 400,000 people and you're estimating we need more and, you know, we've got to come up with some other solutions to that, whether it be transfer of development rights or something to where we can take and preserve some of this, you know, quote, resource lands as you like to use the terms. And honestly this idea of splitting it into ten-acre parcels, this is going to be the death knell to commercial agriculture in Clark County.

So it already it's bad enough that Clark County PUD has taken away the water rights from so many farms that they've left, virtually left so much land that's, you know, not viable. It's not economically viable without water in this county. So, you know, I know a number of growers that are struggling to try and find parcels of land that are 20 acres or larger that have water rights on them so that they can try and farm them and produce a viable crop.

And in the end, I have to admit that it is really an insult to me and to the 400,000 people that live in Clark County for you to sit here and in any way, shape or form to refer to these lands, once you've done this to them, to refer to them as any kind of a resource. They are nothing more than a development and why don't you take and do away with the ag zoning if you're going to do this and just call it like it is and call it for the citizens of Clark County and quit misleading them and take and call it development land because that's really all it is.

MORASCH: All right. Thank you. Time is up, but I will hold it for any questions. Does anyone have any questions for Mr. Zimmerman?

BARCA: Mr. Zimmerman, I do have a question for you. Concerning your business, which is agricultural, do you feel like the increased densities around you have made it more difficult for you to pursue your business?

ZIMMERMAN: Oh, sure. We have more trouble with neighbors all the time. But the biggest problem is, of course, we're tapped out. People want to say, well, gee whiz, look at all this new growth. It's going to be economically great for you. Well, we have no more land available. We have not the opportunity to buy any more land, and as a result, you know, economically, you know, all this growth doesn't mean anything to the rest of us.

And I guess, you know, I always want to be careful, I do speak for the Clark/Cowlitz Farm Bureau and I don't like to talk necessarily just about my operation. I know, I hear all these

people coming up and saying, well, my piece of property, my piece of property, I don't like to talk about that. I want to talk about what's best for the citizens of Clark County and for the agricultural operations, yeah.

BARCA: Okay. Thank you.

MADORE: Before -- I have a question.

MORASCH: Yeah, go ahead.

MADORE: The water that's being more difficult for farmers to be able to access, in general it sounds like there's State problems with that. Has it impacted your farming operation particularly?

ZIMMERMAN: Put it this way, it hasn't impacted it in that they haven't cut the water off yet. But here's the problem, I do not have a water right on my well. Any day they could walk into my place and shut my water off and I am done.

MADORE: Don't farmers who have had wells for years and farmed for years, I can't -- how could there not be --

ZIMMERMAN: Because my dad didn't file on the water rights for the irrigation well years ago.

MADORE: And the law does not allow you to do so now?

ZIMMERMAN: Well, we filed, but like a good friend of ours, Steve Frice, Steve was 27 years trying to get his water rights.

MADORE: And that's determined by the State?

ZIMMERMAN: Yes. Yeah.

MADORE: Thank you.

MORASCH: All right. Any other questions? All right. Thank you.

Matt Groves.

GROVES: Yeah, I think I'll decline to speak. My opinions have been voiced.

MORASCH: Okay. If you want to submit comments in writing, we'll take them up until 5:00 tomorrow.

GROVES: Okay. Thanks.

MORASCH: Thank you. Margaret Tweet.

TWEET: Good evening. I am Margaret Tweet, T-w-e-e-t.

I want to urge a plan that respects landowners' property rights to use their land without undue burden and regulation, and that's why I support Alternative 4 because of it. I encourage you Councils both to use current and accurate data and take the time to make corrections now. Affordable housing can't wait. Prices are increasing every year and are already out of reach for many. Please do not delay. Use accurate data and the most realistic growth rates that you've already identified in resolutions in 2015. Residents are stuck in rentals waiting to buy an affordable home.

About the halo, this new halo idea for big businesses that excludes residential, it strikes a blow to affordable housing. The halo area is adjacent to services where extending utilities like water is more affordable. Don't do that to your people in this county that are waiting to buy a home.

I also want to say aging in place should be available to rural property owners as well as urban dwellers. I see in your literature here that you seem to be urging people, that they have to make the choice to move into a residential home which sounds like giving up their property and home and that they won't be allowed to age in place, that you're pushing a residential environment on them. I see it in the code.

In the County Code, you have temporary dwellings for caregiving and why should the County restrict this to certain hardships? There are other hardships that are not listed here in your list of what allows a temporary dwelling to occur on a property. Perhaps a more universal approach, like an accessory dwelling unit where the County doesn't decide who gets to and who doesn't get to add another dwelling unit to their lot.

I was interested to see this grossly unfair decision of this county where inside the urban growth boundary accessory dwelling units are allowed, including a kitchen, that provides for aging in place, caregivers or caretakers. Outside the UGA where the lots are larger and there's more room for an ADU, your rules have restricted to only guesthouses and your definition of guesthouses does not allow for a kitchen. What kind of an elderly person would not need a kitchen or a caregiver or a caretaker? This is specifically designed to keep people from using their properties and it defies aging in place.

I've heard about the healthy reports and the healthy living. I think a rural garden offers many healthy choices and that in general rural property owners do more gardening than in the urban centers. We should encourage that and not have anything that restricts it.

Regarding transportation, I want to remind this Board of Council that citizens have twice rejected light rail and bus rapid transit at the ballot box in 2012 and 2013, and I oppose any kind of mandating of these voter-rejected high cost systems that are also another strike against affordable housing which is what makes Clark County attractive, not only to elderly residents but to young families, people raising kids. We came here for that reason.

MORASCH: All right. Thank you. Thank you very much. Your time is up, but I will ask you to stay and if there's any questions. Do we have any questions? All right. Thank you for coming tonight.

TWEET: Thank you.

MORASCH: It looks like Krista Reeves. No? Okay.

Loretta Steele.

STEELE: Good late evening. Loretta Steele, S-t-e-e-l-e.

I've attended several meetings now and I am confused. I'm confused about what laws are applicable to this process encompassing the 2016 comprehensive plan for Clark County; therefore, I have questions. Number one, are we proceeding under a Federal mandate rather than adhering to State law and an Appellate Court remand regarding the Growth Management Act? That remand seems to be lost in this process.

Two, are we somehow proceeding under the auspices of the Obama Healthcare Plan and is this where we get the two inclusions of Aging Readiness and Growing Healthier Reports? Growing Healthier Reports with its nonsense about those living more than a half a mile from a supermarket or a produce market are living in a food desert. If we had food shortages or emergency, it would readily be seen, whether it be rural or city folk, are living in a food desert.

If we are under the healthcare plan, then might we have some references so we know where we are going in the future? And, yes, we do still have property rights. That is a civil right which Americans wish to retain and we pay substantial taxes for that privilege.

It is to be noted to all of you that you've been very patient through an exhausting process. You have a mountain of information before you. Let's hope it has not been an exercise in futility for many.

Reading from a recent e-mail sent by Carol Levanen, Clark County Citizens United, quote, CCCU has found information that confirms the majority of the work for the 2016 comprehensive plan was written prior to 2010. Staff had most of it completed before the supposed date of 2013

when they claimed the process was started and was presented to the Commissioners for consideration, unquote. If that is true, then this may well be a flawed process and an attempt to make it appear that due process was not being violated.

Board, Commissioners, Councilors, please legally and ethically represent Clark County and our state. We are citizens, landowners and we are voters, all hard won, and responsible rights. Thank you.

MORASCH: All right. Thank you very much. Any questions?

QUIRING: I have a question if you don't mind. You mentioned in the first portion of your of the three things that you brought up --

STEELE: Yes.

MADORE: Can't hear you.

QUIRING: You mentioned about three things, when you were mentioning the three things that you were --

STEELE: Concerned with.

QUIRING: -- concerned about, one of the things was complying with some court --

STEELE: Yes.

QUIRING: -- some court things and I --

STEELE: Yes. With an Appellate Court remand which, of course, was regarding the Growth Management Act and now this has become a very enormous plan, which is another thing that is puzzling me, how it has been so extended from which -- from that where it started, which actually was 1997, and this has been an ongoing process and it seems to be more encumbered as it goes along and has moved from property division and property use and rights to a much more inclusive plan for economic growth, for apparently age readiness and a lot of other conditions, none of which, of course, were initially addressed. The Appellate Court remand did ask that certain criteria be met which were not met at that time, and so those criteria still stand. These things have got to be found under the Growth Management Act.

QUIRING: I've heard the name Poyfair, Poyfair decision.

STEELE: Yes, Judge Poyfair initially heard the case and then it was taken up for review by the Appellate Court. The Appellate Court remand sent the Growth Management Act into oblivion,

in essence, and said they did not meet the criteria. They had -- they had jumped to a conclusion and that's the concern today. Is there a conclusion that has not had significant input that is being addressed? There's been a lot of input. Is it being significantly addressed?

QUIRING: Okay. Thank you.

MORASCH: Any other questions?

MADORE: Yes, I have a question.

STEELE: Oh, I'm sorry.

MADORE: The remand, we've heard a lot about that remand from Judge Poyfair.

STEELE: Yes.

MADORE: But in my mind, it's been a lot of -- the part I got out of it is generalities. It would be -- I assume those are very concise, specific directives. I would like very much to be able to see exactly what they were and whether or not we are -- we have complied with those directives --

STEELE: Correct.

MADORE: -- and, if not, what do we need to do to comply. It would be so helpful to have that broken down and say here it is as concisely stated as possible.

STEELE: I believe it's in the record and probably more than one time. I know that Carol Levanen and Susan Rasmussen have produced that information and I'm certain they forwarded it to all the necessary parties.

MADORE: I would invite if -- because CCCU has been so prolific in providing so many records that it may have been lost in the mix, and this is a very relevant, important document that I would invite one last concise document that says --

STEELE: Certainly.

MADORE: -- here it is as plainly stated as possible one, two, three, four, five.

STEELE: We could get the original order.

MADORE: Thank you.

STEELE: Yes.

MORASCH: The original order would be helpful by tomorrow at 5:00.

MADORE: Yes.

STEELE: Very good. We can do that.

OLSON: I just had one question for Mr. Orjiako, just for clarification.

MORASCH: Yeah, you had another question.

OLSON: Just for clarification. We are GMA compliant today?

ORJIAKO: That is correct, at least that's my understanding of the ruling of the courts that Clark County comp plan is GMA compliance. That ruling came as early as, I believe, 2011 when we came out defended the '07 plan which took seven years to resolve, so the answer is yes.

OLSON: Thank you.

MADORE: And I have a question also because GMA compliant is certainly a mandatory, we just simply have to do that and we all want to do that, but we also need to be, if there is a court order that has the authority, that we also need to be remand compliant and the question is are we?

ORJIAKO: For the courts to rule, and I'm not a legal scholar, but for the courts to rule that your plan is in compliance, I take that to mean that whether it's remand, whether it is any ruling by a competent court in the state of Washington, for the courts to rule that your plan is in compliant, that encompasses any outstanding issues, to put it mildly that our plan is in compliance, that will be left to the legal counsel to offer any other legal interpretation, but that's my understanding that our plan is in compliance.

BLOM: Oliver, I --

MORASCH: And our legal counsel had to leave to catch a plane, but could you ask him to be prepared to answer that question for our Planning Commission deliberation next week? I think that that is an important question that I think legal counsel can answer that.

BLOM: And just to piggyback on that, we've asked this question of legal counsel previously and I don't remember if it was in a hearing or at a work session and gotten legal opinion on this before, so if we could possibly find that in the record and have that for deliberations as well.

ORJIAKO: I will try, and I will also indicate that the rulings of Judge Poyfair is in our record. I will also add that there are other documents in the record that seems to support what the County have done up-to-date to come in compliance with Judge Poyfair ruling, that is also in your record. You can go back and look at some of the submittals that is in the record, the two rulings by Judge Poyfair is also in the record. I think what have always been the discussion is what did the County do in response to the Judge Poyfair ruling.

I must also add that while you're not in deliberation and I'm answering questions, the Judge Poyfair ruling was remanded to the Growth Board and two compliance hearing back and forth and back and forth. It is only the Growth Board and the courts that find the County to be in compliance.

STEELE: To be in compliance or noncompliance. So we would be very happy to forward the information as you requested, Commissioner.

MADORE: And if I could ask for a very concise response from Mr. Steve DiJulio that would basically look at each of those statements, each of those individual court orders from that remand and have Mr. DiJulio say yes or no or question mark on each of those, if it be possible for us to be able to -- just because this is the 59th second of the 59th hour here or 12th hour and we want to be able to -- we need short concise answers that would tell us if we are on the right track or if we still need to address something.

STEELE: Thank you for that consideration.

MORASCH: Sure.

MADORE: So if I could ask for Steve to be directed to be able to give us all that as concise yes/no answers if possible.

MORASCH: And if he's ready to speak to that on our Planning Commission deliberation, I think that would be helpful.

ORJIAKO: I will certainly do that, and I can't say anymore. I will do that and I'm glad that this question is being asked now.

MORASCH: And I do have a follow-up, not a legal question, but a follow-up question for staff. In 1997 or whenever the Poyfair decision came down, you said that was remanded back to the Growth Hearings Board and then I assume the County took some action after the Growth Hearings Board's decision?

ORJIAKO: Yes.

MORASCH: And was that action that the County took, was that appealed then again up and to the Growth Hearings Board?

ORJIAKO: You know, it was going back and forth, back and forth and the process requires a compliance hearing, what have you done, County, you take that back to the Growth Board through a compliance hearing. They review that. If they believe that you've come in compliance, then they'll issue a final order. That can also be appealed. I recall that the appeal, while I wasn't the Planning Director at the time, but I recall that the appeal went all the way to State Appeals Court. I don't know whether it ended up in the Supreme Court, but I don't have all those facts.

But like I said earlier, there are documents into the record that will be helpful to you and our legal counsel will look into that. I believe that we e-mailed him the two rulings from Judge Poyfair, I believe, if not, I believe last week, so he has a copy of that. But I'm sure that he will answer item-by-item issues that are in the Judge Poyfair ruling and what the County did.

MORASCH: Well, one of the things that I would like to see coming back to us by our deliberation is is just a brief summary of the procedure, what happened, this appeal this date, then it went back to this body, then the County took this action, then it went to the Growth Hearings Board. I'd like to see that all the way to the end.

ORJIAKO: I will do my best. And there are other land use attorneys that have submitted a summary to the Council and to Planning Commission that we can also make available to you, whether you agree with that, but that is in the record and that's why this process is, you know, very open. And we do index all the record that we received and, hopefully, when we provide you those document, you can read it and make your own conclusion. But I think our legal counsel will be able to answer legal questions that you may have and I will leave it at that. Yes, we'll provide you the best information we have.

MORASCH: Okay. Well, we will move on then to our next speaker, unless there's further questions.

BARCA: Just for Councilor Madore, for your information to be aware, what you've already received in your packet, you've got Carol Levanen from May 17th an e-mail, you've got Susan Rasmussen on May 18th in your e-mail, you've got Carol Levanen on May 19th, you've got Susan Rasmussen on May 19th and you've got Carol Levanen on May 20th, and they all have discussion about Poyfair. So if you're interested in starting to get a primer that would help you along that line and that's right there and available for you.

MADORE: And not only have the prolific written reports come, but we've had the opportunity to hear verbal testimony virtually every week since I think I've been a Commissioner/Councilor here. So I welcome the primer and yet we're still going to school.

And what I'm looking for at this point is not volumes of lots more information. It's time to boil it down to this is what the Judge said needed to happen. This is what the County did in response to that, and Mr. DiJulio saying, yes, we complied with that order or, no, we didn't or there's still work to do. So it's concise, bottom line and the final outcome time --

BARCA: So the Growth Hearings Board --

MADORE: -- without a lot of discussion, just simply say yes or no.

STEWART: I'd like to ask the Planning Commission, first of all, regarding relying on someone's testimony other than the original record for an analysis, I would not consider that to be a complete analysis. What I'm looking for, and I want to be careful that we not continue to ask our planning staff to give us legal information or legal opinions because that's not appropriate right now, but Mr. DiJulio will get the information of what we're looking at, and it's to assess the complete record and indicate to us if Clark County has complied with those aspects that it's actually a complicated case, so I think there were some appeals and some -- DiJulio can take a look at that, though, and advise the Council what the final ending status of that was.

MORASCH: I agree with that. I would like to see the history, though, of the various pieces --

MADORE: Yes.

MORASCH: -- that, you know, all the way from the beginning to the end, a summary of, you know, the steps that the County went through and that the courts went through, and I think Steve DiJulio is probably the appropriate person to organize all that for us into a concise package.

MADORE: And I can ask, what date is the Planning Commission to deliberate on these?

MORASCH: June 2nd.

MADORE: June 2. So you would need to be able to have that from Mr. DiJulio by then?

MORASCH: By June 2nd, yeah --

MADORE: Thank you.

MORASCH: -- if possible.

MADORE: Yeah. Earlier so you can read it.

MORASCH: If we're going to consider it, we need it by June 2nd. All right.

BLOM: Just to clarify what we're asking from or asking for from him is more has the courts, the Growth Management Board said that we're in compliance. You can ask four attorneys for their opinion on an issue and get five different opinions. So I think what's more important for our process here is not is his opinion have we complied with this, but have the courts said, whether that's the Growth Management Board, whether the Appeals Court, whatever the process is and that's the history that I think you're getting to, have the courts supported what we've done since then, not so much what's his opinion of what we've done.

MORASCH: Sure. But he is the County's lawyer so he can, you know, he can offer his opinion as well.

I would like to move on to the next speaker so we don't turn this --

MADORE: Mr. Chair, I just --

MORASCH: All right. One more. We're getting dangerously close to deliberating in a joint hearing, so I want to keep this focused on questions.

MORASCH: Just to conclude this and in this case we don't have lots of attorneys to talk to, we have one legal counsel that's assigned to this project, to this, to us and his discretion on what he's going to include and consider, his opinion, I think we're all looking to go to him to say we want some concise answers from you. You figure what goes into that, but help us to understand authoritative as best you can answer. Thank you.

MORASCH: Thank you. All right.

Richard Colwell. Is Richard Colwell still here?

COLWELL: I'm here.

MORASCH: All right.

COLWELL: Hello. My name is Richard Colwell, C-o-l-w-e-l-l. I am a candidate for Legislative District 17, Position No. 2.

I'm going to begin by reading an Article 1, Section 32 of the Washington State Constitution: A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government. With that in mind, I'm going to read for you the very first sentence of the Growth Management Act: The legislature finds that uncoordinated and unplanned growth together with a lack of common goals expressing the public interest and the

conservation of wise use of our lands. Now hold on a minute. My land is my land and your land is your land.

What this essentially does is it changes the idea of private property into communal property. Almost that entire map right there is private property. The very first line of the Communist Manifesto calls for the abolition of private property and land. What does that leave? It leaves communal property. Benito Mussolini himself defines fascism as everything is in the state. Government is supreme and country is all encompassing. All within it must conform to the ruling body, often a dictator.

Now, I ask you when you consider the frequent recurrence to fundamental principles, does the Growth Management Act actually address that? Does it adhere to the fundamental principles of right to life, liberty and the pursuit of happiness as in the consti- -- excuse me -- in the Declaration of Independence by Thomas Jefferson or is it more like the Communist Manifesto, is it more like what Benito Mussolini said?

HOLLEY: You got to slow down a little bit, you got to.

BENDER: Smoking fingers.

MORASCH: Slow down but not too much because you have three minutes. I'll give you a couple of extra seconds since you were interrupted. I apologize.

COLWELL: No, that's fine. That's what I had in mind.

So I just want to ask you, is it a fundamental principle? Are the ideals of the Declaration of Independence, the pursuit of life, liberty and the pursuit of happiness being adhered to or are we adhering to a different principle that private property has somehow become communal, which is right out of the Communist Manifesto? So do you have any questions?

MORASCH: All right. Any questions?

BARCA: What are you running for?

COLWELL: I'm running for State Legislature, District 17, Position No. 2.

BARCA: Okay. Thank you.

COLWELL: Richard Colwell, C-o-l-w-e-l-l.

MORASCH: All right. Any other questions? All right. Thank you for coming tonight.

COLWELL: Thank you.

MADORE: I just wonder how in the world you type that fast.

HOLLEY: I don't.

QUIRING: I don't she says.

HOLLEY: I don't. I've been sitting here since 6:30, holy cow.

MORASCH: All right. Sid Sutherland.

SUTHERLAND: Thank you, Councilors, Planning Commission --

BARCA: Speak up to the mic, please.

MADORE: It doesn't sound like you're --

SUTHERLAND: -- and staff.

MADORE: There you go.

BARCA: There you go.

SUTHERLAND: Thank you. In 1984, I used to be chairman of the Alameda County Planning Commission down in California. This included Oakland and Berkeley and a county of about two million people, but I see those large stacks of paper you have on your desk and I recall quite well what it was like.

But I'm here today to talk about affordable housing and specifically I have this friend, Diane, elderly lady, retired school teacher. She had a husband that recently passed away and she was able, under the County rules, to get a second house on two and a half acres. Now she's staying there and she's not the one with the problem and she feels that once she passes away and leaves this house to her daughter who lives on the other parcel, they're going to -- they need to destroy this house; in other words, they have to get rid of it. It can't stay there unless, I suppose, they could find another couple to buy the land that had an equally equal problem like that.

But when you need affordable housing and everybody agrees with that and it's kind of a commonly used word, and if you remember back - of course, who's going to remember back to the '30s - that under FDR's policy, they used to destroy farm animals so they could drive the prices of the commodity up, and I've never really understood the logic of that when you look to

the fact that there were so many people starving.

And I look to the same situation here. We have a house that it's going to be mandated to be removed or gotten rid of, at least that is a unit that could be an affordable housing unit. You see what could happen if the laws could change a little bit. We could have something like impact fees that would now come due and things like that, but that's the point I wanted to make and I'm done. And does anybody have any questions?

MORASCH: All right. Any questions? Councilor Madore.

MADORE: I missed the first part of that. What's wrong with the home?

SUTHERLAND: It was granted to her because you can only have one house on with a kitchen on every parcel of land. They were able to get an agreement from the County so they could get two houses put on this same land. It's a very common use, you know, where young children or children are taking care of their parents and it's a place for them to live and have so, in essence, there's two kitchens. Now, once they die, one house has to go.

MADORE: I see. So the problem is our County Code which is not State mandated, this is at the discretion of the BOCC, prohibits a kitchen in the guest home or/and prohibits an ADU outside the urban growth boundary, that is something that at our discretion we could correct?

SUTHERLAND: I would hope so. I'm speculating at this case.

STEWART: Well, there may be other issues related to this that we don't have the complete story on and I strongly suspect that's the case. And I think if we look at all the circumstances, we can see if something can be done, but it may be not related to growth management. It may be related to code or to other things, so we'd need the whole story.

ORJIAKO: You're correct, Councilor. And again, you're not in deliberation, if I may.

The County Code currently allows for a guesthouse in the rural area, although it requires no kitchen. Secondly, the County Code currently allows for a placement of a second home on the hardship. That is provided in the County Code. Now, the question is, what happens -- you have to establish that there is a hardship. That's one of the requirement. Often what happens is, okay, if the hardship no longer exists, what happens to the second home? Now, the County Code doesn't address that because those are some circumstances that we don't foresee.

Now, if the Board wants to take a second look at whether we continue to allow - and I'm not hearing the gentleman say that the County should do away with the placement of a second home on the hardship - the code allows for that now, and then you can build and not many people take advantage of it, but you can build a guesthouse. I'm not sure why, but at least

according to the County Code, it doesn't require a second kitchen, but that's why it is characterized as a guesthouse.

I don't know all the circumstances, but I know that the County Code allows for a placement of a second home on the same parcel on the basis of hardship where family members can take care of other family members for a variety of reasons, but you have to show that the hardship exists.

STEWART: So I think the answer is more information.

ORJIAKO: Yes.

STEWART: A complete record of what's gone on there before we would know if it can be fixed and how.

OLSON: And I would think to Councilor Stewart's point that this is probably not a GMA problem. This is a problem you can bring to us and to Planning and we can work with through you and then we can work through code and come to some solutions here.

SUTHERLAND: Well, it's to my understanding, Councilor Olson, that this is a very common situation that exists throughout the county and it comes up, you know, all the time.

OLSON: Right. And so I'm saying, yes, we should address this. I'm just not sure if it's a comp plan issue. That's my only --

STEWART: Exactly.

OLSON: Yeah.

MORASCH: Councilor Madore.

MADORE: Yes. This is -- as I look at this, this is really not a question of can we fix this particular parcel situation. You're bringing this up as an example.

SUTHERLAND: Correct.

MADORE: And so what I would like to be able to do is address, ask our, again, our attorney, Mr. DiJulio, to answer two questions because this has to do with comp plan. It had to do with GMA compliance to be able to address this on a countywide or it's outside the urban growth boundary issue.

The first one is that we can ask Mr. DiJulio to answer would be, can we remove the hardship requirement for the guest -- for this second home just simply across the board so that -- and

the second question is can we remove the restriction that it cannot have a kitchen? So those are two simple questions. Maybe the answer is not simple, but we'd like to be able to have him answer at least for GMA compliance, process necessary to be able to -- for us to be able to remove those constraints and related to this is the ability for us to be able to just simply say, yes, we can open up the opportunity for ADUs to be granted in the rural area as well as they are inside the UGB.

STEWART: Mr. Madore.

MADORE: If we can get those questions answered by Mr. DiJulio, that would be great.

STEWART: No, I don't think those are the right questions. He does not own the property; correct?

SUTHERLAND: I was using an example. No, I do not.

STEWART: And so you have some general background information about the parcel and the homes.

SUTHERLAND: Yes.

STEWART: But you haven't seen all the paperwork and whatever was done when those got done. So I'm just saying we should take a look at that.

To your point, we all agree that there are certain, in this whole process, there are certain issues that we have seen that sound very similar and they come up over and over and over again. The solution is to solve the systemic problem if it can be, to go not downstream to individual parcels, but to look at what's causing the hang-up in the process. And if that's -- and if it can legally be done and reasonably be done and if it might take a code change as opposed to the bigger plan which is the GMA plan. So every case is important because it's a piece of the puzzle that tells us where things aren't going well. So I want to hone in on the causes and work on fixing the causes.

SUTHERLAND: Okay.

BARCA: Mr. Chair, can we return to the agenda, please.

MADORE: Mr. Chair, rather than have individual questions so our legal counsel be vetoed, I assume we have the freedom to have particular questions addressed to legal counsel that can answer to us. These, to me, are very important and relevant questions for the rural area. So I do look forward to having those answers from our legal counsel.

MORASCH: You can certainly ask your legal. I'm not going to stop any Council member asking their legal counsel questions, and I actually would like to know for our hearing whether it's within our legal authority to approve ADUs in general on the rural lands.

We've heard testimony from several witnesses tonight requesting that rural lands be opened up to, you know, full ADUs, and right now I understand we allow guesthouses which don't allow kitchens. So is it within the County's authority to amend its comp plan as part of this process to add ADUs? That would be a question I'd be interested in knowing the answer to.

BLOM: And if I could piggyback on that question. Would doing that require a deeper Environmental Impact Study? I mean, that's -- I think that's the question. Can we do it now or do we need to do it as a title change later?

ORJIAKO: Yeah. We can ask the question and, I think, this discussion particularly due to ADU has come up and it is something that can be looked at later. It is something that part of your recommendation to the Council may be that the Council look into that or put it in post-plan adoption issues to look at. I think that could come as part of your recommendation.

I don't know what Mr. DiJulio is going to come up with, but I know that there are -- and I've mentioned this, I think, at one of my -- at one of your hearings that, yes, other counties have looked at allowing ADU in the rural area. One county I mentioned was Pierce County; however, that their provision of ADU to the rural area which included the resource area was appealed to the Growth Board. I think in my remarks --

MORASCH: Well, just have Mr. DiJulio be prepared to talk next week

ORJIAKO: And I will ask, I just want to reiterate that in my remarks what I said that County staff will do is watch what the outcome of that appeal is, so that if you directed us to look at that, we learn something from what they have done.

MORASCH: Okay.

BLOM: I would just add that ADUs are included in both the Aging Readiness Report and the Growing Healthier Report as suggestions.

ORJIAKO: Yes.

MORASCH: Okay. We need to move on. Any other questions for Mr. Sutherland? All right. Thank you for coming.

SUTHERLAND: For the record my name is spelled S-i-d, S-u-t-h-e-r-l-a-n-d.

MORASCH: All right. Thank you.

Lee Jensen.

JENSEN: Thank you people. My name is Lee Jensen, last name J-e-n-s-e-n. Friends of Clark County are friends of mine and I would like to restate some important points they have brought up.

According to the comprehensive plan of 2016 to 2025, Exhibit 2, estimating rural housing and employment, Page 3, the county needs to plan for up to 8,024 new parcels which are estimated to contain 21,343 new rural residents; however, serving this number of new residents may not be affordable. Basically all the citizens of Clark County will pay higher property tax, utility rates and bond interest. Note, renters also pay property taxes indirectly.

On transportation, roads, the 20-year capital facilities plan, CFP, includes 26 projects outside of or after the first six years that are related to rural traffic. That is from Appendix E of CFP review Page 66. Corresponding CFP estimates for the 26 new parcels is $850 million after the first six years. There is no funding strategy after the first year. There is no funding strategy for 11 million per year over 20 years. Paying this 850 million depends on grants that we may lose, traffic impact fees that have been waived for business development and general fund which is supported by citizens' property taxes.

On fire protection, fire protection is funded almost entirely from the general fund and property tax. Capital facilities plan for building and equipment shows that cost for 2007 comprehensive plan were about $13 million. For the current plan, that estimate for serving the rural population is about $37 million. That is a $24 million new to the general fund and property tax.

On schools, adding 8,024 new families from the rural area will increase the problem. Issue Paper 8.1 on Page 11 shows the funding values for impacts for schools including many new schools and there's been previous testimony tonight by school representatives that have presented faculties needed for that rural population.

We, the citizens of Clark County School Districts, pay for the new school buildings, including the interest on the bonds for the new buildings. We also pay to supplement the Washington State funds to maintain the buildings and secure staff, supplies, heat, et cetera, necessary for schools, plus the increased buses, drivers and gas needed to collect the students scattered all over the rural area. Thank you.

MORASCH: All right. Thank you. Any questions?

MADORE: Yes, I have a question for Mr. DiJulio again. The question is pretty basic, pretty simple. The GMA, as I read it, states that the counties are required to accommodate the

foreseeable growth, period. The question is, do the counties -- does this county have the -- can we fail to meet that requirement because of lack of money for the infrastructure? That's the question.

MORASCH: Okay. Did you understand that enough to write it down and ask DiJulio to comment on that?

ORJIAKO: I'm sure some of my staff are (inaudible) and one of the things I will recommend -- we got it. If we don't -- yeah, we got it.

MORASCH: All right. You got it. Good. Okay. That's all I need to hear.

Bridget McLeman.

MCLEMAN: Congratulations on you all sitting here for this long and listening. And I am totally stunned by a ten-minute conversation about whether we had met the remand or not, because when a court makes a decision, you don't get to question whether they were right or not. You have a decision and we're compliant and that pretty well says it all. It's irrelevant whether we think he was guilty or not guilty. The court makes a decision.

The second thing - I had three things I wanted to mention - we keep hearing these words social engineering thrown out and it's always used in the context of something like healthy communities or complete streets or whether we're going to have graphics on our sidewalks. That is not what social engineering is about. Social engineering is a strategy to propound your vision and values and methods.

So there's much social engineering in CCCUs testimony as there is in opponents or advocates of other alternatives. So CCCU uses social engineering to advocate for a rural lifestyle, and I used to think that meant farming and forestry, but that's not what's meant because what a lot of the vision of Alternative 4 which, thankfully, for now is receding is for development on lots, and we saw it come out after the 1994 or '97 GMA where people rushed to get subdivisions through and clusters.

And the problems we're having addressing GMA now are a consequence of what happened then and we're seeing it again now, so that if we go for segregation on lots now, then the people in the remainders on those lots will want to subdivide in the future and we will just compound it. And like the guy from Bi-Zi Farms goes, we might as well admit it's just a development plan because we can't stop.

What we've been trying to do is hold to a set of values established by the community in '94 and that's hard, especially when we allowed a lot of variations at the start. So you guys really have a tough job. There's some important things that have been said around meeting some pre-'94

needs out of owners and any accommodations we can do for that, but people who have bought since then, they bought their lands at the lot size, whether they're legal or whether they're whatever, and to now either complain about the resource lands around them or to dictate that they want to subdivide, you know, that shouldn't be an option.

We need to maintain our resource lands. We need to require people not to impact the resource lands by dividing into smaller lots which then argue against farming. So that's all I have to say. I thank you all for the work you're doing. It's not an easy job.

MORASCH: All right. Thank you. Any questions? Okay.

Sue Marshall.

MARSHALL: Thank you, Chairs, Council, Commission. My name is Sue Marshall, M-a-r-s-h-a-l-l. We have a 20-acre family farm in the Ridgefield area. It's currently zoned AG-20 and we would like to retain that designation for its long-term protection in agriculture.

I strongly oppose the proposal to eliminate AG-20 zoning and reduce the minimum agricultural lot size to 10 acres. This proposal disproportionately and negatively impacts agricultural resource lands. Of the 985 new rural parcels created, 85 percent are on agricultural resource lands. I've included a table that shows the comparisons. I've also listed, I have a list of the negative impacts of parcelizing agricultural lands. I'll let you read that and skip further down. I encourage you not to allow nonagricultural activities on agricultural lands as this further undermines the viability of agriculture.

I'm also concerned about expansion of urban growth areas onto agricultural resource lands as proposed by the cities of La Center and Ridgefield. There's already been significant reduction in agricultural lands. What's needed for this county is really a long-term plan to protect agriculture and mitigate for the cumulative losses that we've experienced. At the rate we are going, there really won't be any agriculture in 100 years.

I don't support the cluster on agriculture and forest lands. On its face, it does not satisfy the GMA mandate to conserve agricultural land for the maintenance and enhancement of the agricultural industry and it creates a number of conflicts. If flexibility and support for resource management is the objective, it would be better to create an accessory dwelling unit option to allow family members or employees to live on-site and assist with this management, but I would agree to carry that issue forward. Remainder cluster lots are not protected as agriculture and could be designated as open space. This would, therefore, further lead to conversion of ag land.

Agricultural zoning needs to be strengthened, not weakened if we want to secure long-term ag. The rural comp plan fails to demonstrate how elimination of AG-20 designation would

maintain, enhance, preserve, promote and conserve the agricultural industry. This was a concern raised by Chris Cook at the November 17th, 2015, Planning Commission meeting when they deliberated and came forward with a recommendation. I would support the Planning Commissions' recommendation and if they make that recommendation for a third time, maybe that will be the charm. Thank you very much.

MORASCH: All right. Thank you very much. Any questions?

BOLDT: I have a question for Oliver, though, Oliver or maybe even Gordy. One of the things I think for me and Gordy, and you and I had this question about the Assessor, I think it would be very good to find out for the Planning Commission and for us, there's a threshold of land use tax between 20 acres and 10 acres and it's harder to get that because of an income verification for 10 acres. So if we could, I think if we could get a short concise report from the Assessor might help us in that because there's some people that don't want to divide because of that, it's harder.

EULER: Noted.

MARSHALL: Thank you.

MORASCH: Okay. Any other questions? All right. Thank you very much.

Gretchen Starke. Starke, Gretchen Starke.

STARKE: I got to eat this thing. I'm Gretchen Starke, and that's S-t-a-r-k-e, and tonight I'm speaking for myself.

I have been through numerous sessions of growth management planning in the 40-plus years that I have lived here. None of the resulting plans, including this one, really provided for reasonable growth that minimized impact on natural and human-built systems.

As for this plan, I oppose reducing the size of parcels in ag and forest resource lands. I oppose the clusters. The last time the County had that policy, it was a disaster with the remainder lot also being developed eventually. I am disappointed that so little attention has been paid to the needs of wildlife. I feel that aspects of this plan will encourage sprawl and the resulting traffic congestion. I oppose any form of development that will increase our taxes with no benefit to us. I wish -- I am planning to submit further comments tomorrow before 5:00. At that point, I'll be emphasizing wildlife impacts. Thank you.

MORASCH: Thank you very much. Any questions? All right. Thanks for coming.

We have one more person signed up, Dr. Milada Allen. And I know you signed it yourself this

time because you spelled your name right.

ALLEN: Well, the other clan was too full. Milada Allen, Post Office Box 61552, Vancouver, but I live in Felida.

As a very active parks advocate as well as having a parks committee from the Felida Neighborhood Association, we would like to say a few words, even though we do not have the unanimous adoption by the board yet; however, we do know that the parks impact fees or PIFs have been shortchanged.

In 2002 and during subsequent updates, those PIFs rates were not increased primarily due to economic downturn and pressure from the development community; therefore, the County is already 20 years behind on catching up to where PIFs should be today.

If the County Board of Commissioners -- of Councilors -- excuse me -- succumbs to the pressure to lower proposed PIF increases and allow longer periods to for gradual increases to catch up to where it should be today, the reach of proposed PIFs would be delayed by about 30 years.

With increased demand and decreased supply of suitable lands for parks and further competition from private industry as well as development, the strategic locations where we would like to place those parks would be gone. And, of course, when DEAB is stating that the land acquisition prices have been overstated, with all of these factors, they are understated, so in addition, the accuracy rates for densities as well as population growth were underestimated for at least a decade.

Furthermore, the County has already lowered the parks acquisition standards or the level of service standards. So the national LOS standards for neighborhood and community parks is 6.25 to 10.5 acres per 1,000 people. In the last 12 years, LOS standards have been lowered from 6 to 5 in 2005 to 4.25 today. Note that in 2005 the County had adopted a goal that to achieve the national standard, so we are way below to where we should be today much less in the future. Therefore, stay the course and adopt proposed PIF increases pursuant to Clark County Parks and Parks Advisory Board. Thank you.

MORASCH: And thank you very much. Is there any, does anyone have any questions? All right. Thank you.

That concludes our sign-in sheet and our public testimony. So with that, we will close the public testimony to verbal testimony. We will keep the record open until 5:00 tomorrow for written testimony.

Chair Boldt, do you have any closing remarks?

BOLDT: No. Thank you very much.

ADJOURNMENT

MORASCH: All right. Well, thank you everyone. It's been a long night and we are now adjourned.

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