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BOLDT: So can we -- so we have g.i.A that's in front of us. Can we move and second the motion to require clustering for Forest 20, at that time we can have amendment to change the requirement from requirement to optional and go from there just like we did before?

DIJULIO: Well, it would be simpler simply to move to approve g.i.A with the language to read 210 includes proposed clustering option for forest lands and save a step.

BOLDT: Okay.

MIELKE: Okay.

BOLDT: Is there a motion?

MIELKE: So moved.

STEWART: Second.

BOLDT: Okay. I'm still against that, so... I am for the requirement; not the option. So we can vote.

STEWART: AYE

OLSON: AYE

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BOLDT: NO

MIELKE: AYE

MADORE: AYE

BOLDT: Motion carried. Okay. Very good. Oh, and then we are -- is that it for the -- that's it for that one.

ORJIAKO: Yes.

BOLDT: Okay. 1.d.

OLSON: Mr. Chair, I move that we approve Item 1.d which states, Zoning Map: For some parcels zoned R-20, from 20 acres to 10 acres.

BOLDT: Second?

STEWART: Second.

MIELKE: Mr. Chair, I'd like to make a motion.

BOLDT: There's a motion on the table.

MIELKE: On the amendment. I'd like to make an amendment to that to parcels R-20 to R-5.

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BOLDT: Okay.

MADORE: I second that motion. And, Mr. DiJulio, similar question, do other counties allow for R-5s? In other words, is it legal under the GMA?

OLSON: We have R-5.

ORJIAKO: The County currently has R-5, R-10 and R-20, so you already have R-5.

MIELKE: So my amendment is really moot, then, if we already have it. Then I withdraw my amendment.

MADORE: I have an amendment, a particular amendment, that is we've had a number of citizens that have asked for the correction of the dominant parcel sizes to be applied to their lot. So my amendment is to, or should I say, I move that we allow Parcel 222542-000 and 222594-000 which is the parcel from that we heard earlier from Mr. Coppedge to allow that zone to go from R-20 to R-5.

STEWART: Mr. Madore --

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MADORE: Yes, ma'am.

STEWART: -- did you withdraw your second to Mr. Mielke's proposal? He withdrew his motion.

MIELKE: I withdrew my proposal.

STEWART: Are you withdrawing your second?

MADORE: Yes.

STEWART: Well, you didn't. But are you now?

MADORE: Yes, ma'am.

MIELKE: I don't think he has to. I removed it.

STEWART: So I don't understand. I know that the gentleman is here and he has a specific issue and we need to talk to him and figure that out, but I don't think we do that in the course of the comp plan by going into general categories and adding specific serial numbers or parcel numbers to correct problems that we need to find another way to do.

So I'm not -- I won't support that motion, but it doesn't mean

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that I don't support trying to find a way to help individual citizens who have individual issues on their parcels because all of us collectively, I don't think we've put a file together, but I have probably a dozen other cases of individuals coming to me to talk to me about property problems they have and the comp plan isn't the place to sort that out, those are going to require individual attention.

OLSON: I concur with Councilor Stewart so I will not be supporting that either for the same reasons.

MIELKE: I noticed that earlier today for Mr. Harb that we kept the zoning there so we kind of set a precedent there with Mr. Harb, so... It seemed like where this is unclear because it refers to the zoning map, where we're unclear we could be more specific in the one incident that we do know about.

BOLDT: That was inside the urban growth boundary, so...

MIELKE: Oh, it was inside the urban growth boundary? So that's probably even more of a reason to allow it to.

ORJIAKO: Mr. Harb property, Gus Harb property is inside the urban growth boundary.

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MIELKE: Oh, okay. And it's too mixed up.

ORJIAKO: Yes.

MIELKE: And the other one is not?

ORJIAKO: That's correct.

STEWART: But each of the people who have property have unique -- some unique circumstances that are not related necessarily to the comp plan but may be related to other codes and so on and so forth. So I hope we're not going to try to incorporate all those into here.

Staff is making notes and we need to give staff the notes we have from folks we've talked to and we need to systematically go through those issues of those properties, staff does, and give let the Council know what the issues are collectively, all of us so we're all on the same page.

So, Mr. Madore, did you have a motion on board?

MADORE: Yes.

STEWART: And has it been seconded?

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MADORE: Has it been seconded, Tom?

MIELKE: Yes, I seconded it.

BOLDT: It was seconded.

MADORE: And I'd like to weigh in on this as well, and it is -- it's true that, especially in the joint work session or hearing session with the Planning Commission, that we've heard a number of individuals and we've received a number of individuals via e-mails and other means that have said I have a particular case where I need to have that solved because it all my neighbors are smaller than I am.

In this case, this lot owner, this landowner came to us, participated today, pointed out that we do have the discretion here and now to be able to incorporate this, went through that effort to appear here today so that we can ensure that this appropriate correction can be made. And, yes, there are. There are many other opportunities for many others, but they didn't show up here today and ask particularly for that. So for that reason, I think it would be appropriate. I do see the map here. It does look like he's stating the facts as they are.

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BOLDT: So, Oliver, I have a question. The underlying intent of this from some parcels zoned R-20s, R-20 from 20s to 10, what is the intent, original intent of that?

ORJIAKO: Councilors, the original intent of this the R-10 and R-20 came as a compromise, if I may, between the County and the Growth Board when the County resolved the 35,000 ag/forest issue through remand, there were about 3500 acres left through that remand and subsequently I think we send to the Council the adopting resolution that resolved that 3500 acres left. What the outcome of that was to use 10 acres and 20s to buffer the resource. That was the outcome of the Rural 10 and Rural 20.

Now that the Council is considering reducing the minimum parcel size in ag from 20 to 10 and Forest 40 to 20, where those Rural 20 abuts AG-10, it makes sense to reduce the Rural 20 to 10, so that's really why this proposal is before you. So it will make no more sense to buffer 20 with a 10, so that's the intent of this. The buffering will still be less, but it will still be on a much smaller parcel size.

BOLDT: Right. Yeah. Not the intent of going site-specific.

ORJIAKO: That's correct.

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BOLDT: Yeah. And that is why I'm against that. I mean, there's no one, so...

MADORE: Although we defined intent and we have discretion, we can certainly welcome the Council and advise, the discretion is ours.

BOLDT: Yeah. Okay. Still against it. Okay. The motion.

STEWART: This is Mr. Madore's amendment that we're voting on?

MADORE: Yes.

BOLDT: Right.

STEWART: NO

OLSON: NO

BOLDT: NO

MIELKE: YES

MADORE: YES

MADORE: I'd like to offer another amendment and that would be to change the word "some" to "all" so the l.d would read, "For all parcels zoned R-20, from 20 acres to 10 acres."

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MIELKE: I'll second that.

STEWART: Explanation of why it says some.

ORJIAKO: As I indicated, the Rural 10 and Rural 20 were used to buffer resource, and the Growth Board upheld that action by the County. So if you have AG-10 and now buffering it with Rural 5, I think we will run -- we will be compromising the previous decision that the Growth Board and the County have ruled and is consistent with GMA. So I wouldn't be asking the Board to support that. We are recommending where applicable. In this case where we still have to buffer resource, ag and forest we will retain the appropriate minimum parcel size given your previous decision on b and c.

STEWART: So when you say "some," you have a criteria in mind, it's not just arbitrary?

ORJIAKO: That's correct.

STEWART: You have certain conditions that you would look at which would equal a criteria.

ORJIAKO: Yes. We will maintain the buffering as required by GMA that you buffer resource land. And, again, the resolution

that we sent to the Council was the remaining 3500 acres that came out of the ag/forest zoning.

MADORE: Mr. -- oh, okay. That went away.

ORJIAKO: So if you look at our map, you will see where we buffer resource with 10 and 20. Now that you're reducing the minimum parcel size for ag to 20 to 10 and Forest 40 to 20, we would like to use the same criteria to buffer those resources and maintaining the appropriate minimum size for those.

MIELKE: So one of the things I see, Oliver, that by changing that from "some" to "all," it gives something more specific is one of the things that we always hear about is that we change our rules along the way or we have different criterias along the way. By being more specific, by saying "all parcels" then that leaves it up to the landowner to make that choice and not us.

ORJIAKO: If the Council would like, we can put up our map here and show you how this is presented on our map so you see that it should not be applicable to all, and I'm glad that our GIS staff are here. Take a look at our map.

Jose, can you help us quickly explain what we are really talking about because the darker green is our Forest 80, DNR, warehouses

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and so forth. If you look at the ages of the forest and ag, you can see that it is ag is Rural 10 and Rural 20 that were used to buffer those resource areas. Jose, take it if you can.

ALVAREZ: So the areas outlined in blue are the R-20 that's proposed to go to R-10. And so typically if the AG-20 is adjacent to it and it's going to go to AG-10, then those areas that are currently R-20 are proposed to go to R-10 to be consistent. So if there's areas that are currently AG-20 but have R-20 next to them, the proposal is to go from AG-20 to AG-10 and the corresponding R-20 is going to go to R-10.

MADORE: So, Mr. DiJulio, on each of these questions, it really comes down to three basic, each of these options comes down to three basic questions: One, is it legal? Two, does it comply with GMA? Three, do other counties do it? I assume that if other counties do it, then that gives a yes to the first two answers.

So the question is, do other counties allow 10 acres, 10-acre R zones to be next to resource lands? If they do, then we know it's within our discretion to allow it here.

DIJULIO: You're also -- yes. The answer to your question is it may be a reasonable choice for Clark County conditions. As I

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think we've talked about numerous times, we try to maintain the unique status of each of the counties and Clark County likes to think of itself in not necessarily the same way as the other counties, but, yes, I mean, that is an option that may be considered.

The difficulty as I see it is that that proposal that you have before you and the mapping that you have before you is the mapping and the consideration that was given by the Planning Commission. If the Council wants to consider something differently, then I will say it this way. There may be a risk that the Council's action would be found not to have been properly informed through the Planning Commission process. I'm not going to say yes or no to that question because I don't want to give ammunition to opponents who may challenge the County's action, but there may be a risk in that regard.

MADORE: Okay. And just to inform that risk a little bit, Alternative 4 included ag -- I'm sorry -- ten-acre parcels right next to very large forest and ag parcels that was already analyzed, it was already approved, we adopted it as the Preferred Alternative. So in this case, if we know that other counties are doing it, then, to me, Clark County's uniqueness should not be one that we restrict private property rights just simply to be unique. I would rather be unique in respecting

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private property rights better than other counties.

We know they are already respecting other county -- other -- that freedom in other counties. These are not resource lands; these are residential lands. This is an opportunity for us to be able to allow the residential lot owners, landowners that same flexibility respected by other counties.

BOLDT: Okay. Any other comments?

MIELKE: One question of staff. Is there a danger or reason why we couldn't allow that?

ORJIAKO: I think our legal counsel have provided some caution. What I will add again is that the AG-10 and ag, or the Rural 10 -- excuse me -- and Rural 20 was the action that the County took in resolving remand from the ag/forest dispute. During that effort, 3500 acres were left not knowing what it ought to be and the County resolving that because buffering is required for resource, so that 3500 acres was used to buffer resource thereby making it not resource but buffering resource designating them equivalent parcel size that they abut. In this case, Rural 10 and Rural 20 and the Growth Board found that to be in compliance with the Growth Management Act to buffer

resource.

Again, what you have is areas that are currently abutting ag and forest that we reduced the minimum parcel size accordingly. That's what is before you or that is what is before the Planning Commission, that is also what has been analyzed up until this moment throughout the process. So asking for a blanket let's change it now, I think you heard from the legal counsel that you run the risk.

MIELKE: But there's no danger to the forestry is what I was getting at.

STEWART: Well, I'm not sure that's true. It really protects both uses to follow the GMA recommendation, well, the GMA mandate which is to provide buffering, that really does provide protection for both uses. So I see it more as a protection than a prohibition, but I do -- I am glad to hear that there are conditions and criteria so that it won't be a simply arbitrary decision because it's when municipalities or organizations get into not being able to defend their action because they don't really have criteria or conditions and they haven't outlined it, that's when it seems arbitrary and arbitrary is not fair, so we're trying to look for a most reasonable and fair solution on this. So I don't support that amendment.

MIELKE: Well, these conditions exist throughout other counties and so I'm not sure what that danger would be. If it wasn't accepted by the GMA or by the Hearings Board, it wouldn't be accepted. Well, it's already accepted.

MADORE: Yeah.

DIJULIO: No. But just to be precise in answer to Council member Madore's question, yes, but the question is in that county as in the case of Clark County is the designation of those lands properly identified and designated for buffering purposes. It's not just the designation of the density. It's how it relates to the adjacent properties. And I'm not here to say that it doesn't work in Clark County. I'm just saying that the process that has been considered up to this point focused on the buffering element of that, and, you know, if you want to send it back for further work, you can send it back for further work, advance it to next year's docket for the comprehensive plan annual update. But I'm saying today, based upon the record that we have now, this record is based upon the evaluation of the buffering issues. What that analysis is in another county, I can't tell you.

MADORE: And I'd like to just address that. The definition of

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buffering is appropriate for us to designate ten acres is sufficient buffering. R-10 is sufficient buffering. It is sufficient buffering in other counties. Why wouldn't it be the same definition for Clark County?

OLSON: That's what we're doing. That's what the --

MADORE: That's why I thought the motion is to allow it like other counties do; in other words, ten-acre R zones provide sufficient buffering.

OLSON: You say for everything. But you said for every --

MADORE: Yes.

OLSON: Yeah. Well, we're talking about specifically parcels studied and located and identified here on the map.

MADORE: When they're located next to the resource lands, yes, then the ten acres are designated as buffered.

BOLDT: Okay. So the motion or the amendment is to go from some to everything.

MADORE: And all.

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BOLDT: All. So vote.

STEWART: NO

OLSON: NO

BOLDT: NO

MIELKE: YES

MADORE: YES

BOLDT: Okay. The underlying now motion is to go for some parcels zoned R-20 from 20 to 10. The vote.

STEWART: Has that motion been made?

BOLDT: Yeah.

STEWART: Thank you.

MIELKE: It was just made.

STEWART: I vote AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

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BOLDT: Okay. Motion carries. Okay.

Moving on. I think l.e, Rural e. Is there a motion to approve that?

STEWART: I move for approval.

BOLDT: Second?

MIELKE: Second. I have a question of staff. The difference between a CR-2 and a CR-1, more restrictive, less restrictive?

ORJIAKO: One is inside the rural center and one is outside the rural center. That's just the distinction. The use list may be a little bit -- what is allowed may be a little bit different, but the only distinction is that one is inside a rural center and the other is outside.

I'll give you an example. If you look at the Duluth area, all that is rural commercial outside of a rural center. You look at the commercial that are designated within Dollars Corner inside the boundary, that is rural commercial inside of a rural center. That's just the distinction.

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MIELKE: When we talk about combining these, how does that affect it?

ORJIAKO: It will not affect it. The only thing that you will see is very similar to the decision you made in 1.a, you will have one rural designation when you look at our comp plan map. When you look at the zoning, it shows you the distinction that one is inside the rural center and one is outside the rural center. That's all.

MIELKE: Thank you.

BOLDT: Okay.

MADORE: So the 1 is the more flexible? Is there any difference?

MIELKE: They're both the same.

ORJIAKO: There is a difference in terms of uses allowed.

MADORE: Which one's more flexible?

ORJIAKO: The one inside the rural center.

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MADORE: So we're adding flexibility if we vote yes on this?

ALVAREZ: Not necessarily. Jose Alvarez for the record.

The commercial outside of the rural center is specifically to recognize existing commercial that existed when the comp plan was adopted, essentially a grandfather commercial uses outside of rural centers and that's how we distinguish them.

MADORE: So what's the practical effect if we vote for or against this and knowing that at least in my interest, it's to add flexibility, what do we do if we want to add or maximize the flexibility for both of these CR-1 and CR-2?

ALVAREZ: There's no change in the zoning. This is just the comp plan designation that instead of having two separate comp plan designations, you have one comp plan designation.

MADORE: So there's no difference --

ALVAREZ: Not really.

MADORE: -- that that's going to make?

ALVAREZ: Correct.

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OLSON: And I'd like to -- yeah. The Planning Commission had a nice deliberation on this. I have the minutes here and watched it a couple of times, so...

ORJIAKO: If the Board wants to consider some flexibility in uses, as the Councilor said, you can add it on our to-do list to look at the use list in both CR-1 and CR-2 and see if you want to make any changes to the use list. That's where you bring flexibility, but this action doesn't change anything.

BOLDT: Okay. The vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Very good. Motion for 1.f, comprehensive making urban reserve becoming a true overlay. Is there a motion to approve 1.f?

OLSON: So moved.

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BOLDT: Second? I'll second that. Discussion?

MIELKE: Mr. Chair, I've always had a problem with the urban reserve because we've always had a tendency to tie the hands of the property owners by putting that into a reserve and I've always been more in favor of a more specific designation. We went through that there on 10th Avenue and we've tied them up for a long, long time.

MADORE: Yes.

MIELKE: And we've heard from Mr. Espinosa now for the last eight years representing his neighborhood and the difficulty of what they've been able to do with their property for improvements or division or anything else. So I wish that we wouldn't put anything in reserve; designate it as one or the other.

BOLDT: Well, the difference there is, I believe, is between the difference of urban holding and urban reserve; right?

ORJIAKO: That's correct.

BOLDT: 179th has urban holding on it. Urban reserve is where we intend to go to the urban growth boundary next. It's just

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essentially saying you're next in line, but that's not urban holding.

MADORE: My concern with any of these holdings is - and correct me if I misunderstand - basically it amounts to a moratorium until some significant steps are taken; is that correct?

ORJIAKO: Councilor, I wouldn't call it a moratorium. There are still some uses allowed. When you put a moratorium, just like the County did as an example on 134th, it literally stopped development until certain infrastructure improvement were made in the case of 134th interchange area.

Urban holding is you still have the urban zoning in place. You're putting the urban holding which the County Councilors can remove at the request of the property owner if certain conditions are met. So I wouldn't call it a moratorium. You have lifted urban holding, for example, in the Fifth Plain Creek area. You lifted urban holding for Smith-Root. So you have the legislative authority to lift urban holding at any time or during the once-a-year annual review when certain conditions are met.

You heard me often say that the urban holding is used as a planning tool to phase development and it's also a tool for us

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to acknowledge that the infrastructure is not in place. So it is your legislative obligation when the property owners comes to you and said we have met the requirement to lift urban holding, you review that, the Planning Commission reviews that and lift urban holding. That's the process we use now. I would not characterize it as a moratorium.

Yes, other areas have been in urban holding for quite some time. A good example will be the 179th corridor. We know what the issues are. We are making effort. We partnership with the private sector to see what can happen to lift the urban holding on 179th. Some areas outside that as Councilor, the Chair explained is in the urban reserve. It is not a moratorium. Urban reserve are areas outside the urban growth boundary. The only thing you're doing there is putting the property owners on notice that when we expand the boundary, you are the likely candidate areas to come in.

MADORE: Okay. So it's not a stop development until some significant threshold is passed; right?

ORJIAKO: No.

MADORE: On any of these, and I just want to make sure that whatever we -- each of these line-by-lines, if you can please

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let us know, let me know whether or not we're moving toward rigidity or flexibility, I really want to know that. So on this one it sounds like it does not change, so with that I can support it.

MIELKE: Another question.

STEWART: I have a question about -- I'm sorry. Mr. Mielke, were you in for a question?

MIELKE: I am. Go ahead.

STEWART: Thank you. When we say urban reserve becomes a true overlay, what kind of an overlay? An urban overlay? Urban, is it residential? Is it -- what does that mean?

ORJIAKO: We have two types of urban reserve: One is Urban Reserve 10 and one is Urban Reserve 20. The Urban Reserve 10 is areas that we will -- it's predominantly -- you may have -- it's predominantly areas that are developing residentially that if come into the urban growth boundary is going to develop residentially, that is Urban Reserve 10. The Urban Reserve 20 is an area that if it comes into the urban growth boundary can be commercial or industrial or land for jobs, that's the true distinction.

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STEWART: So why -- and is that a standard process?

ORJIAKO: It is how the County have used that tool in our planning process and it have been applauded statewide as a good planning tool. The distinction is that in some areas, you have urban reserve as a zone. There is -- there shouldn't be urban reserve zone. We're trying to use it as an overlay.

So the underlining zone is going to tell the property owner what they can and cannot do with their property until that area comes into the urban growth boundary. You still allow some uses to occur. But it's very similar to using an overlay, for example, other cities and other counties use mixed use as an overlay, not a zone, others use to, other counties make it a zone. So I'm not sure how much more I can explain the distinction; but that's how we use it in Clark County.

STEWART: Well, yeah, and I think my questions are more simple than that. So an Urban Reserve 10 we will the zoning will revert to the underlying zoning?

ORJIAKO: It could be Rural 5 and you still apply. It could be Rural 5, 5-acre lot minimum and you still apply urban reserve to it.

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STEWART: But the zoning will remain the underlying zoning?

ORJIAKO: Correct.

STEWART: And the same is true with the 20?

ORJIAKO: Correct. So there will be use of the property by the property owner until such a time that it comes in.

STEWART: So whatever you purchase the property as, if you've held it a while, whatever the zoning was at that time will remain. So it's not like, well, what I was worrying about were conversions where somebody has a business and --

ORJIAKO: It wouldn't change.

STEWART: -- we put some kind of an overlay on there that makes their business be nonconforming.

ORJIAKO: No.

STEWART: So we're not talking about any of that?

ORJIAKO: That's correct.

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STEWART: Okay. Great. Thank you very much.

MIELKE: Oliver, I was trying to separate in my own mind the difference between an urban growth boundary and an urban reserve.

ORJIAKO: Yes. Urban growth boundaries, well, is a line that you draw to distinguish what is urban and what is rural. So the urban reserve area are outside the urban growth boundary line. We can put up a map and show you, give you an example so you'll see.

MIELKE: Yeah. So I guess we're creating one more line outside the city limits where you have the city limits, then we have an urban growth boundary, which is the future of many of our cities and communities have not grown into. Now we're going to also have an urban reserve outside of that, and it seems like we're planning and planning and planning to where anything within the city is going to be somewhat tied up until which time even before the urban growth boundary is filled.

ORJIAKO: Councilor, I would not characterize it as such.

Let me give you an example here. See, this is Ridgefield urban

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growth boundary. You can see the white areas as their city limits. Okay. If you go I-5 north, okay, all that area is in urban reserve. In this case, it's Urban Reserve 20. The underlining zoning is still Agriculture 20, but we said in the future, if Ridgefield wants to expand their boundary land for job, this is the likely area we would like them to look at and propose for you to draw the boundary for them, but in the interim we already put the property owners out here on notice that until that time comes, this is an area that Ridgefield may have or may consider for land for jobs. But in this case, this is a good example of urban reserve, this area is outside the urban growth boundary, just as an example.

You will find similar areas around our other urban growth boundaries. So that's just a distinction.

MIELKE: So in that reserve area, they still have limitations of what they can do (inaudible).

ORJIAKO: It is ag. They will continue to farm it. They will continue to use it as ag property. You're not changing the zoning. You're not changing the use at all.

MIELKE: Okay. So in my mind was Mr. Brown's property that we added to Ridgefield. What was that zoned as? It was five-acre

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parcels.

ORJIAKO: No. It's zoned agriculture and it's outlined here.

MIELKE: Oh, he was also zoned ag. Okay.

ORJIAKO: He's also zoned ag. If you add that in the urban growth boundary of Ridgefield, the line will change.

MIELKE: Okay. I remember their concern was because he had divided that into five-acre parcels, they were afraid that they would lose control of that if they were all sold as individual parcels.

ORJIAKO: That's the testimony that they put into the record.

BOLDT: Okay. Vote.

OLSON: Yeah, please.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

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BOLDT: Okay. Approved.

Let's see. 1.g, remove comprehensive plan urban reserve,  
replace with R-5. Is there a motion for 1.g?

OLSON: So moved.

BOLDT: Second?

STEWART: Second.

MADORE: Explanation, please.

OLSON: Okay. You know, we've had this material for a  
significant period of time. We've had staff at our disposal for  
months. To sit here and go through every single one of these  
things like it was the first time we've seen it, is a bit  
offensive.

MIELKE: Actually, I think this is the third time we've already  
approved the comp -- the Planning Commission's ideas.

MADORE: I would like to be able to ensure that the final  
process here is clear when it comes to the flexibility versus

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the rigidity.

OLSON: You had plenty of time to ask these questions before today.

BOLDT: Is it flexible, Oliver?

MIELKE: You don't lose that privilege, do you?

ORJIAKO: Yes, it is very flexible. I think this one is the point that Councilor Madore made earlier. We've looked at some of these areas and said, you know, they have been in urban reserve for quite some time, maybe given the parcelization and other things that we know or how the area have developed, it makes sense to return these areas to Rural 5 and agriculture as they were originally designated and that's what this will accomplish.

BOLDT: Give them what they want. Very good.

MADORE: Okay. So it moves toward flexibility --

BOLDT: Yes.

MADORE: -- if we approve; correct?

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OLSON: Yes.

MADORE: Okay. I just wanted to confirm that.

MIELKE: Oliver, that's kind of what we were just talking about except you said that there were larger parcels and I mentioned Mr. Brown's five-acre property.

ORJIAKO: This will not apply to Mr. Brown. This will be --

MIELKE: I know. He's already five.

ORJIAKO: Yes, it will not apply. But this in this case, we're saying, you know, it makes no sense to retain these areas as urban reserve and we've been asking the cities some of my counterparts here when you propose a boundary to the County, make sure the candidate areas are the urban reserve areas.

BOLDT: Okay. Very good.

MIELKE: Just what I was waiting for.

BOLDT: Okay. Vote.

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STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Very good.

Let's see. The last one on the Rural, 1 -- no. Is that the last one on the rural? There's no letter. I don't know what to do.

ORJIAKO: You can still take the last one. We didn't give it any letter, but it will be applicable to what you did on g.

BOLDT: So we'll make it h, 1.h. Is there a motion?

OLSON: So moved.

BOLDT: Is there a second?

STEWART: Second.

MADORE: And the question on this is the -- I assume when it says "replace with Agriculture," it returns it to agriculture.

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It doesn't change it; right?

ORJIAKO: It doesn't change it. We return it to the current zoning.

MADORE: All right. That's fine.

MIELKE: Is it specific only to Washougal?

ORJIAKO: In the Washougal UGA, yes, Councilor.

BOLDT: Okay. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Moving on.

MADORE: Okay. Mr. Chair, I'd like to add one more motion and that would be for we'll call this letter i, and that would be to reinstate Alternative 4 as analyzed in the adopted November 24.

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BOLDT: Is there a second?

MIELKE: Second.

BOLDT: Okay. Vote.

STEWART: NO

OLSON: NO

BOLDT: NO

MIELKE: YES

MADORE: YES

BOLDT: Okay. Motion failed. Okay. Very good.

Okay. Moving on to the UGAs. I think this has been covered in two or three, so what I'm going to do is, unless somebody has one to pull out, I'd like a motion to approve 2.a through e.

OLSON: So moved.

STEWART: Second.

MADORE: And a question on this, on each one of these, I just want to make sure that staff has the opportunity to indicate, are any of these moving out toward rigidity and away from

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flexibility if we approve them?

ORJIAKO: This will make it more flexible. It includes the request by the City of Battle Ground to the Council to approve their request to expand their urban growth boundary by 80 acres, and then to make some changes within their existing UGA that are consistent with what the City would like to see and in some cases correct split zoning, so this will make it more flexible for the City of Battle Ground and the County.

MADORE: All right. Thank you.

STEWART: And these are requests from the City of Battle Ground which we have reviewed numerous times --

ORJIAKO: That's correct.

STEWART: -- and we are accommodating them because their requests are reasonable.

MADORE: Yes.

STEWART: Thank you.

MIELKE: I want to make sure that we have addressed these

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several times. There's been no change in these or the latest change as of what date?

ORJIAKO: This is consistent with what the Council have seen throughout this process in Alternative 3 as the cities proposed and you made this, even though you made this, you agreed with these changes even in Alternative 4 that was later repealed and the Preferred Alternative that the Council approved on February 23rd, so this is all consistent with what you've seen before.

MIELKE: Okay. From February 23rd.

BOLDT: Okay. Vote.

MADORE: I just want to have one clarification. When we first approved some of these UGA expansions, we added the note that the city asking for that would be the one to defend that rather than the expense of the County. That was a condition upon the previous ones. I assume that if we -- well, the question is, we'd like to be able to have that same condition understood with these expansions.

ORJIAKO: That was only applicable to Ridgefield and La Center.

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MADORE: Okay. And so when we -- well, when we go to these others, I'd like to be able to reinstate that same condition.

BOLDT: Okay. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. La Center UGA, 3.a through c. Is there a motion?

MIELKE: So moved.

BOLDT: Second?

OLSON: Second.

MADORE: And so which one of these were conditional?

ORJIAKO: The condition to have them defend their plan if appealed will apply to La Center and Ridgefield.

MADORE: Is there a, b or c or just simply in general?

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ORJIAKO: You can include that in your motion that, if the expansion of the La Center UGA resulted in an appeal, because of the ag property that they're bringing in that they be the one defending it, you can include that in your motion, Councilors.

MADORE: Actually I'm okay with La Center. It's the Ridgefield one I'm concerned about.

MIELKE: Since I made the motion, it should be there.

STEWART: I want to ask a question. The agreement that we have with La Center, is that agreement that they defend themselves in case of a legal challenge on --

ORJIAKO: That was the motion.

STEWART: -- on all three?

ORJIAKO: No. On the 56 acres that is zoned for agriculture, that if that is challenged, that --

STEWART: Which item is that?

ORJIAKO: It would have been --

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OLSON: A.

ORJIAKO: -- a.

OLSON: A.

STEWART: Item a?

ORJIAKO: Yes.

STEWART: So it's only expand the urban growth area to include three parcels from AG-20 and UIR to commercial --

ORJIAKO: Yes.

STEWART: -- which is looks like community or general commercial and UH-20?

ORJIAKO: That's correct. That will be only applicable to that particular item. And when you get to Ridgefield, it will only be 4.a.

STEWART: 4.a?

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ORJIAKO: Yes, in Ridgefield.

STEWART: Thank you.

MIELKE: Oliver.

STEWART: So we're going to handle these individually.

And, Mr. Madore, I think your question was were we going to require them to defend themselves on all items and I think the clarification is that's just Item a. So is your amendment isolated to Item a?

MADORE: Actually, I don't have an amendment for La Center. I'm good with La Center. It was Ridgefield's when we get to that.

STEWART: So are you saying that --

MADORE: I'm okay with it.

STEWART: -- what had been the agreement they would defend themselves on Item a for La Center that you do not want to see that included?

MADORE: No. They're a small city and I want to make sure that

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they have our County support.

MIELKE: So I would --

STEWART: So how is it fair that we ask one city to defend themselves but another city which could have an equal challenge you're changing the standard? That doesn't seem fair.

MADORE: It has to do with the degree of risk and the degree of extension. Early on the 102 acres or whatever, 106 acres, whatever it was for Ridgefield, our Prosecuting Attorneys recommended that we do not approve it because of the higher risk, and that was identified as higher, and we said, yes, we can accommodate, but you guys are responsible for the defense of that one because you're to the degree of extending out.

ORJIAKO: Councilor, if I may jump in. I think both La Center and Ridgefield has similar risk, because the property in question, it was designated agriculture in the case of La Center. This agriculture designated property was included in '07, and through that challenge, it was removed from the La Center UGA. They're coming back with that, except that they're asking for a much smaller footprint, because in '07 what they asked for was a little bit over 300 acres at the La Center Junction. If you'll recall, all of that came out, including the

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land now that is in reservation. So when you first made this motion, if you go back, you included La Center, that they defend themselves as well as Ridgefield.

OLSON: And we confirmed that in our February meeting as well.

ORJIAKO: You confirmed that in your February decision.

MADORE: The thing that I see with La Center, La Center is boxed in. They are landlocked. They are really in a pickle, and they need the expansion for their jobs base, their businesses, someplace to be able to grow their businesses and this supports that.

STEWART: But that's La Center's business. We don't dictate to the cities nor do we jump in to an extremely high level risk at our expense.

So I'm just trying to figure out how we universally, you know, not being arbitrary on picking winners and losers, like we're kind of sore with Ridgefield, so they're going to have to defend themselves, but we kind of like La Center because they're in a pinch so they won't have to defend themselves.

MADORE: Well --

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STEWART: I think we should --

MADORE: Were you done?

STEWART: -- it's all or both. It's all or neither.

OLSON: Both or none.

MADORE: I would like to -- just because I owe an explanation of some reasoning behind it, the jobs and the economy for a small city is their life blood.

STEWART: We all know that.

MADORE: Yes. And so we're not dictating to them at all. We're supporting them.

In the case of that ag extension into Ridgefield, that's not jobs. That's more residences and Ridgefield has a huge UGA already and so we're not supporting more jobs in Ridgefield with allowing them to be able to have more residential. So this is supporting jobs. This is supporting the economy of a small city that needs that base for La Center.

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OLSON: In both cases we're talking about ag, conversion of ag land which carries the same risk, in my view. So I guess my question would be how do we make sure we include this language?

BOLDT: Why don't we --

STEWART: Actually, I have a broader question - and I saw your pen go down - I just have an important question. Thank you. Would we have engaged and would staff have recommended these changes, us approving these changes in La Center Item a and in Ridgefield Item a if we knew it was risky as far as a legal case is and would you still have recommended our approval of these? Would the planning staff, would it have changed your opinion who's financially at risk in the case of a lawsuit?

ORJIAKO: No. I think when this issue first came to us, we asked the individual cities to prepare a documentation on de-designation of the ag land, which they submitted into the record. Our legal at the time was not in support of their proposals because of the history we've had with the litigation of recent ag designation. What we said was we cannot, as staff, attest to whether the de-designation report is sufficient or not.

If you recall the recommendation of the Planning Commission,

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they said no. I believe it was 3/3 on La Center and said no on Ridgefield. So when it came to you, I believe in Alt 4, November 24th, the Councilors did include then with that caveat that the cities defend themselves if challenged, and when you vacated Alternative 4 and went to your February 23rd, you included the same language that the cities defend themselves if challenged because this property is designated agriculture. There was no distinction. So I hope that answered your question.

Would we have recommended it knowing what we know? We would not expose the County to that risk, because when in '07 it was the County and the City of La Center that defended the '07 plan and finally it took seven years to remove those parcels.

OLSON: So do we need, considering that it's been approved with that caveat, with that language twice before, do we need to make sure it's included or is it just included because that's what was already adopted before?

ORJIAKO: I will recommend that you include it, if you so choose. That's going to be your choice that you maintain, so you don't work back your previous decision on that.

OLSON: So we have a motion that does not include the language.

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Who made the motion? Do you remember who made the motion?

STEWART: I think I seconded it, so... Are you --

OLSON: Did I make it? Okay. Then --

ORJIAKO: I think so.

OLSON: I can't remember. So my question is then can I reframe the motion or do we -- okay. So I remove the first motion.

STEWART: I remove the second.

OLSON: And then I would like to move that we approve No. 3, La Center UGA, with the conditions that La Center defend themselves if were challenged. I'm sorry. Let's go Items a through c.

STEWART: On Item a?

OLSON: A through c.

STEWART: On all items?

ORJIAKO: Only a.

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STEWART: Only a is what we're looking for.

OLSON: Okay. So let me rephrase.

MIELKE: So, Councilor, I have a question before making that.

OLSON: I move that we approve La Center UGA Item a with the condition that they defend themselves if challenged.

STEWART: I think we're still not quite there. We want to approve them all but with the caveat that Item a --

OLSON: Okay. One more time. I move that we approve Item No. 3, La Center UGA, a through c, with the caveat that if they get challenged on Item a, that they defend themselves.

BOLDT: Is there a second?

STEWART: Second.

MIELKE: I have a question of staff then. Do we have to do this through each one or shouldn't this be a standard with all communities who chose to move their urban growth boundary? We can bless it or agree or put it on our plan, but it's still their plan. It should be their responsibility. Wouldn't that

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be a standard thing whether it be Vancouver, Ridgefield or La Center?

ORJIAKO: You can. In the case of Battle Ground, for example, which you just approved, Battle Ground, the piece that they requested is zoned Rural 5, so they will not face that challenge. It's not resource.

OLSON: Okay.

BOLDT: Well, moving on. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Ridgefield UGA, a and b. Is there a motion? And probably since we're in it, a motion would include that Ridgefield would defend itself on --

ORJIAKO: 4.a.

STEWART: Item a.

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BOLDT: -- on Item a. Is there a motion?

STEWART: So moved.

MIELKE: Second.

BOLDT: Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay.

Moving on. Vancouver UGA, 5.a through h.

OLSON: Mr. Chair, I do have a question. I want to make sure that we clarify Item d and Item f with regard to the Saddle Club that came up earlier.

ORJIAKO: Yes. If I may, Councilors. Item d is the testimony and request from Jamie Howsley that represent Holt Homes that

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you retain the current single-family zoning of Holt Homes, and you can see the vote there. I think when we had our work session with the Council, we did identify that there are other properties in there, if my staff can refer to the maps, that we will the Council in your action to also retain those five, four parcels becoming single-family comp plan designation and all zoned R1-7.5. That's what we recommend to the Council.

BOLDT: And that's d?

ORJIAKO: That's Item d, yes.

OLSON: And that's what's represented on the zoning map --

ORJIAKO: Yes.

OLSON: -- that we're talking about that's here?

ORJIAKO: Yes.

BOLDT: And what is the one for the Saddle Club or is that --

ORJIAKO: The Saddle Club, if you give them mixed use comp plan and mixed use zoning, that will be proper.

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BOLDT: Can that be in a different motion?

ORJIAKO: You can make that -- you can include that in f.

BOLDT: In f?

ORJIAKO: Yes, that the Saddle Club be also zoned as mixed use.

OLSON: So would you recommend we approve that separately?

ORJIAKO: You can include it in. You can make it.

STEWART: Let's -- can we just change the language in f or add something?

ORJIAKO: You can add that the Saddle Club be included to make sure that the request made by Mr. Gus be accepted by the Council and by staff. We will make that change.

BOLDT: Okay. We're going to pull two of them out. So the motion will be for Vancouver UGA a, b, c, e, g and h.

OLSON: So moved.

BOLDT: Second?

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STEWART: Second.

BOLDT: Clear? Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Vancouver UGA 5.d with the addition of the five other parcels; is that right?

ORJIAKO: Is it five or --

OLSON: Or per the zoning map changes.

ORJIAKO: Yeah. Bring up the map so we know what the Council are voting on, please.

Councilors, I don't know if you have the memo that staff presented to you following your work session, if you have it, please, it was dated June 9th, if you have that memo, on Page 1 of 3, Bullet Item 2 has all the serial parcels numbers on them,

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so there are one, two, three, four, five, six, seven, eight, nine.

BOLDT: Okay. Nine parcels?

ORJIAKO: Yeah, nine parcels. If you include that, that will do it.

BOLDT: Is there a motion for that?

OLSON: So moved.

BOLDT: Second?

STEWART: Second.

BOLDT: Okay. Everyone clear of that, the nine parcels? Vote.

OLSON: AYE

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

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BOLDT: Okay.

Let's see. Vancouver UGA, 5.f, mixed use with the addition of the Saddle Club for mixed use. Is that correct, Oliver?

ORJIAKO: That's correct.

OLSON: So moved.

BOLDT: Second? Second. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Very good.

Washougal UGA, 6.a through c. Is there a motion?

OLSON: Mr. Chair, I move that we adopt No. 6, Washougal UGA, a through c.

BOLDT: Second?

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STEWART: Second.

BOLDT: Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Very good. Motion approved. Okay.

We have 7.i and ii already done.

MADORE: Can we take a five-minute break?

BOLDT: Okay. We'll have a five-minute break. We will come back on the Environmental Element.

(Pause in proceedings.)

BOLDT: Thank you everyone for staying with us. We're back in session. We are on Item No. 7.

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First of all, sorry, the general policy of the adoption on the updated comprehensive plan text, we need to approve what it says, "Approve the comprehensive plan text as whole, including the Community Framework, Countywide Planning Policies, County 20-Year Policies, CFFP, CFP, and all appendices." Is that right?

ORJIAKO: That's correct. For some reason, the Planning Commission, I think, inadvertently omitted that and I think the Council has to take action on that.

I will also add - and I made that in my opening remarks - that by the actions that the subsequent action that the Planning Commission made covered that, but you still need to take action on, make a vote on re-adoption of, for example, the countywide planning policies.

BOLDT: Right.

ORJIAKO: Yeah. And other --

BOLDT: Mostly bookkeeping?

ORJIAKO: Yes.

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BOLDT: Okay. Is there a motion for that?

ORJIAKO: So we'd like the Council to make a -- yes.

OLSON: So moved.

BOLDT: Second? Second.

STEWART: What item?

BOLDT: Item No. 7, the text right behind it.

STEWART: Thank you.

BOLDT: Right below it. I'm sorry. That's mostly bookkeeping,  
but it has to be in our plan.

Vote.

HOLLEY: Who seconded?

BOLDT: I did. Sorry. A vote.

STEWART: So I need a confirmation on something. Have we  
approved under Chapter 2 of this rural and natural element, have  
we approved the forest lands and the agricultural sections? I

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have it marked that we have.

ORJIAKO: Yes.

BOLDT: Yes.

OLSON: We have, yes.

STEWART: Thank you.

OLSON: So the Planning Commission inadvertently --

STEWART: Yes. So is there a motion on board?

OLSON: Yeah, there's a motion. Actually --

STEWART: Second.

OLSON: There's a second.

BOLDT: Yeah. We're just voting.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

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MIELKE: I have a question, Mr. Chair, if I might. We're adopting all of 7?

BOLDT: No. We're just adopting this language right here.

MIELKE: Oh, the language. AYE

MADORE: NO. That's item 7.

BOLDT: Okay. Motion carries.

Okay. Moving on to 7.b, Item i. And are we making the motion as what the Planning Commission suggested taking out the last line?

ORJIAKO: That is what is before you and that's what they recommended, so you can agree with them. If you agree with them, then you make the motion to accept as they recommended. They ask for that amendment, the last thing, be struck out, so that's their recommendation.

BOLDT: So adopt a motion for 7.b.i as presented by the Planning Commission.

STEWART: I have a question. My copy has the last sentence "as

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well as actions to mitigate and adapt to climate change"  
highlighted in yellow and then omitted by being crossed out.

BOLDT: Right.

STEWART: Is that the same thing?

OLSON: Yes.

ORJIAKO: Yes.

BOLDT: Yes.

STEWART: Thank you.

OLSON: So moved.

BOLDT: Second?

STEWART: I second.

MADORE: Question?

MIELKE: Mr. Chair, if I might. These are all good ideas in  
their individual places, and I briefly just got done talking to

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Oliver. I just don't think they belong in our comp plan. I think they should be individually handled and acknowledged in our comp plan, but we're unable to change them or more difficult to change them when we put them in our comp plan, and any of these that we have in there to complicate the comp plan that I continuously talk about that we do when we add these things, I cannot support any of these.

OLSON: So just for clarification, this is the environmental element which is required under the GMA and this is just language as it relates to the goal; am I correct?

ORJIAKO: Yes.

OLSON: So this is not an optional item.

MIELKE: So I'd like to ask legal staff, is this part required, this environmental part as part of our growth management plan or can we acknowledge it as being of -- having the plan but not necessarily be in the comp plan?

ANDERSON: That's our sustainability policy.

ORJIAKO: Councilor, I think this goal is consistent with the adopted sustainability policy that the Board have already

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approved, so this language will be consistent with that, if you so approve, unless you now see it differently, but this is consistent with the sustainability policy of the County.

MIELKE: Had we already voted on that?

ORJIAKO: The County already, yeah, the Commissioners at the time voted on the sustainability policy.

MIELKE: Oh, not today, though?

ORJIAKO: Not today. But we are putting it into the comp plan and we believe that it is appropriate to be in the County comprehensive plan, not rather than having it be a standalone, so this is, yeah, consistent with the sustainability policy of the County.

MIELKE: So this could mean that my building code is going to be in my comp plan and I can't change my building code.

BOLDT: No, it doesn't.

MIELKE: It says build green building, waste reduction, things of that nature, I can't make adjustments. So I'd ask the legal counsel, do we have to have it in my comp plan? Whether we did

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before or not, it doesn't matter. We've made mistakes before too. I don't want to go back and make those same mistakes.

BOLDT: It's a goal; it's not a mandate.

MIELKE: It's a what?

OLSON: It's a goal.

BOLDT: It's a goal; not a mandate.

MIELKE: Well, it's the same thing. I mean, you have a goal and reference to it.

MADORE: So regarding this, I share Councilor Mielke's concern, and that is certainly this is consistent and this is recommended and these are good policies. We got all that part. So we want to make sure we don't come across as being opposed to good things.

So the question is, just like I had a guiding principle in the earlier votes to support flexibility, so it is -- I want to support simplicity in our comp plan, only include what is necessary to fulfill the law. I don't want to add extra stuff in there. So the question is, is this required to be in the

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comp plan?

DIJULIO: So for purposes of this precise question, 36.70A.080 provides as optional elements in a comprehensive plan items such as conservation, solar energy and recreation. Reading 7.b.i could be seen as an optional element as it relates to conservation and solar energy.

MADORE: Okay.

MIELKE: Thank you.

MADORE: All right. So my guiding principle on these would be not that I'm opposed to these things, but I'm opposed to burying these things into a very rigid comp plan. So my goal is going to be to support them elsewhere but not incapsulated in our comp plan. Thank you.

MIELKE: I support those things also.

BOLDT: Okay. There's a motion. Okay. Vote.

STEWART: Move to approve.

BOLDT: There's already a motion.

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STEWART: Is it seconded?

BOLDT: Yeah.

STEWART: Then I want to comment on it. So the environmental element - and I'll keep this brief - our goal is to promote, not require. So what we've done is say promote and how we do that will be based on policies of the Clark County Commissioners or Councilors. The next statement, I have no comment on. When we get to iii, Strategies --

BOLDT: We're just voting on b.i.

STEWART: On?

ORJIAKO: B.i.

STEWART: On b.i.?

ORJIAKO: Yes.

STEWART: Okay. So you'll just make me circle back around then.

MIELKE: Page 4.

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STEWART: Are we ready for a vote?

BOLDT: Vote. Yes.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. 7.b.ii and iii. It was 6/1 and 6/1. Is there a motion?

OLSON: So moved.

BOLDT: Second?

STEWART: Second.

MADORE: So, Mr. DiJulio, both ii and iii are optional; correct? To be incorporated into the plan; right? So we could support the --

BOLDT: I would think so.

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MADORE: -- support them but not the embodiment of them included in the comp plan?

DIJULIO: Correct.

MADORE: Okay. Thank you.

BOLDT: Any other comments?

MIELKE: I think that it goes back to the same thing, the more we put in there, the more engraved in stone or puts a direction that may be wanted to be changed later. Anytime we continue down and put this in there, you can't go back and change it that easy. So I'm not going to support it. I support the ideas. It just doesn't belong in here and that's the reason it's an optional.

MADORE: Yeah. Good policy; wrong place.

BOLDT: Any others? Okay. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

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MIELKE: NO

MADORE: NO

BOLDT: Okay. C, Transportation Element.

STEWART: Well, the Strategies, did we just approve that?

BOLDT: Yes, c, Chapter 5, Items i, ii, iii, iv, v, vi, vii, viii and ix. Is there a motion? Wait a minute. We better --

OLSON: iv, vi, v.

BOLDT: i, ii, iii, iv, v, vi, vii and viii, is there a motion for that?

STEWART: I would like to comment on Item iv and I would like to request an amendment. So Item iv, Policy, "Support efforts to fund construction of bicycle and pedestrian improvements in the County Bicycle and Pedestrian Master Plan," and I would like to add the following: Without the loss of street and/or highway lane capacity, vehicular lane capacity.

MADORE: Where is that at?

STEWART: I want to add that.

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MADORE: In what location?

STEWART: It's --

ORJIAKO: 5.2.9.

MIELKE: Are we going to make the motion and then the amendment?

STEWART: At the very bottom of Page 5.

MIELKE: Yeah. I think we have to make the motion and then amend it.

OLSON: So should we take -- should we -- yeah. Should we pull 5.2.9 out and do it separately?

BOLDT: Right. Let's have a motion for i, ii, iii, v, vi, vii and viii.

OLSON: So moved.

MADORE: I want to pull out vii.

BOLDT: Okay. i, ii, iii, v --

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MIELKE: vi.

BOLDT: -- vi and vii --

OLSON: And viii.

BOLDT: -- viii.

MIELKE: You pulled vii; right? You pulled vii?

MADORE: Yes.

OLSON: Okay. So I move that we approve Chapter 5,  
Transportation, i, ii, iii, iv, v. Let's see.

STEWART: I thought we were pulling iv?

OLSON: I'm sorry. Sorry. Sorry. i, ii, iii, v, vi and viii.

BOLDT: Second? Second.

STEWART: Second. Okay.

BOLDT: Not much on this. Vote.

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STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Moving on to, let's see, No. iv. Let's have a motion to approve c.iv and then we can amend it. Is there a motion to approve c.iv?

STEWART: So moved.

BOLDT: Second?

OLSON: Second.

BOLDT: Is there amendment?

STEWART: Amendment as follows that section to read, "Support efforts to fund construction of bicycle and pedestrian improvements in the County Bicycle and Pedestrian Master Plan without the loss of street and/or highway vehicular lane capacity."

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BOLDT: Is there a second?

OLSON: Second.

BOLDT: Vote on the amendment.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: AYE

BOLDT: Okay. Motion as approved. C.iv as approved. Any discussion?

MADORE: As amended?

BOLDT: As amended. Okay. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

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BOLDT: Okay. Let me see. No. vii, I believe.

MADORE: Yes. I'd like to talk about the it specifies, it says, County roadways and intersections shall be designed, when feasible, for all modes and shall provide pedestrian mobility. So feasible means it's possible, it throws out the possibility or the common sense of practicality and removes the flexibility of doing what makes sense in some situations. So I would suggest that we -- I move that we approve that with by changing the shall to - I'm looking for a word - like encourage. Yeah, encourage.

MIELKE: I'll second.

BOLDT: Shall encourage.

MADORE: Uh-huh. Well, no.

MIELKE: No. All arterial streets should provide.

STEWART: Encourage design.

MADORE: Can, something that's positive. I just want to make sure that we don't throw common sense out the window, so...

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MIELKE: That can provide facilities for.

DIJULIO: Instead of feasible when practicable?

MIELKE: Yeah.

MADORE: Yes, practical. Practical, in other words, change the word feasible to practical.

BOLDT: Okay. Let's see. Let's start that off, though, is there a motion to approve first of all c.vii?

OLSON: So moved.

BOLDT: Second?

STEWART: Second.

BOLDT: And the amendments is to change --

MADORE: The word feasible to practical.

BOLDT: Is there a second?

MIELKE: Second.

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STEWART: And was there a second change which was changed from shall to encourage?

MIELKE: No.

ORJIAKO: No.

MIELKE: Just to practical.

STEWART: Or add it?

BOLDT: Just to practical.

MADORE: I'm looking for --

STEWART: Just practical. Okay. Thank you. It's clear.

MADORE: Practical should cover it.

BOLDT: Okay. Vote.

MADORE: On the amendment?

BOLDT: On the amendment.

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STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. The underlying as amended. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. The other one is substantial change. The --

ORJIAKO: 5.6.7.5.

BOLDT: Transportation. Yeah. 5.6 --

ORJIAKO: .5.

BOLDT: -- point --

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ORJIAKO: 5.

OLSON: Yeah.

BOLDT: 5.6.5.

ORJIAKO: Yes.

BOLDT: The Planning Commission voted to deny traffic impact fees. First of all, we'll take this up either pass or fail. Is there a motion to approve 5.6.5?

STEWART: Mr. Chair, I think there's some confusion about what the Planning Commission did.

BOLDT: I know. We'll handle that.

OLSON: To start with. So moved.

BOLDT: Second. Okay. From reading from my view from reading the Planning Commission in which they had probably good reason is that from my understanding in looking at it, they felt that since the fee waiver program, we give a lot, we give traffic impact fee waivers to the commercial and makes the residential pay for everything, until we can figure that out, let's scrap

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the whole program. My feeling is is that I would rather approve that, and when we work on the fee waiver program, we get our TIF fees back in order.

STEWART: So, Mr. Chair, you're suggesting that we approve the statement, "A proportionate share of funding for growth related roadway projects shall be obtained from Traffic Impact Fees"?

BOLDT: Yes.

MADORE: I recommend that we change the word "shall" to "may" because that allows the discretion to determine if what share, how much.

OLSON: Well, the word "proportionate" doesn't define what the proportion is.

MADORE: Well, I'm afraid that the formula driven isn't a formal process. It may be argued that it does require. So I just want to make sure that we don't obligate ourselves and lock ourselves into high impact fees and stagnate the County again.

BOLDT: Well, we don't, but if you were in front of the Transportation Commission just like I were and --

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OLSON: And I was.

BOLDT: -- and whatever it is kicked out of you because we're not collecting enough fees, you would have a different opinion on that trying to get State money.

STEWART: Would we call that getting scoured at best.

MIELKE: It seems like most of our problem isn't in the funding of our roadways. It's in the process of environmental reviews that delays this more than a couple of years or the legislature that funds us out eight years, so truly inappropriate.

MADORE: Yeah. I think they might not be informed. Our monthly collections show that we've collected more fees over the last three years than we have in all previous years, our metrics show that.

BOLDT: And we're collecting them from the residential people --

OLSON: Yeah, not commercial.

BOLDT: -- not the commercial people. I'm tired of residential fitting the bill for everybody.

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MADORE: Yes. And the businesses pay the bills for everybody because they're generating tax revenue every month.

OLSON: Except the ones that haven't been built yet.

STEWART: So I think the --

MADORE: We're getting off target.

STEWART: So I think the question is do we believe that's a fair and just statement --

BOLDT: I believe it is.

STEWART: -- and do we believe it should be included in our comp plan? That's irrespective of the fact that right now we have a fee waiver program and a review and decision about that will be made at some time in the future. So I concur with including this.

BOLDT: Okay. Vote.

STEWART: AYE

MADORE: Well, I move that we amend the word "shall" to "may".

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MIELKE: Second.

BOLDT: I oppose that. A vote.

STEWART: NO

OLSON: NO

BOLDT: NO

MIELKE: YES

MADORE: YES

BOLDT: Okay. The underlying motion. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Very good. Motion approved.

Housing, d, this is another perplexing one. We have several of these changed by the Planning Commission. We can approve them all. Is there any ones that you would like to take out?

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OLSON: If I could, we had discussion at our work session about some of these items, I want to say if I made my notes correctly No. 7, No. 9 and No. 10 that we change that to "consider" rather than "allow" and I think --

STEWART: 7, 9 and 10?

OLSON: 7, 9 and 10.

MADORE: What I would suggest is that you put the motion on the table and then offer that amendment that allows us to vote on the amendment without --

OLSON: Yeah. I just wanted to bring up recapping --

BOLDT: 7, 9 and 10?

OLSON: Yeah, 7, 9 and 10. -- recapping our work session.

MADORE: And I'll have an amendment for 6.

BOLDT: For 6?

MADORE: Yeah, when it comes time.

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STEWART: So right now we'll consider 7, 9 and 10 and with an amendment.

Ms. Olson, do you have a --

OLSON: Yeah. I move that we approve Chapter 6 Housing Items 7, 9 and 10 changing the word "allow" to the word "consider."

BOLDT: Second?

STEWART: Second.

MADORE: Again, you're incorporating the main vote with the amendment. I would recommend that you put the motion on the table and allow the amendment to --

OLSON: All right. I move that we approve items Chapter 6, Housing, Items 7, 9 and 10.

BOLDT: 7, 9 and 10. Second. Vote.

OLSON: Mr. Chair, I'd like to amend --

BOLDT: Oh, amendment, yes.

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OLSON: -- make amendment to that motion. So Items 7, 9 and 10 change the word "allow" to the word "consider."

STEWART: Second.

BOLDT: Second that.

STEWART: Second.

BOLDT: Okay. Vote.

STEWART: YES

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. The underlying. Okay. A vote for 7, 9, and 10.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

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BOLDT: Okay. Motion carried for 7, 9 and 10.

No. 6, did you have a question?

MADORE: Yes, I would --

BOLDT: Do you want to change that?

MADORE: If somebody could put that on the table, then I'll offer the amendment.

BOLDT: Okay. Is there a motion to approve - I can't remember - d.6?

OLSON: I move we approve d.6.

BOLDT: Second. Okay. Amendment?

MADORE: I move that we strike the "if age restricted to 62 plus."

Mr. DiJulio, I got a question for you. Do other counties allow the ADUs that without the age restriction?

OLSON: This just says consider attempting ADUs -- exempting

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ADUs from TIFs and PIFs at age 62 plus. It doesn't talk about whether it's -- it's just the TIF and the fees at a person who's 62 or older.

MADORE: Yes, which --

STEWART: But the problem is but ADUs might originally be occupied by someone age 62 or older and, therefore, they're exempted from traffic impact fees and park impact fees, but the reality is those almost always get converted to simple rental and so then would another rental unit be exempt from that? There's no way to monitor to see what age is of the person who's living in the house, so or the ADU.

MADORE: I would just like to add to that. Portland, I believe, has the policy that not only do they not collect TIFs on ADUs, but they don't even collect permit fees on ADUs in order to encourage people to help solve the housing crisis.

STEWART: Well, that's so they can get out of their cars, Mr. Madore.

OLSON: Also I'd just like this is about, we're talking about items from the Strategies from the Aging Readiness Plan which is why the age references on Line 6.

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MADORE: Well, if we strike that, if age restricted to 52 [sic], then we just simply can consider and set our own criteria.

BOLDT: So is that the amendment to strike "if age restricted to 62 plus"?

MADORE: Yes.

MIELKE: I'll second.

BOLDT: Is there a second? It's a goal, so...

STEWART: NO

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Underlying as amended. Vote.

STEWART: NO

OLSON: AYE

BOLDT: AYE

MIELKE: NO

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MADORE: NO

BOLDT: Motion fail. So No. 6 as --

MADORE: Excuse me. I'd like to -- give me a moment. I want to reconsider my vote. It's to encourage the development of accessory dwelling units by exempting them from site plan review. Consider exempting ADUs and TIFs and PIFs. So I vote -- I want to change my vote to YES on that.

BOLDT: Okay. Motion carried. Okay. The rest is d.1, 2, 3 -- 1, 2, 3, I'm confused.

MIELKE: Did we do the last one No. 7, Page 7?

STEWART: I have a question on No. 2.

BOLDT: Yeah.

STEWART: So my question on No. 2 is this says "Encourage weatherization of homes to reduce energy costs. Provide information, education and assistance to moderate income households." What is the form of the assistance? When we say "assistance," are we talking monetary assistance? I don't know what that assistance, in general, what are we talking about with

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that?

MADORE: Where are you? Where?

OLSON: 3.2.

MIELKE: Page?

ORJIAKO: 3, 6, it goes over to No. 7.

STEWART: Page 7?

ORJIAKO: Yes. It starts from Page 6. You're reading Item 3.2 that spill over into Item 7. I have one of my staff here who have worked with Clark PUD; is that correct?

ANDERSON: That's correct. Colete Anderson for the record.

As far as monetary goes, we've been partnering --

STEWART: I just define assistance. When we say we're going to provide assistance, I'm trying to find out what kind of assistance that would be.

ANDERSON: At this point, it's been staff time from the County.

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STEWART: I see. So it's not developing a loan program. It's not setting aside general fund money. That's not what we're talking about with that.

ANDERSON: No. It's staff time and partnership with Clark PUD who does everything else.

STEWART: Great. Okay. Thank you.

BOLDT: So we have in front of us the rest of the Housing, Chapter d.i, ii, 3.1, 2, 3 on Page 7, 4, 5, 8, 11 and 12 and Subsection No. iii on Page 7.

MADORE: In other words, you're considering 3 now?

BOLDT: Yeah, all of them.

MADORE: So encourage not-for-profit organizations or community land trust to purchase homes instead of allowing them free market. That doesn't to me sound like I can support that.

BOLDT: We're considering the rest of them.

MIELKE: So we're looking at --

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OLSON: Can we pull out just Item No. iii, can we just separate that one out?

MIELKE: Which page are you talking about here?

BOLDT: 7.

STEWART: Page 7, Item iii.

MIELKE: Item No. 3 up here.

BOLDT: No, iii down here.

MADORE: On Page 6.

BOLDT: Roman Numeral iii.

MIELKE: Roman Numeral. Oh, okay.

OLSON: Roman Numeral iii, New Strategies.

BOLDT: So we're going to pull that out. So in front of us is the motion to approve Housing Chapter Roman Numeral i, Roman Numeral No. ii, 3 Subsection 1, 2 on Page 6, 3, 4, 5, 8, 11 and

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OLSON: So moved.

BOLDT: Second?

STEWART: Did you say that we're pulling Item iii, Page 7?

BOLDT: Yes.

STEWART: Thank you.

BOLDT: I'll second that.

MADORE: For 2.7.3, Policy, principles of universal design,  
what's that?

BOLDT: We just voted on that one.

MADORE: Oh, okay. Skip it, too late. So what you're voting on  
now is you just gave a list of --

BOLDT: Everything else. Roman No. i, Roman Numeral No. ii, 3  
on Page 6, Subsection 1, 2 on 6. 3, 4, 5, 8, 11 and 12.

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MADORE: So No. 3 is to ensure resale-restricted principles?

OLSON: What?

BOLDT: No.

MIELKE: What page are you on?

MADORE: Page 7.

STEWART: So didn't we agree to consider Item iii on Page 7 separately?

BOLDT: Yeah.

STEWART: Are we talking about that one now?

BOLDT: No.

STEWART: So we're just approving those that we know we agree on or assume we're agreeing on.

BOLDT: Right.

MCCAULEY: Well, Councilors, there's two 3s on that page.

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STEWART: Yes, it's very confusing.

MCCAULEY: I think the one that you're pulling is the Roman Numeral iii, not the --

OLSON: Correct.

BOLDT: Right.

STEWART: No.

BOLDT: Yeah. The one we're pulling is Roman Numeral No. iii.

MIELKE: Right. Olson pulled it.

STEWART: So regular No. 3 at the top of Page 7, has that been separated out?

BOLDT: No.

STEWART: Mr. Madore made some comment about that.

MADORE: Yes.

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BOLDT: No.

STEWART: It's not been separated. I'd ask that that be separated out.

OLSON: Okay. But we have a motion and a second, correct, that includes No. 3?

BOLDT: I believe we do. Is there an amendment for No. 3?

MADORE: I move that we strike the language that says, "Encourage a not-for-profit organization or community land trust to purchase homes." I guess we can leave the word "encourage" so that goes with the next. And also remove the language that says, "employ resale-restricted principles of shared equity ownership." Yeah, the organization or trust. In other words, yeah. So there's two, it ends up with two sentences. The second sentence would say to ensure that homes will remain affordable, period.

BOLDT: Everything after affordable is struck?

MADORE: Uh-huh. And the first sentence would just read encourage and then you would continue after the comma, remodeling or remodel using universal design principles.

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OLSON: That's a separate item.

MADORE: Actually, no. I would strike the whole thing. It's to resell the homes at affordable cost. In other words, this is getting in --

STEWART: Mr. Madore, would you consider striking No. 3 altogether?

MADORE: Yes. Yes. Now that I read it, it's like this is all social engineering doing what the free market can do better.

STEWART: And that's the free market can do it better, I agree.

BOLDT: So the amendment is to strike No. 3?

MADORE: Yes.

STEWART: Yes.

MIELKE: Second.

BOLDT: Vote to strike No. 3.

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STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. So the underlying as amended. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Roman Numeral No. iii, is there a motion to approve - I get these mixed up - d, Roman Numeral No. iii on Page 7, is there a motion?

OLSON: So moved.

BOLDT: Second? Second.

STEWART: I'll second it.

BOLDT: Is there a motion to amend or anything?

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OLSON: I have a motion to amend.

BOLDT: Oh, okay.

OLSON: So I move that we amend the language on Item No. iii to encourage zoning changes to allow more areas to support diverse housing types, et cetera. So take out change zoning and add encourage or consider even, let me change that to consider. Sorry. I move that we change the language to consider zone changes to allow more areas to support diverse housing types, et cetera.

BOLDT: To consider?

OLSON: Consider zone changes.

BOLDT: Oh, instead of allow?

OLSON: Yeah. So consider zone changes to allow more areas --

BOLDT: Oh, I see.

OLSON: -- to support diverse housing types, including small lot, single-family, multi-family, duplexes, et cetera.

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BOLDT: Is that clear?

STEWART: So I have a couple of questions about this New Strategy, and I started asking the questions in the last week here. So what's a cottage and what's co-housing? So when co-housing was explained to me, it's explained to me as two not necessarily related people living in the same house and sharing expenses. Why isn't that called somebody rents an apartment and has a roommate to help them defray cost? So I don't know why we -- the thing about not keeping it simple is I think it opens the door to the kinds of housing that somebody else might call co-housing and we're saying, oh, I don't know if that's what we had in mind.

And for cottages, I mean if you're in Cape Cod and you see a cottage, you know that's a cottage. Some people call my house a cottage. So I think it's a subjective rather than an objective terminology. So, I mean, accessory dwelling units, we have definitions for all that. I would move that we strike cottages and co-housing from this, from the identifiable types of housing.

BOLDT: So we have two amendments?

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STEWART: Yes. To amend it to read as it is with the amendment that Julie just offered and at the very end to strike the words "cottages and co-housing."

BOLDT: Is that clear with everyone?

OLSON: I'll second that. But I do want to -- just there's a definition of co-housing as a residential model in which a cluster of attached and/or single-family homes are built around a common building to share such as meals, childcare, guest rooms, laundry and recreational spaces, so just for the clarification on co-housing.

BOLDT: Okay. Second. Vote on the amendment.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: AYE

BOLDT: Okay. The underlying as amended. Vote.

STEWART: AYE

OLSON: AYE

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BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Moving on, Chapter 8. This was all voted on 7/0. It's been here ever since, you know, creation. So e.i through i through -- i through the last one on Page 9.

OLSON: 8.4.3?

BOLDT: Yeah, 8.4.3. I'm bad on my Roman Numerals. I'll get us past that. Is there a motion to approve that historical and cultural preservation element?

STEWART: I do have a question. 8.4.2, it's a policy, "Expand the variety of incentives available to property owners to encourage historic preservation," that sentence, one of that policy section. And what I'm looking for is, what do we mean by incentives? And if we're talking financial incentives, what is the pool of money that we would use for that?

ORJIAKO: I will welcome our historical preservation manager in my department Jacqui Kamp to give us some interpretation of what we meant by incentive here. It could mean techniques, but I'll let Jacqui jump in.

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KAMP: Sure. Hi. Jacqui Kamp, Clark County Community Planning.

The historic preservation program currently allows a couple of tax incentive programs for designated historic sites. This policy would encourage as we come across maybe some other innovative techniques such as, perhaps, relief from zoning code or building codes for designated historic sites.

OLSON: And those would come before us before we would implement --

KAMP: Of course.

OLSON: -- any of those change in incentives?

ORJIAKO: Yes.

STEWART: And the tax incentives, some of those may be related to Clark County, but some of the venue for those are also State historical preservation; correct?

ORJIAKO: That's correct.

STEWART: So we don't -- are we estimating any out-of-pocket for

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Clark County when we say incentives?

KAMP: On this policy?

STEWART: Yes.

KAMP: As something new?

STEWART: Yes.

KAMP: No.

STEWART: Thank you very much.

MIELKE: I have a question if I might. We have -- a lot of times we have historic barns being converted into wine tasting. Are they going to be exempt?

KAMP: It would depend on if you utilize one of these techniques and if the barn was placed on the register and you decided that you would want to change the code to allow something like that as a relief.

MADORE: So is there a motion on the table --

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OLSON: Not yet.

MADORE: -- to approve all those?

BOLDT: No.

MIELKE: Not yet.

MADORE: Okay. I would encourage whoever puts that on the table to exclude Item xv and -- no. What is --

MIELKE: Which one?

MADORE: Page 9, Roman Numeral, the Goal, devise and implement strategies and incentives.

MIELKE: No. xv.

OLSON: I would disagree with that.

MADORE: And xvii, expand the -- so and exclude that one, expand the variety of incentives.

OLSON: I would disagree with that. I'd like to --

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MADORE: Well, I move that we -- well, actually we haven't put a motion on the table.

OLSON: Let me make the main motion. Mr. Chair, I move that we approve Chapter 8, Historical, Archaeology and Cultural Preservation Element in its entirety.

BOLDT: Second. Okay.

MADORE: I offer an amendment to exclude Item xv, the Goal to devise and implement strategies and incentives, and xvii, expand the variety of incentives that agencies can offer.

MIELKE: I'll second.

BOLDT: Okay. I would disagree with that too. I think it's a goal, so... Vote.

STEWART: NO

OLSON: NO

MADORE: Well, the second one is a policy.

BOLDT: NO

MIELKE: YES

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MADORE: YES

BOLDT: Okay. Underlying. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: So, Mr. Chair, this is a perfect example and we've gone so far as including things into the comp plan, this is even putting our policy into a comprehensive plan which is way overbearing and unchangeable for the next eight years and that's just a poor practice and I'm not supporting it. I'm a NO

MADORE: For the same reason I'm a NO

BOLDT: Okay. Motion carried.

Okay. Moving on to Title 40.

ORJIAKO: Councilors, I'm not sure that you dealt with Community Design, f.

BOLDT: Oh, sorry. You're very good, Oliver. Yes.

MIELKE: Which one? What page?

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BOLDT: F, this is Page No. 10, f.i, ii, iii and iv, all approve  
5 to 0.

OLSON: 5 to 2. Mr. Chair, I'd like to just -- I'd like to have  
discussion around Item ii and iii.

STEWART: I'd like to have a discussion around Item i.

BOLDT: Okay. Very good. Okay. Let's do them one at a time.  
Is there a motion to approve community design Element f.i,  
11.2.1, is there a motion?

OLSON: So moved.

BOLDT: Second.

STEWART: So I can --

BOLDT: Okay. Amendment or a change?

OLSON: Discussion?

STEWART: Yes. I would like to amend Item i to delete the  
following words, "facilitate development." This which, to me,  
says the County is going to facilitate development and create

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standards to achieve increased street front use, visual interest, and I think those are very subjective and I do not -- I would prefer to not have the County determine, first of all, that street front use is a policy that we've already discussed and want implemented and that we have a high criteria for visual interest, because having been here a year and a half, I've never heard those topics come up before. So I would like to have -- well, I'm not sure what it means facilitate development. Who facilitates? What is -- what are we trying to get at here?

So Community Design, I'm all over it and protecting neighborhoods and the integrity of neighborhoods. I completely understand all those needs. So what does it mean when we start with our policy is to facilitate development?

KAMP: Similar to what the County did for the Highway 99 subarea plan. So it could be utilizing those same kind of tools in a different urban area of the county that's under county jurisdiction.

STEWART: So it's to create a separate set of standards for a specific area that are not universal to the entire county, but we subjectively decide this area is going to be different in these ways?

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KAMP: It's similar to the subarea plan.

ORJIAKO: Yes.

OLSON: But that's based on committee --

ORJIAKO: Yes, you can do that and, you know, some -- and this may be editorial on my part, when you look at how the east area develops - when I say the east area I mean 164th, 192nd, the entire east side - you compare that to the west side. It's a huge difference and that is not by accident. That is by code and the value that the community placed on how you want your area to develop.

Jacqui is correct. We've looked at the Highway 99 corridor and I think the previous Board approved that subarea plan and approved the form-based code that are associated with that, and I think without exaggerating, I think you can begin to see the type of development that is occurring on Highway 99 now that the residents out there come to appreciate and the business association there come to appreciate.

Yes, it is not something that will be universal throughout the county, but you can find some areas that you can say this area

should function as an activity center or however you define that and that you like different treatment of that area to be more welcoming pedestrian friendly, whatever you want to, however you want to design your code to treat that area that will be your call.

So that is what this policy in the broader sense of Community Design, what you would like your area to look like. You can be very selective on what areas you want to apply different standards. So that's what this policy is getting to.

STEWART: So my point is that's not our business. That is the business of a developer who buys and owns the property as long as they develop within existing standards and codes and for us to want to have policies where we say we're going to construct this part of the county in a different way because we have this idea in our head, or I just get the sense that we're developing a policy that really takes us out of the realm of what government should be doing and puts us into allowing exceptions and creating these intangible things like visual interest. I think that's a slippery slope for a policy which is a growth management policy.

If a developer comes to us and he says here's my plan, I think it will have visual interest and I think it will make

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appropriate use of street front and it's within the setbacks, that's fine. We should take a look at that. I just I'm uncomfortable this goes too far. So if we can tweak it, part of this sounds great to me, improved pedestrian connections, proximity of uses, enhanced sense of identity and neighborhoods and subareas, all that I completely agree with. It is the first part of that first sentence that I would like to offer an amendment.

OLSON: What would be the process to facilitate development and create standards similar to the Highway 99 subarea, what would be the process in order to get accomplish that?

KAMP: It's a pretty big community-oriented process. Usually it begins with a technical advisory committee that's appointed by the Board. They learn and educate themselves on the kind of the challenges of their area. You do workshops with the community to find out what the community envisions for that area and kind of go from there, so...

OLSON: This is a bottom-up, community-engaged process that we don't sit in a room and say here's how we want the streets to look and the buildings to look.

KAMP: No. Everything goes to the community.

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ORJIAKO: It is community driven and I've seen where this is done in a planning charade, for example, where you give -- you provide the neighborhood with preferences and they will come up and show you what they prefer and you use that process, you know, to come up in writing your code, and if it's acceptable to the Council, eventually you will approve it, but that's how it is done. It is bottom-up approach. We don't dictate, but it is community driven.

When the Highway 99 was done, it was done by Team 99, the business association and property owners. Commissioner Marc Boldt, you were here then. It was finally approved, and like I said, that some segment of Highway 99 is beginning to develop that the business community and the residences out there come to appreciate.

Chuck Produce develop following the form-based code and is one example of the property owner working within the code and developing that the community now values. It's going to be pretty much involve the property owners, the residences and business association to develop a code that you eventually will approve or reject.

OLSON: Or we could just have what we have now on Highway 99.

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MIELKE: No, Councilor Stewart. I need to share with you kind of a Paul Harvey moment because I lived it and that's when we created the Three Creeks Advisory Group and then put it into the comprehensive plan and was unable to change that group.

The business group itself had somewhat backed away with frustration because of the neighborhood association was designing their businesses. They eventually were able to combine them and put them -- they were meeting three months apart and combine them with the -- what Highway 99 business group along with the other community to kind of get a handle on what it was, so we pulled back a whole bunch of that.

But it's a perfect example of when you put something in the comp plan like we're doing today with all this stuff, we couldn't change it and we ended up with all the planning separately far different than everything else in Clark County on Highway 99 and it's going to need to go back and be re-addressed again.

STEWART: Do we have approval for Chapter f except for the items we pulled?

BOLDT: No.

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STEWART: We don't. I'm concerned, frankly, about the whole list and we could go through, we could maybe tweak. We're not necessarily going to get agreement on it. The more I read here, the more I think we're micromanaging and I think it's a mistake and I'm unwilling to support the Community Design Element on this because I don't think we can tweak it enough to fix it.

OLSON: Do we have a motion on the table? I don't remember.

BOLDT: No, we don't.

MIELKE: Mr. Chair, I make a motion that we --

BOLDT: You don't need a motion if you don't want it.

MIELKE: -- remove i, ii, iii and iv.

MADORE: I second that.

OLSON: Isn't that all there is?

BOLDT: Yeah. Vote.

STEWART: AYE

OLSON: AYE

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BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Very good.

Moving on to the Clark County Unified Development or the Code Amendments. Oliver, do we have -- did we do No. i already?

ORJIAKO: Yes.

BOLDT: I know we've done that. So we've done No. i.

ORJIAKO: A and B.

BOLDT: We've already killed A and B. So we're starting with No. ii.

ORJIAKO: Yes.

BOLDT: So is there any questions? It was all 6/1 for the code language specific things. Is there a motion to approve g.ii through x?

STEWART: So moved.

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OLSON: Second.

BOLDT: Second.

MADORE: I'm questioning a number of these. No. iv, "Add language regarding new resorts from the comprehensive plan," what's that?

ORJIAKO: The statute provides for designation of new resort as well as recognition of existing resorts. So this proposal will add a provision in our code to allow for application to be made to the County to designate a new resort area in Clark County. We use this provision, not this particular provision, but the one that recognizes existing resort to designate the Alderbrook as an existing resort for as an example.

MADORE: Okay. All right. That's all. Enough. To me I don't believe it belongs in the comp plan.

BOLDT: Well, this is --

ORJIAKO: It's in the code.

BOLDT: -- in the code.

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MADORE: This is all to go --

BOLDT: It's a code.

MADORE: -- as part of the comp plan. This is all on top of comp plan; right?

BOLDT: This is the code that is backing the comp plan up.

MIELKE: So that's what I -- we don't need to back up our comp plan. We have a comp plan. We don't need to put code in the comp plan. We change --

BOLDT: This isn't in the comp plan.

MIELKE: We adjust and change code all the time, but when you put it in the comp plan, you --

BOLDT: This is not in the comp plan.

MIELKE: Well, what is it here for?

BOLDT: This is code. It's implementing the comp plan.

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STEWART: Well, and these codes --

MIELKE: In other words, you're putting the code into the comp plan.

STEWART: Well, no. It's amending the code to accommodate the changes we just made in the comp plan. And, for example, I think the best example and easiest is Item No. vi, v-i, Urban Reserve Overlay, make it true, make it a true overlay and move it to the overlay section of the development code and because those are decisions that we made earlier and so this is just the code sections that support codifying where there's a comp plan amendment and we need to amend the code to reinforce the comp plan amendment.

BOLDT: Just like we did with the clusters.

STEWART: This is our legal step.

LEBOWSKY: Councilors, for the record Laurie, I'm Laurie Lebowsky with Community Planning.

I just want to give some context about this proposed code language. The language is currently in the comprehensive plan. We were going through and looking at that language and decided

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that or our opinion was that it's more appropriate in the code because it's criteria for an applicant coming in to apply for a new resort.

BOLDT: This helps that applicant.

STEWART: Well, the resort and all of these other matters that we're doing in this section.

ORJIAKO: That's correct.

LEBOWSKY: Right.

MIELKE: One more point of clarification. These are the codes that we have to change to support our comp plan.

ORJIAKO: Yes. These are the code, related code sections in Title 40 that we need to make to support the amendment or the update to the comprehensive plan.

MADORE: Can we, as an alternate, just simply pull the code that's in the comp plan, pull it out and that way we have the flexibility of the normal processes we follow when it comes to adoption and amending our normal code?

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ORJIAKO: Council, you will run into a conflict. Your comprehensive plan and your policy and your development regulation has to be consistent, so what we are doing here is making sure that our development regulations are consistent with our comprehensive plan.

MADORE: Sure. Well, of course.

ORJIAKO: That, in a nutshell, is what we are recommending.

MADORE: Well, I understand the recommendation. We can always make sure that the policies that we adopt are consistent with the comp plan. We have a process to do that. That's why all of our code should be consistent with our comp plan. But burying it inside and/or leaving it buried inside the comp plan as a level of complexity that we're having to wrestle with now --

BOLDT: This is not in the comp plan.

ORJIAKO: Councilor, this will be in Title 40, not in the comp plan.

STEVENS: You're done with the comp plan at this point. You're discussing the code that supports it.

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OLSON: If we don't do it today, we have to do it another day.

MADORE: I thought Laurie's point that --

HOLLEY: Hold on. Hold on. Hold on. I need your name. I don't know your name and I can't get everybody talking at the same time. I'm getting tired.

STEVENS: Robert Stevens.

HOLLEY: Stevens?

STEVENS: Stevens.

HOLLEY: Okay. Go ahead.

MADORE: Laurie, at one point I thought you were making the point that there's code in our comp plan to support this that needs to be changed?

LEBOWSKY: It is currently language that is in the comprehensive plan. The staff recommendation is that it's more appropriate for that to be code language so that you have criteria for when an applicant comes in and should they propose a new resort, so...

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MADORE: So the bottom line there without being specific, there is code in the comp plan?

LEBOWSKY: No. No.

OLSON: There's language.

LEBOWSKY: The issue is there's no code language and this is specific to the resort overlay.

STEVENS: I think the confusion is what you're doing is you're converting comp plan language into code. It's not currently code. Is that correct?

LEBOWSKY: Right. It's currently comp plan language.

STEVENS: So what you're doing is moving comp plan language into Title 40 code.

OLSON: To support the language that's in the comp plan.

STEVENS: To support, correct. And because it's more appropriate as code than a simple planning document.

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STEWART: But isn't that true of this whole section that we're looking at?

ORJIAKO: Yes.

STEWART: That, I mean, we're talking --

STEVENS: That's where we're at right now.

STEWART: Yeah. We're talking about resort overlay, but each of these on this list are Chapter 40 codes that are what we will use to implement the comp plan.

LEBOWSKY: Correct.

ORJIAKO: Correct.

STEWART: Yes.

BOLDT: There's no difference, Oliver, between this and biannual code amendment; correct?

ORJIAKO: Well, technically they're --

BOLDT: Well, similar.

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ORJIAKO: Yeah, that's separate. In conjunction with this effort, it makes sense to adopt your development regulations simultaneously. The statute also provides that you can do it one year later, but often it's recommended that you do it consistently. The previous decisions that you've made, Councilor Stewart is correct, this Title 40 changes will implement those, so it is appropriate because of the previous decisions that you've made on urban reserve and urban holding and mixed use and it happens to be that someone caught the new resort.

What I said earlier is that the Act provides for application of new resort. Property owners can make that application. It's allowed in statute. There is nothing in our code now that allows for that. That's why we're putting this language that is in the plan in the code to make it more consistent. There is no harm. I think it's more flexible when the County approve a new resort. I don't know what will happen in the future, but at least in doing this, we are consistent with what the statute calls for.

BOLDT: Okay.

MADORE: Now, doesn't our code modification normally follow

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within a year after we adopt the comp plan? I would think that it may not be appropriate for us to do this tonight, this afternoon.

OLSON: Why?

BOLDT: There's no problem in this.

MIELKE: Well, we made changes along the way and that's the reason that these may not all be affected.

BOLDT: Well, yeah, that's why we do it because we made changes in other parts of the plan, so...

MIELKE: But you're adopting something that may not have been --

STEWART: And the benefit of doing it as code modifications is if we still -- if for some reason it's not precisely complete for people that come in, we have the option of modifying the code.

MIELKE: No. My concern was that there's a number of items that we pulled or removed. Are we adopting the code on those?

ORJIAKO: No.

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BOLDT: No.

OLSON: We have a motion; right?

BOLDT: Yeah, a motion and second. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Very good.

Moving on. We'll probably go till 5:00. Arterial Atlas is changes of our road because of the map, and as in any comp plan that we have done, we have either removed roads, added roads or revised roads. This has gone through us several times.

First of all, is there a motion to approve Arterial Atlas, 8.a, b and c?

OLSON: So moved.

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BOLDT: Second?

STEWART: Second.

BOLDT: Discussion?

MIELKE: Discussion. My legal staff stepped out for a moment. Once, again, I'm concerned about putting this into our comp plan for adopting as such.

BOLDT: It's not in our comp plan.

MIELKE: What?

BOLDT: This is not in our comp plan.

MIELKE: Well, what is this here for?

BOLDT: It's to implement our comp plan.

HERMAN: Matt Herman, Community Planning.

Some of the changes that are proposed take the urban roads -- or I'm sorry -- the rural roads to make them urban because of the urban growth boundary changes that you previously approved. So

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it's changing the rural status of those roads to urban because that urban growth boundary has expanded as you previously talked about.

MIELKE: So as we moved the urban growth boundary, the changes that we talked about here would be those that are no longer urban that become -- I mean, no longer rural --

HERMAN: No longer rural, correct.

MIELKE: -- and have become urban?

HERMAN: Yes.

MIELKE: And that's all that's here?

HERMAN: That's the revisions. Some of the removals are because either a road is not feasible to be built anymore, some of the additions are just minor revisions. They're adding the 137th Avenue or Street bridge that we built with the Skip [phonetic] project and adding the Salmon Creek road realignment.

MIELKE: All right. Thank you.

STEWART: What does it mean? Let's look at Section a, "Remove

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from Arterial Atlas." What is the effect of that in real simple terms?

HERMAN: There won't be a road built.

STEWART: So these are right-of-ways where there isn't any --

HERMAN: No, they are not right-of-ways. They are proposed. They are lines on a map right now.

STEWART: I see.

HERMAN: They are not right-of-ways. We do not have the right-of-way.

STEWART: So...

ORJIAKO: Councilor, the best way to explain this is we have gone back and looked at working with Public Works. There are some areas where through some previous planning work were identified the need for a road to go through. Upon further revision and working with Public Works identified and we looked at maps and realized that some of these areas are environmentally sensitive, that there may be, the feasibility of building a road is not there, so we're recommending that they

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come off. We may find a different alternative circulation in the future, but that's, in a nutshell, the best way to explain some of this.

STEWART: So tell me a little bit about the La Center bridge.

HERMAN: Sure. The La Center bridge was originally proposed by the City. It's a second bridge that connects basically the northwest quadrant of La Center. They see that as an expensive project and no longer want to pursue it.

STEWART: They're not interested in that.

HERMAN: They're not interested.

STEWART: Okay. And so some of these the County is no longer interested in pursuing. That one La Center is no longer interested in pursuing.

HERMAN: Correct.

STEWART: So we are just truing up the Arterial Atlas to what we know that we intend to do.

HERMAN: What is feasible; what is not feasible.

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STEWART: Feasible. Okay. Thank you.

BOLDT: Okay. With that, vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: AYE

MADORE: AYE

BOLDT: Okay. Moving on to the simple stuff, Impact Fees. I think, first of all, is there a motion -- let's handle the Park Impact Fees and Traffic Impact Fees separate. So is there a motion to, first of all, approve and then we can talk about it quick, 9.a, b, c, d, e, f, g, h, i, j and k, that's all the school districts.

OLSON: So moved.

BOLDT: Second?

STEWART: Are we separating those out to vote on them first?

BOLDT: Yes. Okay. I'll second that.

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OLSON: So I just --

BOLDT: Well, wait a minute. Okay. I messed that up, didn't I, Oliver?

OLSON: Start over.

STEWART: I don't think you messed it up.

ORJIAKO: The Council wants to vote on the school impact fees first.

BOLDT: Right. Yeah. B, c, d, e, f, g, h, i, j, k.

OLSON: So moved.

BOLDT: Not a, because that would adopt everybody.

STEWART: Yes.

BOLDT: Okay. All of these have been approved several times by the Planning Commission. We've done work sessions. I think they've talked to us several times.

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OLSON: I'd also like to add that all the other jurisdictions have adopted these fees and that we're kind of downstream in this process, so... To be outside an urban growth area and have a different impact fee as those inside an urban growth area or a (inaudible) I think would be problematic, so I'll be supporting the recommended school impact fees.

MIELKE: We didn't actually have a work session on impact fees that I attended anyway. A list of those impact fees were brought to us. Did I miss a work session?

BOLDT: Well, they were in the work session that we had.

STEWART: I think maybe you were out that day.

ORJIAKO: You were out, Councilor.

MIELKE: They were probably handed out. I have a real issue with school impact fees having to do with affordable housing. I think the school impact fees differ from high density housing from single home housing. I think that we already have bonds to build schools and - what's the other thing? - we do. We have other funding sources as well as State sources as well as local sources, and I see more of it as soft money and making affordable homes not really affordable. So until we've dealt

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more into it, for myself anyway, I can't support these today. I feel like because what little input we've had that we've become no more than a rubber stamp for the school districts to take advantage of a taxing ability that the legislature has allowed.

OLSON: Well, just for clarification on school impact fees, I don't know how you can call them soft money. They're specifically collected for housing of students and they're used for State match to house students that are unhoused, and there's very strong ties to those impact fees.

In addition, does it seem reasonable for new development not to pay for housing of students and make the existing landowners and homeowners pay for housing of new students? So we can talk about the level of impact fees or how high they are or how low they are, but the purpose of them is so that developers pay as they go for the impacts they have on schools.

MIELKE: I think with that theory, I mean, I'd like to understand why I still pay for schools when I have already built my home. I still pay for schools.

OLSON: Well, and if new development didn't pay at all, you'd be paying more.

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MIELKE: As a senior citizen, I still pay for that also and have no kids in there. So I think that what was explained to me was I support all bonds, all school bonds. I believe in building schools, but we have a habit of building short on schools and then shoring up with the impact fees to pay for those portables outside.

Numerous times we've seen brand-new schools being built, and before that front door opens up, we have two to three portables outside. I think that we have funding available in all sources and this is one that probably should be looked at. I'd like to see an audit through JLARC from the legislature.

BOLDT: That's been done several times.

MIELKE: I sat on it and never did it and I was there for eight years.

BOLDT: Well, the formula has been --

MIELKE: They create their own formula.

BOLDT: -- adopted. The formula -- no, it's a County formula.

MIELKE: No, they create their formula. The school district

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brought it to us.

BOLDT: The County created the formula. You voted on it when you were here with me. So the school districts go by the formula that we created. They just put in the numbers and they pay for that certain amount of the funding.

As you know, when we had the school task force, we went over this year after year and the question is is if we are going to have a growth plan, we have got to have a capital facilities and with that capital facilities, we have got to have schools for our kids, and if you don't want to have schools for the kids --

MIELKE: I support bonds, but this doesn't build schools.

BOLDT: Yes, it does.

OLSON: It does. It's directly used --

MIELKE: It shores it up in between.

OLSON: -- as a match to State funds and there's a 60 percent vote required to pass a bond. It's a high fence.

MIELKE: Okay. Vote for it. And I guess my argument goes back

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to you don't charge the same for a single-family home as you do for high density.

BOLDT: Right. And that's been explained to you several times.

MIELKE: And what number of kids? You still have child per child, house per house, so when you stack them up in one spot, you still have to build schools for the number of kids, so... I think it needs to be reviewed and looked at more closely.

STEWART: So, Mr. Chair, of all the things I've seen in the comp plan, the school district impact fees is one of the most difficult and gut-wrenching of all the decisions that we make.

BOLDT: It is.

STEWART: It's difficult because the multi-family in all the school districts virtually - I can't say every single one - but the majority of the big school districts have such a high impact fee for multi-family at a time where we have people who we can't keep up with the need for multi-family. So it is this crux of difficult situations that come together and these levels of impact fees. In one case, one school district alone raised the per unit in multi-family cost by \$5,000. The increase was \$5,000 per unit.

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So the issue is funding for schools. Our children need to be safe. They need to be educated. They cannot be in overcrowded classrooms. They need portables if the population gets to a certain size, although I'm not a fan at all of portables. I don't think that's an effective long-term solution, but I feel like I'm in a vise grip on this issue because my instinct is to say no because the detrimental impact on multi-family housing is going to further put us behind in Clark County, because a lot of young people, they can't buy a house because the median price of houses increase so much in Clark County.

So young people, even if they try to save between the rent they're currently paying and trying to save money to get into their own home, they can't do it, so they're stuck in multi-family and their rents go up. And for a lot of people, their rents have gone up 25 or 50 percent in the last two years which further puts them behind from saving to buy a house.

So I feel so uncomfortable in this position that we need schools and yet I know the effect of these impact fees is going to be negative toward the housing types that we need to have. And some people have come to me that are in the development industry and quietly said you're right. If I have my choice where I'm going to put the money, I might go to single-family. I might

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work on more single-family. People, other people in the community who don't do building came to me and said, oh, it's not relevant, \$5,000 per unit, you know. Let's say you build 20 units. That's not a relevant factor. That's nonsense. Of course, it's a relevant factor in what kind of development you're going to do.

So I feel like I'm in bondage here that I have to vote for the school district impact fees and I don't like being in a position that I have to do it, and yet I don't see any way not to do it.

So the school district impact fees, Mr. Orjiako, how often do these come forward? We're talking about them in the comp plan, but when will we see a review? When will the schools submit their next round? Is it annually?

ORJIAKO: By our code, it will be in the next four years.

STEWART: Within the next four years. So for four years we have to live with this.

ORJIAKO: Yes. Our code previously allowed them to do it once a year, but it is very difficult to get data once a year that is meaningful. We went to two, the same issues, so we amended our code to make it four years and I think four years data will be

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sufficient for them to make their case, so it's once every four years.

STEWART: And when was the last time they were increased?

ORJIAKO: I don't have that information.

STEWART: Approximately. Just approximately.

ORJIAKO: 2012.

STEWART: So four years ago.

ORJIAKO: Yes. And, you know, when I talk with you, Councilor, I share your concerns. These are all coming together and you're seeing it once all together. Before you used to see it like once every two years or once every four years. It happens that we are all doing this and it's all coming together through this comp plan update and the numbers look huge, but it is what is in front of you.

As the Chair indicated, they submitted the CFP and these are their intended impact fees. Similarly, when you get to parks, you did approve the parks plan. You did approve their six-year capital facilities plan. The Park Impact Fee is just a portion

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of how to pay for that, but that's not what is before you, but that's why you're seeing this coming to you.

Similarly for TIF when you get to that, that's why you're seeing it being part of the comp plan. You would have taken action on the TIF before now, but that didn't happen. And as those that testify on the parks has not been reviewed since 2002, you know, if you factor in cost of land inflation, that's why you're seeing the numbers that you're seeing now. We can't defer that any further, but it is your policy call to make, Councilors.

MIELKE: I like to add --

STEWART: So I think one of the other factors is that we're unsettled about how we're going to fund schools and that's not directly something we can cure, although we can have some affirmative influence in the legislature on that, and that is with the new State mandate that was passed, it's very confusing to figure out what the future is for our school system.

ORJIAKO: That's true.

STEWART: So I'm going to support these with the deepest regret and with my conscience is not feeling good about it.

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MIELKE: I would encourage someone watching TV to pull out your tax papers. In some cases, you have more than one levy. You'll probably have a bond for the construction of schools, which I always support the building of. You have your property taxes for schools. You have the harvest of State and forest property that goes to that and you have State taxes and then you have the impact fees. The impact fees are relatively new. All of our impact fees are relatively new, even our transportation impact fees, but when the legislature allows one more fee or tax to be created, government lunges at the idea to take in one more dollar.

So I would think that all these things and all these sources that the schools have that they have a choice of how to fund it and I think that we are surely doing our share.

OLSON: I have one last. When it comes to impact fees, it goes strictly to housing students and it does not show up on your property taxes. And to get to where we are right now, the school boards have voted on these things; they're elected. The city councils have voted on these; they're elected and they're here in front of us now and I share Councilor Stewart's concerns, but to not approve them now, I just think would not be the right thing to do.

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MIELKE: I beg to differ. It does show up on your property taxes every year because it's part of the cost of building the house. All impact fees, traffic impact, parks, schools, all part of the value of a house and will be taxed every year to the house that's there because that was part of the original building.

BOLDT: Okay. With that, vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. Park Impact Fees, 9.1, it was approved 4 to 3. I think the, Oliver, the Planning Commission voted for more of a gradual increase?

ORJIAKO: That's correct, Councilor. That was what was in front of them as recommended by the Parks Advisory Board. And I think, my recollection is that those that voted no probably wanted it to be more -- to have more gradual phasing of the fees. I may be wrong, but that's what I thought they were voting on. They were not really objecting to the impact fees.

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Some members of the PC thought that it should just -- you should just approve them as recommended or as is in front of you. Those that voted no, I believe, wanted it to be more phased into the future, but the Parks Advisory Board did make a recommendation.

And I know Laurie's still here. What was their recommendation?

LEBOWSKY: The Planning Commission?

ORJIAKO: Right. Maybe it's up here. I believe - you can correct me if I'm wrong - they asked that it be phased in?

LEBOWSKY: Laurie Lebowsky, Community Planning again.

The PAB's recommendation was to phase in the new fees over a three-year period, so 80 percent the first year, 90 the second and then the full 100 the third year.

ORJIAKO: Okay. I think that's what the Planning Commission voted on.

LEBOWSKY: Yes.

MIELKE: We had the Parks Board come up and give us a work

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session not too long ago and they were recommending replacing a lot of the staff that we did away with when we separated from the Vancouver Parks and Recreation, and we told them at that time that we were holding our own, that we were -- our economy was coming back. We were getting caught up on building, and yet they continued to go to the Planning Commission and sell it to them because they could not sell it to the Board at that time.

So I'm a little bit appalled that the planning -- that the Parks Commission went ahead and took it to the Planning Commission after we already had the discussion here.

MCCAULEY: Councilor Mielke, this is for capital facilities. This is for acquisition and development of parks. This is not for staff or for administration or operations.

MIELKE: I always understood that we had the money to build our parks but we didn't have money to maintain them and, therefore, we were not building them.

MCCAULEY: That was true in the past. We do have a standard to achieve --

MIELKE: I don't know what the future is going to be.

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MCCAULEY: -- acres per thousand, and based on the projected population, we need to acquire land and develop additional parks and that's what this fee will finance.

MIELKE: We have lots of land. I've been identifying it for you.

MCCAULEY: We need to acquire more.

MIELKE: You need to develop it what you have, so...

LEBOWSKY: Councilor, just for clarification, the Park Impact Fees apply only to the unincorporated Vancouver UGA. That's the only area.

MIELKE: You know, I, on the parks thing, I'm having a little bit of a pet peeve there. We renamed some of our parks as Regional Parks. All of the other parks that we have when they're incorporated or annexed into the cities, it goes with the city. Our roads goes with the city. But we have a couple of large parks that the city didn't want to take on the responsibility or the cost, so we rename them as Regional Parks and we continue to maintain those even though they're within the city limits in at least two of our communities.

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BOLDT: So, Oliver, I believe the last Board voted on a parks acres per thousand; right?

ORJIAKO: Yes.

BOLDT: It had nothing to do with this Board, but it's been voted on.

ORJIAKO: That's correct. And they recently adopted parks plan for the unincorporated portion of the Vancouver UGA has also standards that the current Board voted on and passed.

BOLDT: So I would think that the Board must have at least two votes to have so many acres per thousand.

ORJIAKO: Yes.

BOLDT: That's in our capital facilities plan. The State is going to say, all right, somebody voted on these acres per thousand. If you're going to have a comp plan, you have to either reduce the standards, don't have parks, whatever, or justify what you did as a Board action; right?

ORJIAKO: Or find another source for funding it. Find another source if you don't want to use parks impact fees.

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MIELKE: Mr. Chair, I recall that when we was looking at that parks per population that we did not include at the time but we did include it later to include parks, trails and green spaces and we did have an abundance of those spaces and we've been trying to even -- actually we've gone back and looked at utilizing some of the retention areas as park spaces too.

One good example that we have there on 72nd and about 53rd where there's about ten acres of area locking the people out that we have now opened up. So we have other things, other avenues to explore, and to move forward with adopting more taxes without utilizing what you have I think is premature.

BOLDT: Well, it's -- I mean, I can't dream the numbers up. The numbers are created there because of action by the Board, so...

MIELKE: What are they? What are the numbers?

BOLDT: You approved them.

MIELKE: I know we increased them per acre to include green spaces and trails, then we end up with more than that.

BOLDT: That's already figured in, so we're just going what you

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guys have approved.

OLSON: We're required to fund the parks plan as part of this process --

ORJIAKO: Right.

OLSON: -- is that accurate?

ORJIAKO: Yes.

STEWART: I see Mr. DiJulio has a comment.

OLSON: Thank you.

DIJULIO: Well, you know, I always want it to be carefully noted that - and I've mentioned this in prior meetings of the Council - that you have a concurrency obligation under the law and that you have an obligation to assure that the facilities that are identified as necessary to support growth and development are reasonably in place to support that growth and development, and that includes your obviously capital facility planning including parks and the funding in support of that. It isn't necessarily the case that you have to have the funding in place and have everything built on day one, but you have to have

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a plan and a reasonable schedule for doing that to achieve concurrency.

And so as the Director stated, you know, if you don't fund it with Park Impact Fees and you have an adopted standard regarding whatever, roads, parks, schools and if you don't have -- if you're not going to fund them with impact fees or partial with impact fees, then fine, you'll just have to find another source of funds. Thank you.

STEWART: I have a question about the chart that I'm looking at here. Are the amounts that are shown there the amount of increase or are they the new total?

LEBOWSKY: The new total.

STEWART: Thank you.

MIELKE: Do we have the chart that shows the increase that's being proposed?

LEBOWSKY: It's in your binder. It was in the PIF technical document.

MIELKE: But there is a proposed increase --

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LEBOWSKY: Correct.

MIELKE: -- because that's what was presented before?

LEBOWSKY: Yes.

MIELKE: And, you know, we stopped building those parks during the recession because we couldn't maintain them, and this year we're building two more parks and we've others on schedule. So like I said before, I think we're premature in taxing and we're getting back on line with the amount of taxes coming in and I think that we could properly fund those.

OLSON: How would we fund them?

MIELKE: We already have a impact fee in place. I'm not just not supporting the increase.

OLSON: Correct. I hear what you're saying.

STEWART: When was the last time Park Impact Fees were increased?

LEBOWSKY: They were calculated in 2002 and adopted in 2003,

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Councilor Stewart.

STEWART: And they've been fixed since that time?

MCCAULEY: Unchanged. We had --

STEWART: Pardon me?

ORJIAKO: We haven't changed it since 2003.

STEWART: I see.

MIELKE: We added a METRO. What was that called, a METRO?

MCCAULEY: That was not an impact fee. That was a property tax increment voted in by the voters.

MIELKE: For the parks?

MCCAULEY: For the Metropolitan Parks District, yes.

MIELKE: I think I said that, yeah.

BOLDT: That's not buying parks.

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MADORE: My only comment is that the limitation in building parks has not been the capital, the money to build parks. It's been the money to actually operate and maintain them after they were built. We have been very rich when it comes to the capital to build and design, but very poor when it comes to the operation and maintenance. This only applies to that first category. And I agree with Councilor Mielke that we're putting money in the wrong bank too early. That's all.

OLSON: And this is something that we can address at a future date?

MCCAULEY: Part of the reason that -- yes. But part of the reason you collect money now so you can aggregate funds and buy large parcels big enough to accommodate a park. With in-fill development and housing developments going in all over the county, the supply of land suitable for parks is diminishing rapidly, and if we don't acquire the land now, we will never acquire it or we will acquire it at a much higher cost.

MIELKE: I'm smiling because I'm still waiting for Daybreak to be developed. We have a lot of land that's not developed.

BOLDT: Well, it's interesting that you can brag about parks and then rely on other people to fund them.

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MCCAULEY: And waive park fees.

BOLDT: Yeah.

MIELKE: We've been successful. We have more parks than before. We've added construction on more parks. What's been proposed was we were adding staff and designers and planners. That's what they brought forward for us to do. So it wasn't all about maintaining parks. We are on track with our parks.

MADORE: Commissioner McCauley, I'm not aware of us waiving any park fees.

MCCAULEY: We gave up 330,000 or so a year in parks revenues when we waived the parking fees for the Regional Parks which contributes to the difficulty in maintaining our parks that you've pointed out.

MADORE: Those are -- okay. We're not talking about this apples and oranges. In order to collect those fees, we had to have fee collectors, government collecting \$3 checks, more costly. So that's a different topic we won't get into.

MCCAULEY: Well, we purpose that staff, we're still paying them,

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sir, but they do different functions.

MADORE: I understand. Different topic.

BOLDT: That's always a different topic, but...

ORJIAKO: It's a different topic, yeah.

BOLDT: So we're at a crossroads. We've gone to the wood for school impact fees, which we have to. We'll probably go to the wood -- I don't even know what that term is, but it sure sounds good.

MCCAULEY: Woodshed I think it is.

STEWART: Feels like woodshed, yes.

BOLDT: -- for Traffic Impact Fees, and you can go so far, draw so much blood and still have affordable homes for Park Impact Fees.

STEWART: Exactly.

BOLDT: My question is, I think, in a way I think we need to step back almost and look at maybe some of our service

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deliveries, whether it's instead of how many acres per thousand, it's how many -- I don't know a different -- a different way of figuring parks.

The question I would have is, if we commit to figuring out park funding, giving us a little time to have some work sessions and getting a little more grasp on it, because let's face it, this comp plan has been a fire hose in front of us. We're trying to do as much as we can and get it out. Is there a way we can tell people that we are sincerely trying to work on a funding solution for parks, give us a little while on that? I don't know.

OLSON: And as a part of that, I'd like to see a long-term funding program for parks maintenance so that we've got that in place as we continue to acquire land for purchase and development.

STEWART: Well, we do need to do all of that, but I'm not sure what that means --

BOLDT: I don't know what that means either.

STEWART: -- to this item in front of us right now.

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BOLDT: I don't know.

STEWART: We can't postpone this. Are you asking if we could postpone this?

BOLDT: Right, if we could postpone that. If we can't, at least I'll know.

ORJIAKO: Councilor, that's going to be -- our answer is that that's going to be your call if you want to have a broader discussion on funding for parks. This item before you is consistent with, again, the capital facilities plan that the Board approved when you approved the parks plan and consistent with the previous decisions that you've made on, you know, the future growth in Clark County. There are other issues whether it's the Metropolitan Park District, whether it's acquisition and maintenance issues that you have to discuss, Bill couldn't join us today because he's out, but you can have that broad conversation on funding of parks.

Similarly to, you know, funding for roads. You have just approved the schools. You're going to see the school district coming to you again in the next four years, who knows, the student factor. What I mean by that is the number of students coming from multi-family or single-family may change in the next

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four years. You may see a reduction in the Parks Impact Fee given that factor. On parks and traffic, that's going to be your call. In the past you have - I'm not recommending that you do it - but in the past, you have done one percent property tax increase devoted to funding of roads.

Again, this is going to be your call when you have that conversation how you want to fund these capital projects that have to support, you know, the -- it's easy to say we want to grow, but growth costs money. That is what is in front of you. You make your call one way or the other. It's a policy call for you to make, Councilors. I cannot advise you whether to delay or to approve this.

You have a recommendation from the Parks Advisory Board to phase it, given some of the conditions, given some of the consideration based on what they heard from DEAB and others that have weighed in that they would like you to phase this. They're not saying don't collect it, but phase it in so that it is more gradual in terms of the amount. And similarly for when you get to Traffic Impact Fees, the same will be -- you'll have the same conversation. If you don't want to approve this, how do you want to fund?

OLSON: But we can also have a conversation about the phasing

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too.

ORJIAKO: And the Board can also delay the effective date.  
Whatever you want to do, that's going to be your call.

MCCAULEY: Yeah. I would think potentially you could make the effective date 1 January 2017 and then the intervening months we could come back to the Board with ideas about phase-in schedule, long-term financing plan for maintenance or whatever the Council would like to see.

OLSON: Because I've had conversations with developers and builders about a phase, a different, a potential different phasing option rather than 80, 90, 100 that would be palatable for them.

MCCAULEY: Yeah. But the question would be, could once the Board approves this with an effective date and the enacting ordinance of 1 January, could we change --

STEWART: Tweak it.

MCCAULEY: -- rather than a 100 percent all up front, could we come up with a 40, 20, 20, 20, a five-year implementation between now and 1 January?

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ORJIAKO: That could -- yeah, we could engage our staff to have and the Board to have that conversation, sure.

STEWART: And how does that pass legal muster?

DIJULIO: Again, the comprehensive plan identifies a number of funding sources in support of your parks programs, general obligation bond, access levy, sales tax, impact fees, real estate excise tax, so you've got a number of funding sources. It's a menu.

You know, in selecting from that menu, one of the menu selections as recommended by the advisory committee was impact fees at a level that has been recommended to you. You don't have to adopt those levels today, but you can certainly consider those in the future in terms of how you're going to implement that plan through a funding program that supports the comprehensive plan objectives, and if you don't, then, you know, you subject the County to a concurrency suit.

MIELKE: I'd like to recommend that as we move forward, we take a look at because we've had a lot of things changing. We went through some real hard times and our parks got put on hold and they're coming back forward now. We have more revenue than ever

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before. We haven't really identified a need. The last thing that we saw that they wanted to do was add staff and they wanted to have designers. It doesn't make sense to add staff and add designers and planners when you're not building parks. We talked at that time a while back about design bid build. We've had one local contractor that's been building almost all of our parks, he knows what we need, he knows what we want, he can tell us what it is, what it's going to cost and provide everything. We don't need to add staff members to do that.

When we separated from the Vancouver Parks and whatnot, we had a savings of nearly \$700,000 a year. You're shaking your head. So I think what we need to do is go back and take a look at what that was because we also added -- we added lifeguards. We added people to go around and see our parks and whatnot.

BOLDT: That is not buying parks.

OLSON: Yeah, that's acquisition and development.

MIELKE: Well, we usually ask developers to build the parks or donate the land.

MCCAULEY: Let's stay on topic.

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STEWART: I'd like to ask if we can tentatively adopt a phased-in park impact fee with an implementation date of January 2017 with the understanding that this will come back to the Council in a number of meetings where we look at all aspects of park funding, all aspects of the development. We include in that maintenance and operation of the parks so that we can have a more complete picture and be more decisive about what direction this is going in. Would that pass legal muster?

DIJULIO: In my view, it would pass legal muster at this time. As I understand the discussion, you're going to be maintaining a level of Park Impact Fees. You're just not increasing them at this time. You may do so after this further analysis.

STEWART: And that can be done outside of the comp plan?

DIJULIO: Yes. That's an implementation measure.

STEWART: Yes. So...

BOLDT: Okay. Is that a motion?

STEWART: That's a motion.

OLSON: I'll second.

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BOLDT: Okay. Let's vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: I guess I'm not quite understanding the motion. We already have funding taxes in place, so I'm not sure if you're just reinstating them or were you looking at increasing them?

STEWART: We're continuing, the motion indicates we're continuing with existing park fees.

MIELKE: At the level we have?

STEWART: At the level we have now.

MIELKE: AYE

MADORE: Wait. Wait. Wait. And raising them as of January 1st?

STEWART: Well, considering it.

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MCCAULEY: According to a yet to be determined phasing schedule.

STEWART: Yet to be determined.

MIELKE: So we're having work sessions in between.

STEWART: Yes.

MIELKE: So I understand the motion is that we're going to maintain the current level --

STEWART: Yes.

MIELKE: -- and have work sessions to identify the needs for the future.

STEWART: And the revenue sources, how those can be used and, yes.

MADORE: Didn't your motion include the approval of raising the fees January 1st? That's part of your motion; right?

BOLDT: 2017.

STEWART: Well, the motion was that we would tentatively move

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them forward to a January 2017 which indicates our interest in supporting the capital facilities plan for the growth but not fixing on those increases because we need to know, we need more information and we want to look at the whole package.

MADORE: So if we vote no on this, then the current fees automatically continue as they are?

BOLDT: Till 2017.

MADORE: If we vote no on this, then the current impact fee schedule stays like it is. We're not approving any increase tentatively or whatever, if we vote no, then the parks continue to be funded as they are now?

MCCAULEY: Right. If you vote aye --

MADORE: Then we raise them.

MCCAULEY: -- then the rates increase on January 1, but there will be discussions between now and then to determine what the phasing schedule looks like and whether to revisit the increase amounts based on other funding sources.

STEWART: Exactly.

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MADORE: So I'm going to vote NO

BOLDT: Okay. Motion carried.

MADORE: And what was your vote?

MIELKE: NO

BOLDT: Traffic Impact Fees.

MIELKE: So we have a new schedule of impact fees that our staff has been working on for the past year at least.

HERMAN: Yeah.

MIELKE: Thank you.

HERMAN: Again, Matt Herman, Community Planning. So in front of you --

ORJIAKO: Jose, can you put up the Issue Paper 8.1. Matt. Is that okay?

HERMAN: Yeah, that's great. So as you alluded, Councilor

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Mielke, the Planning Commission recommended in January -- or I'm sorry -- July of 2015 to combine the six districts into four districts that is in front of you today. Generally the fees are proposed to decrease with the exception of Rural 2 going from \$52 to the \$264. This separation from the six districts to the four districts is part of our, for lack of a better word, divorce from the City of Vancouver. We used to have a joint TIF fee collection; now we have gone our separate ways. This proposed district system of the four districts implements our own unique TIF fee collection separate than Vancouver.

MIELKE: I know we've given you a pretty tough time on this. We appreciate your work and --

HERMAN: That's why we're here.

MIELKE: -- and I think we can surely support what you've brought to us.

HERMAN: Thank you.

MIELKE: Thank you.

OLSON: Mr. Chair, I move that we approve the Traffic Impact Fees as presented.

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BOLDT: Second?

MADORE: Could you bring that back up.

BOLDT: First of all, is there a second? I second it.

MADORE: I have a problem with Rural 2 going from \$52 to 264.  
Is that \$64?

HERMAN: Yes.

MADORE: That, to me, is a problem because so much of the county is rural and the -- so I like the decrease in the rest, but -- well, let me offer an amendment. I move that we move the rural, continue the Rural 2 fees as they are. I know they're being subsidized, but that's my amendment to keep the \$52 for Rural 2.

MIELKE: I could support that. I'll second the amendment.

HERMAN: So just to clarify, that would be five districts then, two rural districts?

MADORE: It's where it's listed Rural District 2, \$52, I want to

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just keep that the same.

HERMAN: Right. Okay. So there would be Hazel Dell, Mount Vista, Orchards, Rural 1 and Rural 2?

MADORE: Just changing Rural 2.

MCCAULEY: And all of Rural 2 would encompass 1 and 2, there would be one rural district and it would be \$52?

MADORE: I'm looking at the table and it just shows --

HERMAN: There's one proposed rural district. So in order for you to keep Rural 2 at \$52, Rural 2 only, then Rural 1 would be 264. So you'd go from a six district system to a five district system. Is that clear?

MADORE: The simplicity here - I don't want to make it complex. I want to keep it simple - the districts that are defined -- what are you looking at there? Are you looking at the same thing I'm looking at? Okay. What's the simplest way to keep the Rural 2 district as close as we are now for the existing map for Rural 2, what do you suggest? Do you understand what I'm trying to do here?

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HERMAN: Yeah. If you want the four district system to change, the 264 rural amount to \$52, if you want five district system with Rural 1 and Rural 2 separate, then Rural 1 would be \$264 and Rural 2 would be \$52.

MADORE: That second option is fine.

HERMAN: That's what you want. Okay. A five district system with Rural 2, \$52.

MADORE: Yes.

MIELKE: What you're showing then is a three district?

HERMAN: Four district.

MIELKE: Four. Yeah. So we'll go from four to five.

HERMAN: If you see column No. 1 has six districts. Column No. 4 has four districts. Councilor Madore wanted Rural 2 to remain \$52. In order to implement that, you'd have two separate rural districts.

MIELKE: Where would that boundary be?

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HERMAN: Where it currently resides, just it's basically --

MIELKE: Roughly.

HERMAN: -- 502 north is Rural 2. SR-502. Sorry.

OLSON: So why would we arbitrarily have one rural district at a different rate than we have the other? I see we do that now, but...

HERMAN: Yeah. That change for the Rural 2 district in the existing rate was a policy call at that time to rural -- to reduce the rate for the Rural 2.

BOLDT: Okay.

STEWART: And that was toward the end of 2015, was it not?

HERMAN: At the end of 2015, it did not come before the Board. The Rural 2 \$52 when they reduced that was a policy call. That was, I believe, back in 2007.

ORJIAKO: It was before the amendment; right?

HERMAN: Yes.

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MADORE: So to clarify the amendment, motion, it's to go from the four district proposed to the five district and the fifth district would be Rural 2 --

HERMAN: Yeah.

MADORE: -- at \$52.

BOLDT: Is there a second?

MIELKE: Yeah, I seconded it already.

BOLDT: And I will be voting no on that. I mean, Alternative 4, the people said they wanted a chance to split their land up, but yet you don't want to pay a little extra money to fix the roads in north county and east county. So, I mean, that just says that our talks from here on about more rural land is kind of off the table if nobody wants to step up and at least do some roads, so... So with that, I'm against it.

MADORE: Well, Mr. Chairman, I'd like to respond to that. The majority took away Alternative 4. To take away Alternative 4 and still to add to increase their traffic impact fees by hundreds of percent is double jeopardy. I'd rather not do that.

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BOLDT: No, it isn't because they won't pay a traffic impact fee if they're not building a home, so... And the thing is that we've already said that there are ample enough homes that can be built, but we are still, as this Board has said several times, we're still continuing the discussion. So on the amendment.

MIELKE: AYE

MADORE: AYE

STEWART: NO

OLSON: NO

BOLDT: NO

BOLDT: We got that mixed up. Sorry. Can you figure that out. Okay. Motion failed. So on the underlying Traffic Impact Fees. Vote.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

BOLDT: Okay. That, believe it or not, concludes the comprehensive. Is there any --

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STEWART: I have a final request of staff, Mr. Chair. In the process of the comp plan update we had, and we talked about this a little bit earlier, we had a lot of citizens that came to individual Councilors and said, look, I'm confounded by this specific problem with my property and it's like a Catch-22 and, you know, I don't know what I can do here.

So what I would appreciate is if we can get direction to staff that they collect those lists of names or notes from Council members where we've sat down with someone who had a property issue and we can get those submitted to staff whichever, whether it's planning staff and it probably is, and then start to review those and see if we have some consistencies in there that perhaps a code rewrite. It doesn't all have to be comp plan and zoning.

And if we could see consistent problems, we could identify solutions to those possibly so that our citizens don't end up so frustrated and disappointed and confounded, but it would need to have -- all of those would need to come to you; otherwise, people feel like they've communicated with us and there's been no outcome.

A lot of people have thought if they came here, the comp plan

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could accommodate changes they need and this isn't always the proper venue for that in a comp plan. So to do service to these citizens and to be respectful to what they have brought to us with their concerns and worries and upset, if we could get all of that together and get it to staff and make some kind of a, you know, like a matrix of that or whatever and let the Council see it and let us see if there are solutions to some of that. I just think it would be a good thing to do for our citizens and for our staff so that they don't feel like, you know, they're constantly barraged where somebody says I talked to the Council about this and it ran into a dead-end, so...

OLSON: I agree.

ORJIAKO: I agree, Councilor. We used to do something like that and it's called the docket process and I welcome that, and if we do have a list from the Council, we will assemble that, bring it to -- typically what we will do is when you approve our work program, we'll come to you early in the beginning of the year and bring to you all the docket items and share our analysis with you, and then have you agree or not agree and staff pursuing the processing of those. We typically will make a recommendation to you, this item belongs to -- this is a code issue that could be resolved or this is something that could go to the Hearing Examiner. We will analyze that and then bring it

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before you as part of your approving our work program in the beginning of every year. That's what we've done in the past.

So I welcome that and put anything you like, send it down to us. We will analyze it and come back to you for your approval on which of those ones you recommend that we pursue through the docket process or any other avenue that you see fit.

STEWART: And will that come back to us as a whole? Because to have it come back to us individually, then the rest of the Council's left out of the loop.

ORJIAKO: No. If you compile a list, maybe five of you compile a list, send it to us through the County Manager, we will do the analysis and come back to you for your approval on what process should we take to address the issue. In some cases, we will recommend that it goes to the Hearing Examiner or Marty Snell will take care of that through code amendment, so I welcome that.

MIELKE: So there's one last thing I recognized, Mr. Chair, and that is that I had more no votes than I had yes votes. Having voted on the prevailing side, I wish to reconsider the vote on No. 7.

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MADORE: I will second that.

MIELKE: That's the adoption of the updated comprehensive plan text, approve the comprehensive plan text as a whole including the community framework, I'd like to reconsider my vote.

BOLDT: Okay.

OLSON: And I just have one last --

BOLDT: It was approved.

MIELKE: Yeah, I'd like to reconsider my vote.

BOLDT: You didn't vote on the prevailing way. You didn't vote on the prevailing side.

MIELKE: I voted yes on that.

BOLDT: You did?

MIELKE: I did.

OLSON: And I just want to make one final, if I might.

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BOLDT: Let's get this out of the way.

OLSON: Oh, I'm sorry. Yeah.

BOLDT: Okay. Vote on No. 7, the text plan.

STEWART: AYE

OLSON: AYE

BOLDT: AYE

MIELKE: NO

MADORE: NO

MIELKE: Thank you, Mr. Chair.

OLSON: Okay. Sorry. So we're done, we're not done, we're going to be almost done with this process, but it's not going to be the last or the end of the conversation as it relates to rural lands, ag, forest, what have you. Mr. Orjiako and I have already talked and Councilor Boldt and there's some additional things we're going to continue to do as we move forward to address rural concerns: Revitalizing the rural lands task force is an option. Making legal lot determinations faster and cheaper and maybe free. Really looking at the transfer of development right or purchase of development rights as an option. Reviewing our County Code additionally to how we can

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continue to help and make things more flexible and easier for our property owners. Possibly considering a grandfather clause for property owners that have had property before 1994, and we've talked a lot about the ADU ordinance.

So this has been a long process that, you know, at least I've been kind of thrown into here at the end, but it's not going to be the end of the conversations as it relates to our rural landowners and what opportunities we can have to continue to add some flexibility, so... And I want to thank the Planning Commission and staff for all the work they've done in this process.

BOLDT: Yes. Thank you everyone. So it will be coming to us next Tuesday in an ordinance form.

ORJIAKO: Yes.

BOLDT: We will have one last chance probably to give our comments on it. So one thing I would have a request is maybe that will be in an ordinance form, but maybe we could have it in a -- also a different form like what was given here, actually what we voted on today, you know, in a logical way and we'll handle it next Tuesday. I'm going to say from the Board, thank you, Steve, Steve our attorney, thank you very much --

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DIJULIO: You're welcome.

BOLDT: -- for all of your attention and your concern in a long-distance travel, so without you, we couldn't have gotten this far. Thank you very much.

DIJULIO: Thank you, Chair, members of the Board. I am looking at my calendar because you threw me a curve ball by saying you were meeting on the 28th. The earlier agenda schedule had me on for the 29th and I'm not available on the 28th, for what it's worth. So I will certainly work in preparing a draft ordinance.

MADORE: Mr. Chairman, I want to acknowledge the hardest worker here, our stenographer, court recorder. Amazing! I don't know how you do what you've done all these hours. Just amazing. Thank you very, very much. Is it Cindy?

HOLLEY: Yes.

MADORE: Cindy. Thank you very, very much, Cindy.

BOLDT: Cindy, good minutes.

MIELKE: If you talked slower, she would appreciate it.

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MADORE: I try not to talk fast.

BOLDT: Okay. With that, thank you everybody for lasting it out. Meeting adjourned.

ORJIAKO: Thank you, Councilors.

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Marc Boldt, Chair



Jeanne E. Stewart, Councilor



Julie Olson, Councilor

David Madore, Councilor

Tom Mielke, Councilor

ATTEST:



Rebecca Tilton, Clerk of the Board

*Minutes Transcribed by:*

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