

**CLARK COUNTY PLANNING COMMISSION  
MINUTES OF PUBLIC HEARING  
THURSDAY, MARCH 15, 2012**

Public Services Center  
BOCC Hearing Room  
1300 Franklin Street, 6<sup>th</sup> Floor  
Vancouver, WA 98660

6:30 p.m.

**CALL TO ORDER**

DELEISSEGUES: Good evening everyone. I'd call the Clark County Planning Commission to order for Thursday, March 15th. May we have roll call, please.

BARCA:               HERE  
GIZZI:                HERE  
QUTUB:               HERE  
USKOSKI:            HERE  
MORASCH:            HERE  
WRISTON:            ABSENT  
DELEISSEGUES:     HERE

Staff Present: Christine Cook, Prosecuting Attorney; Jon Dunaway, Clark County Fire Marshal; Carolyn Heniges, Public Works, Bridge Program Manager; Jan Bazala, Planner II; Sue Stepan, Public Works Engineering Manager; Steve Schulte, Public Works; and Sonja Wisner, Administrative Assistant.

Other: Cindy Holley, Court Reporter.

**GENERAL & NEW BUSINESS**

**A.     Approval of Agenda for March 15, 2012**

DELEISSEGUES: Is there any changes to the agenda for tonight? If not, motion.

BARCA: Motion to approve.

GIZZI: I'll second that.

QUTUB: Second.

DELEISSEGUES: Moved and seconded that we approve the agenda for tonight. All in favor.

EVERYBODY: AYE

**B. Approval of Minutes for January 19, 2012**

DELEISSEGUES: Any changes to the minutes for January the 19th? If not, motion.

USKOSKI: Move to approve.

BARCA: Second it.

DELEISSEGUES: Moved and seconded we approve the minutes for January the 19th. All in favor.

EVERYBODY: AYE

**C. Communications from the Public**

DELEISSEGUES: Is there any communications from the public on any issue that's not on tonight's agenda? Seeing none, we'll return to the Planning Commission for public hearing items, Clark County Private Bridges Program. Do we have a staff report, Jon?

**PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION**

**A. CLARK COUNTY PRIVATE BRIDGES PROGRAM**

Clark County has identified 679 private bridges that cross a river or stream. It is unknown for many of these bridges whether or not they can support the weight of emergency response vehicles. Because of this uncertainty, emergency response to locations served by these bridges may be compromised. The county has developed a program for getting private bridges inspected and rated. Proposed new Clark County Code Section 40.350.040 would implement the private bridges program.

**Staff Contact: Carolyn Heniges (360) 397-6118 x4522**

**Or e-mail: [carolyn.heniges@clark.wa.gov](mailto:carolyn.heniges@clark.wa.gov)**

DUNAWAY: Yes, we do. Good evening, Commission members. My name is Jon Dunaway, Clark County Fire Marshal. With me this evening is Carolyn Heniges, Public Works, bridge program manager, and we're here this evening to discuss the proposed amendments to Title 40 related to private bridges.

I'd like to just start with a very brief review of where this issue has been so far in the process. This was initially brought to us by the fire department who respond to the 9-1-1 calls from people who at times live on the opposite side of these privately owned bridges. The issues when they arrive at these privately owned bridges for the people in the fire truck are d we cross.

Not knowing the condition of the bridges, to what standards they've been constructed, or how well they've been maintained, most of the fire districts in this county have chosen to enact policies where they will not cross the bridges unless they know that they've been

evaluated by an engineer and is posted safe for the vehicle's imposed weight. This puts the public calling 9-1-1 in a situation where they face the possibility of an altered response by the fire department.

And when I say "an altered response" I mean the engine arrives at the bridge and they'll stop and in a fire situation they'll have to actually hand pull hoses from that engine to wherever the fire is and as we've discussed in the past many of these houses could be a quarter mile or more from where that bridge is creating more time delay and as we all know in an emergency time is the enemy.

So to address this it was initially placed in the retooling our code process thinking that a minor modification to Title 40 might be able to alleviate the situation. It became apparent early on that this issue was much larger than just a minor adjustment to Title 40. So this was pulled from the retooling our code process and we've been working on it as a separate project ever since.

We formed a private bridge work group that consisted of both private sector and public sector people to try to come to some understanding and address the existing bridges that are out there as well as any future bridges that might be constructed, what should they be, how should we construct ones in the future that make sense not only for getting emergency services to the other side but also for the landowner who's faced with upgrading or building a bridge.

We had a work session with the Board of County Commissioners in September of last year where they directed staff to proceed with the development of draft code language which you have before you this evening. We also had a work session with this body back in January of this year where we discussed it. I would like to just briefly tell you about some of the outreach we've conducted over the past several months.

We've had presentations and discussions with various groups including the Development Engineering and Advisory Board, the Planning Commission, the realtors, the Building Industry Association and fire chiefs and fire commissioners. We also scheduled three open houses across the county trying to capture as many of the public as we can and get them in a conversation about the issue for input.

We held those in Dollars Corner, Yacolt and in Fern Prairie with representatives of the fire services in those areas present as well as some of the private sector engineering there to help us answer questions as the public came in. We prepared four pages of frequently asked questions as well as a roster of private engineering firms that provide bridge services for anybody who came to us looking for who to talk to to get their bridge evaluated and addressed.

We also sent out about 700 mailers to people who live near or own property near a private bridge to get the word out trying to do some public education as to what do the private bridges mean in terms of their receiving emergency services. A website was developed where people could go and find the information and it was posted there under a fairly easy web address, it was the Clark County's web address, [www.clark.wa.gov/privatebridges](http://www.clark.wa.gov/privatebridges).

To date there's been just under 300 hits on that page and the average time spent there is about four minutes, so once people get there they've been reading it and getting the information which is good to see.

We worked with CVTV where a five and a half minute presentation was developed that discusses private bridges and the challenges for emergency services that they present and that's been posted on the Public Works page as well as being shown on CVTV for the past couple of months now.

In addition we took out newspaper ads in the Columbian, the Reflector and the Post-Record where we've asked the public for input on the issue and advertised the open houses trying to get more input from the public there. And finally there have just been several stories on the topic ever since we've brought this up, one of which was in the Columbian in September it was a front page story.

So there's been a lot of outreach on this issue and my hat's off to Jeff Mize the public information officer for Public Works, he's been doing this and he's done an outstanding job there. We held a work session with the Board of County Commissioners yesterday where we received further direction from them and Carolyn will talk to you about that now.

(Commissioner Wriston entered the hearing.)

HENIGES: First I want to recap for our audience and the public what this bridge code entails and so to just start out we do not have a Clark County code specific to private bridges. Right now we use the fire code and State highway or Federal highway bridge standards and so what we proposed in this code change is to add specific language to private bridges for it to apply in Clark County.

And so with those we propose to build something less than a highway standard bridge that you would see on the Interstate. And when I say that that means that it can carry a slightly smaller load but yet still suffice the water tenders and the large engines that need to respond and are often the vehicles that they respond in. And in this code proposal we address both new construction for new bridges and also for existing bridges.

And we also talk about and recommend that inspections occur where folks rely on the safety of their bridge for new construction to come in so there's an inspection component to it as well. And I'm going to run through just a couple of changes that the Commissioners proposed yesterday for you to consider tonight. And you've had the code for about a week so if you have questions we can address those in just a moment.

The changes that actually came through with the recommendations from the Commissioners asked us to only require a 16-foot minimum-width bridge and that would be a single lane and two foot of shy distance on either side of the travelway, and it would also include pullouts and signing so that you would be aware that it's a single-lane bridge so you would stop at the pullout and let a passing car come through. So that was one of the changes.

The second change they proposed was to eliminate the requirements for pedestrian rails and/or barriers for vehicles while they're on the bridge and so that was their second primary proposal. Other than that they asked us to move forward with the code as you are seeing today. So are there questions about any of the detail of the code that we can help address?

DELEISSEGUES: Yeah. Any questions of staff? I've got a couple while they're thinking about it. What's the GVW bridge rating?

HENIGES: Less than highway?

DELEISSEGUES: Yeah.

HENIGES: What happened about five years ago is the bridge standards have for many years included what we call an HS-20 truck, it's a 72,000-pound vehicle with three single axles and about five years ago or so bridge standards for highways it also include a distributed load over the entire bridge deck in addition to calculating the load of the truck and so what we're doing is basically removing the distributed load from the standard which would still carry the fire trucks and response vehicles.

DELEISSEGUES: When you say they removed the pedestrian railings and so forth is there still a curb on either side of the bridge?

HENIGES: I asked the Commissioners specifically about trying to include a curb and they did not want to make the requirement.

DELEISSEGUES: Strange.

GIZZI: Now that is in here though, there's a 12-inch curb in this code?

DELEISSEGUES: They changed it.

HENIGES: There is. The version you are seeing was sent out a week ago, the work session was yesterday, so that's why I'm making you very specifically aware of the changes that we made late yesterday, early this morning, to address the work session input from the Commissioners. They did ask that those are the three changes, the width and the barrier and the rail and then the curb would be part of that because the curb is a barrier.

QUTUB: So this is on Page 3 of 6, b.(1)?

HENIGES: Actually I have a --

QUTUB: That would be the curb and the railing.

HENIGES: Sorry, too many versions here. Page 3, yes, in Section b you see different requirements for the pedestrian and the barriers and the curb so that they're asking us to

remove that section and not require them.

BARCA: So for the record we're saying on Page 3 it's b.(1), (2), (3) and (4) are requested to be struck?

HENIGES: Yes. And we replace them with a sentence that reads as follows: AASHTO and IBC rail barrier and curb elements are not required on Category A bridges. And I'll explain. Category B we did not ever have that requirement on because those were the existing bridges and they had asked us to consider weight only for existing bridges when new construction comes in, so that's why it's only addressing Category A, but we struck all three.

BARCA: So then on Page 3 on Section c.(1) where it says "Category A1, A2 must have a minimum width of" are you saying --

HENIGES: 16. We've changed that to 16.

BARCA: Are you saying 12 is now 16?

HENIGES: Correct.

BARCA: And then in (2) 20 is now 16?

HENIGES: Yes, that is correct.

DELEISSEGUES: So, Carolyn --

GIZZI: So A1 and A2 got wider and A3 got narrower?

BARCA: That's correct.

HENIGES: No. A1 was widened to 16. A2 was narrowed to 16. Category A --

BARCA: No. No.

HENIGES: -- what happened -- I'm sorry.

BARCA: Category A1 and A2 widened to 16. A3 in Section c.(2) narrowed to 16.

HENIGES: I know what is happening between what you're saying and I am and I did not tell you in the Definition portion we deleted also one of the Category A bridges because we used 20 lots as the only trigger for triggering review of the inspections and so we lost one of the A categories.

QUTUB: A1.

BARCA: So for the record will you tell us which one?

HENIGES: We deleted A1 and subsequently changed the numbers of 2, 3 and 4 to A1, 2 and 3. That's why you and I are reading it differently, I apologize for that.

DELEISSEGUES: So I've got a question for you, Carolyn, what's your professional thinking about not having a curb on a bridge? I mean I'm talking about a wheel curb.

HENIGES: After they asked us to remove the barrier and rail requirements I asked them to include the curb, so clearly that was my position, they declined that, they asked to not have it included.

DELEISSEGUES: Well, in a lot of the areas where you have snow and ice and certainly on a bridge it freezes faster than the roadway a curb would be a safety device to keep the cars or trucks or whatever else is using the bridge from possibly sliding off the bridge. I can't understand why they wouldn't want a curb on the bridge. Was there any reasoning that they gave to take away the curb?

HENIGES: They really wanted to deal with weight capacity primarily.

DELEISSEGUES: Oh, gees, safety out the window. How much weight do you think a curb would -- I mean you can have lightweight curbs like aluminum for that matter. Well, I'm not going to get into it, but it's certainly not going to enhance my thinking about how we're going to vote.

HENIGES: And I'll remind you this body is free to recommend what you would like us to do with this.

DELEISSEGUES: Oh, and we will.

HENIGES: Okay.

DELEISSEGUES: Any other questions of staff?

GIZZI: I had a question. On Section 4.b it says that "recording of the notice on affected parcels is required until such time as the bridge is upgraded/replaced and the load rating is above one (1.0)." Is that the only place that we are notifying?

HENIGES: (Nods head affirmatively.)

GIZZI: Okay. And we're only notifying them if the applicant does not agree to put in sprinklers? So if he agrees to put in sprinklers, if there are --

HENIGES: That's correct.

GIZZI: -- ten homes behind a bridge and one applicant agrees to put in sprinklers and therefore not have to deal with having the bridge inspected, none of the other property owners will be notified?

HENIGES: It would be intended for the lots that are affected by the restricted passage.

GIZZI: I'm sorry?

HENIGES: The intention is that it would be for the lots in which passage is restricted by this weight restriction.

GIZZI: So they would receive notification even though they weren't the applicant? Because the way I read this --

HENIGES: Yes, that is the way this reads. It's the affected parties which are any homes on the opposite side of a restricted bridge. In other words, everybody goes on record knowing that it is below capacity and so they are aware and realize that. And in the case of selling and buying that was actually another intention the realtors were really interested in making sure people were aware when they're purchasing property.

GIZZI: And then I had a comment from a property owner behind a private bridge and they suggested that possibly we could come up with a database of the bridges that are certified because they had no clue if theirs was or not.

HENIGES: Right. We have collected quite a bit of data. We did a ground-truthing inventory of the bridges that we were aware of, we also found some that we were not aware of, and we've done some documentation and we are going through the process based on the open houses and all this outreach we did we've had a number of folks ask for help in locating the appropriate records and getting to engineers.

So we actually are moving towards that and will include that in the database. And the database will be countywide, shared with our permit system and also with 9-1-1 so when a 9-1-1 calls in they know how to respond.

DELEISSEGUES: Anybody else?

BARCA: Maybe I overlooked it, but I was looking towards the language on existing bridges where there is no engineering study done and what we're going to be doing as far as the County and notification or obligation in that regard. Did I just miss it?

HENIGES: The existing bridges are the Category B bridges and we have three basic approaches to that. The first one, when there's no new applicant for new construction or lot creation, there's no requirement in this code for them to do anything.

In the second case where there's up to 20 residential lots, we allow them an alternative to build a fire resistive construction for whatever is new, whether it's new lots or new buildings. And the third is for more than 20 homes. The Commissioners felt very comfortable requiring the evaluations and the inspections and that's how this code reads, there's no change to that.

BARCA: So for existing bridges we don't have any type of action that we're going to take in that regard, we're not going to notify them with the same type of notice that I saw, where was it, in 4.b talking about giving them notice that the fire department is not obligated to cross the bridge, that kind of information, are we going to make that the rule of thumb to at least put them on notice?

DUNAWAY: The requirement isn't there in this language, but you should also know that the fire districts as well as the County have committed and will continue to commit to doing the public education with the folks that live on the other side of these bridges that may fall into that category.

The language doesn't require that contact or notification, but many of the districts already have that outreach and try to get that message to the people who live on the other side that they do face these challenges in the event that they need emergency services.

BARCA: I guess I'm hoping for perhaps something more formal that either says the County is requiring the fire districts to do this or the County is taking that on and kind of baseline this entire group of bridges that we have. I mean I don't know how many have voluntarily come forward, I didn't hear that in the testimony, the 679 number is basically the same number that we got at the work session, so it doesn't have the appearance that more have come forward or been discovered through the discovery process. Perhaps that is changed.

But I guess what I'm looking at is if we're going to go ahead and do this, we should pretty much baseline everybody that we can. And of course it's the property owner's discretion on what they choose to do, but not have the out of saying I didn't know, nobody told me about it, and have the appearance as if it's strictly up to them to discover it.

So I don't know what you would prefer. Since the fire districts are each dealing with a certain amount of constituency, perhaps it makes sense for them to have a formalized campaign that says we touched every bridge that we were aware of and either this action or that action took place and then from here on forward we would have a reasonable understanding about what's going to change.

Because it is your database, right, the fire districts' database about what bridges are going to be tested and which ones aren't, right, fire districts are going to have that information?

DUNAWAY: The fire districts will have the information, the same information we have. As these bridges come through and get certified the County will have a countywide database and we will be sharing that with the fire districts responding in that area.

HENIGES: And they've actually been collecting this information and working with their folks in their districts because many of them actually already have records about what they think they can and can't cross. What this code is doing, though, is asking for a formal engineering evaluation.

So I'd like to ask a clarifying question, are you asking for people that are not coming in for

new lots, new buildings to also do that evaluation and be required to come into the database?

I should tell you also we've located about 130 that we've confirmed on the ground bridges, we had over 50 that we could not get access to and that does not include Weyerhaeuser land and other types of privately owned land that have a number of bridges in one area so there's still quite a few more out there.

BARCA: So what I'm getting at, though, is I think if we're going to do this and create a baseline the existing bridges need to be part of the baseline and if they don't choose to come forward and be tested and get a rating that they are willing to share, then I think we need to let them know what the intent of that obligation means, that if there is no rating the fire district has a policy and the policy says whatever their policy is going to say.

If we're going to make it where it's still a determination at that moment in time when the emergency vehicle shows up and nobody knows whether they're going to cross the bridge or not I think that's a big deal, but if they understand that the fire district's intention is to not cross the bridge because an engineering determination was not made, I think that gives them the opportunity to ponder the genuine circumstance.

DUNAWAY: So take the positive step of notifying them whether they're coming to us or not, seek them out, provide them with the information, have an active program that is dedicated to educating those people, here's the implications if you don't follow through with upgrading?

BARCA: Absolutely, yeah.

DELEISSEGUES: Well, my suggestion would be if there's no burning questions so far of what staff's presented that we go to the sign-up sheet and hear what the people in the audience have to say about this, then we'll come back for deliberation.

BARCA: Okay. I yield the floor.

DELEISSEGUES: Good. So we'll go to the sign-up sheet and the first on that is Gordon Brooks.

BROOKS: Does it matter which one?

DELEISSEGUES: Oh, just, yeah, sit in front of a microphone and give us your name and address if you would for the record.

BROOKS: I'm Gordon Brooks, I'm with Clark County Fire District 10 in Amboy. My personal address is 17113 NE 391st Street. I was detailed to work on this project by the Clark County Fire Chiefs Association and I have some personal background in engineering and worked for 15 years as an engineering technician with the Washington State Department of Transportation, so with my previous background and expertise I was a kind of an obvious person to deal with this.

I really want to thank County staff for the work they did. I want to thank the people from the realtors, building industry officials, engineering community for the cooperative nature of the process. I learned a lot from them. They listened to what we had to say. We didn't get everything we wanted.

The issue you were talking about with the notification specifically would have been something wonderful to have, have it coming from a single point. County staff is working under direction of their level of authority, what's been delegated to them that they can deal with, so they have some instructions on what they can and can't do.

And I think that even though we didn't get everything we wanted, this is a huge step forward from where we were the first time I started looking at the private bridge problem about ten years ago. Any questions?

DELEISSEGUES: Any questions? Okay, thank you, Gordon.

BROOKS: Thank you.

DELEISSEGUES: Scott Koehler.

KOEHLER: Hello. Scott Koehler, Fire Chief, East County Fire & Rescue, 600 NE 267 Avenue in Camas, also the chairperson of the County Fire Chiefs Association.

Just wanted to let you know that 13 of the 15 fire agencies in the county either have a formal policy or are adopting a formal policy that in essence says they will not cross an unmarked bridge. They also will not cross a bridge that does not support the weight of whatever vehicle it is that they are in. There are only two fire departments in the county that have no policy and both are city fire departments.

I wanted to thank the Fire Marshal and Public Works for the work that they've been doing on trying to develop a formal way to deal with bridges. I have to tell you that I was an acting lieutenant back in the early '80s when we drove a fire engine onto a bridge that failed. And it was an interesting bridge because the top looked like it was bulletproof, it was made out of oversized timbers.

The owner whose house was on fire was waving us across the bridge. He knew that the under support for the bridge was made out of two-by-fours that he and some of his friends had put together and it was only by luck that we managed to crawl our way out the other side before the bridge collapsed. We were able to get to the house that was on fire, we were able to save the house.

It created some operational issues for the rest of the incoming apparatus in terms of developing a water supply and getting people to the scene and it was just by happenstance that we were able to get the fire engine out of the area across a railroad track about a mile through a farmer's field and up onto a road. Had we damaged the engine we would not have been able to deal with that incident.

I am concerned about the safety of the people on board. I am obviously concerned about the people whose house was on fire and the city would have been out without a modern fire engine and we would have been in a reserve rig that was 20-years-old and it probably would have gone on that way for months until it was repaired, if it was repairable.

So when I look at this policy I'm pleased to see that new bridges will be load carrying capacity. Our water trucks are 50 to 60,000 pounds and in the rural area in the absence of hydrants we live and die based on our water carrying capacity. For the existing bridges and for ongoing maintenance the idea of inspections and the posting of weight and then repeat inspections is huge.

We talk about bridge failures and concerns about that. We drove across a bridge just a few months ago and slit two of our tires on one of our smallest trucks and there are all kinds of issues with bridges that are just not maintained.

I can tell you that as Gordon mentioned we as the fire service did not get everything we wanted in this policy, but it puts us far, far ahead of where we were at. I view it as a win/win. It helps us ensure a greater chance of delivering emergency services whether that's fire, EMS, law enforcement, whatever the need.

When people call and they're in a hurry that's not the time to try to figure out which truck do you bring or do you drive back to the station and pick a smaller one or can you get there, can you get back. I mean there are all kinds of issues. The win for the homeowners is also the fact that by easing the highway standard they can build a bridge for less money than they would have normally.

And just as a point I would support the addition of curbs. The discussion from the other day with the County Commissioners was they didn't want to impose extra costs for engineering curbs and I have to tell you that if you look at the cost of engineering a bridge, I think that adding curbs is a pretty minor cost and I would much rather explain to somebody why they paid to put a curb on than explain to their family why we couldn't get their family member out of the river.

So if you're thinking about curbs I would urge you to do that. So we think this is a giant step forward. It's not a hundred percent, but, boy, it's way above where we were when we started.

DELEISSEGUES: Thank you. Any questions of Chief Koehler? No? Very good. Thank you very much.

KOEHLER: Thanks.

DELEISSEGUES: Gary Larson.

LARSON: Good evening. I'm Gary Larson. My home address is 1121 NE Blair Road in Washougal. I am commissioner, have been in East County Fire & Rescue for way too

many years. I am also president of the Clark County Fire Commissioners Association and I can tell you that the Clark County Fire Commissioners have gone on record endorsing this code change and this upgrade for bridges. We all deal with it.

And formerly Fire District 9 that ultimately became East County Fire & Rescue we started dealing with this bridge issue a good ten years ago or better and we sent letters to every homeowner that we could identify that was on the opposite side of an unengineered, unrated bridge and told them if you don't get it engineered, we don't cross, that's the bottom line. We'll do everything we can to mitigate your emergency service, but we're not going to jeopardize our firefighters and our apparatus to cross a bridge that is not rated.

I happen to think pretty highly of all of our firefighters and I would really, really, really hate to accompany our chief and go to their family and explain to their family why their loved one died because we allowed them to cross a substandard bridge. It's not worth it. So I highly encourage this.

And I really respect staff for all the hard work that they have done on it, it has not been easy. And I attended one of the public hearings, the one in Fern Prairie when the open house on the bridge issue and we had a number of folks come in and most all of them I think lived on the wrong side of a bridge.

And there was no one that was really hostile about it, they just wanted to find out what do I have to do and where do I find an engineer that can help me identify the load limit on this bridge. And I can tell you that staff did an outstanding job of having that information available and interacting with the residents and I don't think anyone went away feeling that they got a raw deal, they were all, okay, now I understand what I have to do so we're going to go forward.

And we gave them copies of our policy that says we won't cross so now they have a pretty clear understanding of what they have to do to get in compliance. So thank you for considering this. And anyone have any questions?

DELEISSEGUES: Any questions of Commissioner Larson? I've got one, Gary.

LARSON: Okay.

DELEISSEGUES: You say you didn't get everything you wanted, what were some of the things that you wanted that you did not get?

LARSON: Well, in light of some of the topics tonight it's pretty bad that you don't put curbs on the bridges and that there's maybe not the teeth in it that needs to be there for existing bridges because that's the homeowner's prerogative, they can do what they want with it.

DELEISSEGUES: Any other questions? Okay, thank you very much.

LARSON: Okay, thank you.

DELEISSEGUES: Next on the sign-up sheet is George Hooper.

HOOBER: Good evening. My name is George Hooper and I'm also a commissioner of East County Fire & Rescue and in the interest of brevity I think I will just support wholeheartedly what Chief Koehler and what Commissioner Larson have said, especially with the issue of adding curbs to a requirement for any new bridges that are built. Do you have any questions that I can answer?

DELEISSEGUES: Any questions?

HOOBER: Okay, thank you.

DELEISSEGUES: Yeah, thank you. Steve Wrightson.

WRIGHTSON: I'm Steve Wrightson, Fire Chief at Fire District 3. My home address is 16009 NE 205 Avenue, Brush Prairie. Fire District 3 is the area of Hockinson, Brush Prairie, Venersborg, Heisson, Battle Ground, we have like 80-square miles and to the east and to some of the higher elevations in the rural area.

This is near and dear to us because of the 679 bridges a large part of those are ours and we face this often. We appreciate the work that Jon and Carolyn have done, they did a great job with the committee. And Gordon and Scott, this is something that's been long needed.

The importance of this is it's not just for fire either, and I really I want to make this brief as well because I'm just pretty much echoing what they just said, but about 65 percent of our calls are medical calls and a lot of times we have to take the fire engine because that's the only thing that we can staff with the number of people we have so we're taking a 38,000 pound fire engine to perhaps a 3-year-old that's choking or something.

So it's not just a fire where somebody's going to lose a house, it's that delay or that trip potential that we will not be able to arrive to a child not breathing, you know, it's critical. And sometimes people will say, well, I'm fine, I don't really need to know this or to change my bridge, well, what if you have visitors or the kids bring their friend home, so there's a lot more to it than just a fire. A fire will burn a house down and hopefully everybody gets out, but somebody could have a medical emergency so we have that issue.

The curbs, critical, on one of the bridges you may have seen in the Columbian when we did the story that NE 224th Street out in Venersborg area is a failing bridge, it's a flatbed railroad car that's failing, and a matter of fact you can stand underneath it and watch it move when a truck goes over. It has curbs but some of the curbs have been knocked off, probably kept something from taking that 15-foot drop down into the water.

I think that's a great issue and I'm glad Carolyn has asked for that, that we have that. Anyway, echo everything they said. I appreciate that you're looking at this and could partner with us to get this change needed, so thank you. Any questions?

DELEISSEGUES: Any questions of Chief Wrightson?

BARCA: Chief, can you give me the number again, how many, what was the percentage of your calls that were non-fire related?

WRIGHTSON: Ours are about 65 percent. Every district has a different number there, but about 65 percent are EMS --

BARCA: 65 percent, okay.

WRIGHTSON: -- calls. And then we have rescue calls like car accidents and things as well so the fire calls are actually getting to be a smaller and smaller percentage.

BARCA: So in the context of actually visiting these residential dwellings over bridges, that 65 percent is a relatively good number or does the 65 percent because it's covering a lot of auto accidents shift it?

WRIGHTSON: How many are we going to residential is what you're asking?

BARCA: Well, I'm thinking about when you're talking about a residence and we're dealing with the bridges is the number that's actual fire calls actually higher than that 65 or that 35 percent because you've got a certain percentage that's these emergency responses to automobile accidents which I suspect play a big role in that 65 percent?

WRIGHTSON: Yeah, well, we break ours into EMS, rescue and fire, fire is getting around ten percent of our calls.

BARCA: Okay.

WRIGHTSON: I can't speak for everybody. I don't think anybody has those statistics out here, but for our district that's what we have.

BARCA: For ballpark figures that sounds about right?

WRIGHTSON: Yeah.

BARCA: Okay, thank you.

WRIGHTSON: Thank you.

DELEISSEGUES: Okay, thanks, Steve. Now the last name on the sign-up sheet is Eric Golemo.

GOLEMO: Good evening, Commissioners. My name is Eric Golemo with SGA Engineering, I'm here tonight representing the Development and Engineering Advisory Board. My office is at 2005 Broadway, Vancouver, Washington.

The Development and Engineering Advisory Board supports the existing code as proposed. We recommended approval of that code in its current form. We haven't reviewed the amendments so I guess I'm not at liberty to speak on the amendments, but I guess my personal opinion on the amendments, and again not speaking for the Board because we haven't reviewed that, is there's probably a trade-off between the width and the curb and personally I would rather see the curb stay in and the width stay at the 12 feet the way it was originally proposed.

There's low volume roads that serve what was it three to four homes that have a different classification that was removed and they were all lumped together so it seems like there was a trade-off where they went with a wider road or wider bridge and eliminated some of the other safety features like the curbs. Personally I'd like to see the curbs stay in and the widths stay down to 12 feet for the smaller volume roads where really passing isn't an issue, it's usually a small road, very few homes.

But speaking to the process, the Development and Engineering Advisory Board and several of its representatives participated in the process. It was a really good process. I also attended a few of the open houses. I have to commend all that were involved, the staff, the fire departments, the engineering community and the public, there really wasn't a lot of adversarial talk at the open houses, most people were supportive, they understood the concern.

And I think the code as it's proposed it basically has two parts. One is providing more flexibility for new bridges and the second part is a voluntary rating of existing bridges which addresses a legitimate safety concern and most of the people on the other side of the bridges realize that and I think they understood the position. But I'm here to answer questions if you might have any.

DELEISSEGUES: Any questions of Eric?

BARCA: Eric, there was some discussion at the work session concerning the load factors and the impacts of that and when we started talking about it, it was there was some deviation from AASHTO, and I'm kind of recapping this, so we were looking at this higher I think it was the live load and I'm trying to understand since we already pretty much know the size of the vehicle why did we need to upgrade that in that fashion?

GOLEMO: I'm not personally a structural engineer so I'm not going to comment on that, but I know there's quite a few structural engineers on the committee that reviewed the standards and they supported it so I'm going to have to agree with their expertise and the people on our committee. We had people on that committee with different expertises and the private community and fire departments and staff all supported the language as proposed.

HENIGES: So could you rephrase it for me because I may be able to help a little bit. You asked about the live load factor?

BARCA: Yeah.

HENIGES: That is a typical factor that we would apply. When a structural engineer looks at whether a structural member can hold a load or not, we apply factors to different types of loads. We have dead loads, live loads, we might have a wind load, it just depends on what the structure is, and so this is a typical factor that's used in that.

What I mentioned earlier about less than the highway standard it was the difference between what we call an HL-93 and an HS-20. The HL-93 is an HS-20 plus this fully distributed load and so we took away just the distributed load and left the vehicle the same. So was it about the vehicle or the actual factor that you had a question on?

BARCA: Well, I'm trying to recall in the work session we were talking about the strength and design, we have the 1.75 for the live load, that's on Page 3, Part 2, and then in 3 the live load impact factor which was at 1.3.

HENIGES: It's a different calculation.

BARCA: Yeah. So I was trying to understand what drove those since we're already dealing with a 72,000-pound load we're talking about water tenders that are coming in at 50 to 60 and then the safety factor on top of that; right?

HENIGES: These factors that you're quoting are what a layman might call a safety factor. When an engineer looks at a piece of structure and the load that's applied to it, we never ever design for exactly what that load limit is because then you're on the brink of failure at that load. And so when we design structures or buildings, we do allow for what would decay over time and that's what some of these factors help account for. And they also account for construction flaws and a few other things that can happen.

So this is a standard way that we design every single building, every kind of structure, a dam, all have these factors that go into the calculations and our structural engineers on our group were just telling these other structurals we'd like you to use these factors, they're in all of the structural codes, building codes, that kind of thing.

BARCA: Sure. And I think the context of using the safety factor in relationship to any of the circumstances that are going to be presented are ones in which the establishment has a high threshold, at some point in time they say this is what the maximum is.

So I'm expressing this as a concern only because when we start to bring people in and we have them designing for a factor, my concern is that we're expressing what that maximum is and that as vehicles tend to get bigger over time we're not going to be coming back in and saying that was good before but now the vehicle's bigger so it's not good anymore.

HENIGES: These factors will help take up some of, and that's happening, it's happening on our highway system today, the loads are getting larger and larger and semi-trucks, we have a lot of overload trips for logging equipment, that kind of thing, and so these factors help give a little bit of room without making it built to withstand a bomb. And so you have to kind of figure out where to land in between and these are standard factors to do that

with.

GIZZI: So there is no concern over engineering numbers to support vehicles, it's more a deterioration of a highway bridge due to vibration over time --

HENIGES: Right.

GIZZI: -- the number of vehicles and the age and --

HENIGES: Construction problems, yeah. These factors are used to account for all of those types of things.

DELEISSEGUES: Go ahead, Ron.

BARCA: So I guess within the context of this the loads are all based on something that's going to have the impact, there's something that's been determined that is the maximum event or something of that nature; right?

HENIGES: That's right.

BARCA: Right.

BROOKS: If I could interject. When we were discussing using a lesser standard than the HL-93 standard, what we were looking at is real world conditions. We're talking about a private road. In many places in this county private roads are gravel and the road itself is not compatible with the HL-93 vehicle.

It seemed reasonable to everyone that was involved, the County staff, emergency services, developers and engineering staff that we would design for a vehicle that's more likely going to be on a private and generally rural road, there's no reason to build a bridge that can support a space shuttle if the road around it is only capable of carrying a Cessna 152 and that was why we agreed that the HS-20 standard which is what many bridges used to be designed to back in the past, as things evolved they developed greater and greater standards and so they upgraded the HS-20 standard to the HL-93 standard in the past.

HENIGES: And I'm going to jump in and mimic what he's saying. I managed the County public bridge inventory in Clark County and with the exception of the last four bridges we built they were all designed to typically the HS-20 vehicle because it stood as the design vehicle for many decades. So what we're asking is on these rural driveways we're saying that's enough, you don't need to add this new extra load.

BARCA: What I'm hoping this prevents is the idea that somebody who designs to this standard isn't going to be preempted by the gross vehicle weight increase of a future piece of equipment.

HENIGES: We're asking them to post their bridges so the driver of the maybe increased

load would have that knowledge. And that actually came up in the Yacolt open house that you attended with us. We had a logger come in and ask because he crosses these private bridges to go in and haul his logging equipment which is even heavier than typical highway loads, I have to approve those to go over our public bridges just to get to the properties, and so he had the same concern.

And these bridges we're asking that are evaluated that they get posted so they would see what the limit is of that bridge and know as they're coming in and out of the property also, so the posting would tell them about it.

BARCA: So that tells me, then, that once we do this and we set that up and it's posted and we have said that the citizen has done everything that they need to do to be in compliance, if a larger gross vehicle weighted vehicle comes in, what's going to happen?

HENIGES: They'll see a sign that says they cannot cross.

BARCA: And then they won't cross?

HENIGES: And then hopefully they won't cross.

BARCA: But we had them do everything they could do so they would cross.

HENIGES: Not oversized loads. This doesn't cover oversized loads.

BARCA: I think you understand what I'm getting at; right?

DUNAWAY: I think one of the concerns you have if I'm hearing you is that you're concerned the fire engines will increase in size over time and eventually we'll be back in the same boat we're in today?

BARCA: Right. I would like this to be a covenant and an understanding that we're setting this up for the citizens and once they're in compliance, they should be able to be in compliance.

HENIGES: Yes.

DUNAWAY: Yes.

HENIGES: We agree.

BARCA: We agree but it doesn't actually say that here.

DELEISSEGUES: Well, it doesn't say a lot of stuff.

BARCA: Okay.

DELEISSEGUES: Any other questions? I don't have any other names on the sign-up

sheet. Does anyone else in the audience wish to testify on this? If not, we'll return it to the Commission for deliberation. Thanks, Eric, appreciate your input.

GOLEMO: Thank you.

DELEISSEGUES: Jeff, do you have, we'll start down at the end and we'll work this way, do you got any comments? Come on.

WRISTON: No, I think I agree with everything that's been said tonight.

DELEISSEGUES: Jim.

GIZZI: No, I agree with everything that's been said and appreciate the efforts and have quite a few neighbors that are very interested in this.

DELEISSEGUES: Ron.

BARCA: I'm interested in floating the concept of going back to the minimum 12-foot width and throwing curbs back on it, so that's certainly one thing that we could talk about.

And I think the other thing is on Page 4, Section 4.b, I'd like to get some wording in there that says if there's no load rating on record or the load rating is below 1, we're going to send them some type of notice and that way that takes basically every bridge that we knew about in its existing condition and makes it so it's our policy to let them know rather than it's not haphazard.

DELEISSEGUES: Estelle (sic).

QUTUB: Yeah. I actually would have a question because I wasn't at the Commissioners' work session of course and I'd like some insight into what was their thinking when they decided to bring the width up from 12 and down from 20, was that simplification?

And also with regard to the curbing, I think you already said it was a cost factor that they were concerned about, but what about these widths, do you recall what their point was?

HENIGES: We did not debate it much at the work session, the Commissioners did not have the code specifically in front of them, we had come back to answer some specific questions they asked us to address. The 12 foot and the 20 foot had been in there for most of the time that we had been floating this around so we didn't really get into a lot of detailed discussion.

What I can tell you about width that they were most interested in is a single-lane bridge and so what I explained to them what I would call single lane is a 12-foot lane and because a structure and has a fixed edge where damage happens either if there was a barrier or if you go off the bridge, we add what we call a two-foot shy distance.

And that's a typical design feature for when you're driving down the road that your wheel is

not traveling within two feet of something, some kind of hazard, and so that's all I can remember sharing with you from the work session yesterday, that's all I remember coming up. And it was about cost, their primary concern was cost, they really wanted us to focus on the weight capacity primarily.

QUTUB: Okay.

DELEISSEGUES: Steve.

MORASCH: Well, I didn't have a question but now I do. You said your view was a 12-foot bridge is a one-lane bridge, is a 16-foot bridge a one lane or a two lane because that seems awfully narrow for passing people on a bridge?

HENIGES: It would not be a two lane.

MORASCH: One lane.

HENIGES: Their intention was a single-lane bridge.

MORASCH: Single lane, okay.

HENIGES: Yes.

MORASCH: Great. Thank you.

DELEISSEGUES: Valerie.

USKOSKI: I guess overall I agree with what we've heard. I would support going and keeping the 12 foot with the curb, I think we need the curbs on both, but I would also support taking that 20 down to a 16. With Ron's comment in regards to 4.b adding something in there with the no load rating or if it's below the limits that the property owners on the far side would be on notice. I guess I don't know if that brings up some sort of a legal liability. Sorry, Chris.

COOK: No.

USKOSKI: If that's in our code and we haven't notified somebody and it's not posted or it is below the limit, what does that open us up to?

COOK: Christine Cook, Deputy Prosecuting Attorney, and you have been reading my mind, I was wondering exactly the same thing. If the County is required to notify people who built something, we don't know when, we don't know where and who have never notified the County about it, that seems to me a fairly awkward position.

Certainly it would make sense to have a program in which the County endeavors to give notice, but requiring that notice be given raises for me questions. It might make more sense to me to require that the folks who benefit from the bridges, live on the wrong side of

them, who built them, whatever, notify the County that they have the bridges, but --

DELEISSEGUES: That makes sense.

COOK: -- I don't know whether your group addressed that or not.

HENIGES: What the intention of our work group was we actually have Larry Watters as our Deputy on our work group so he's been advising as we go along and what we had our intentions set on was we've done this flier notice that got everybody out there and kind of getting them thinking about it.

But at the end of this process and with the code adoption that we would actually send letters back out to the bridges that we don't have documentation on and if they have records, encourage them to get them in and explain to them what we're going to do with 9-1-1 and also with the permit system.

So in effect it's not a required notice but we will send them to the ones that we are aware of. And I'll remind you we started with 679 potential locations, we've only physically located 130, 50 we couldn't get to to even find out if it was a bridge or not, and there are more in large areas like the Weyerhaeuser land for example.

So actually doing all the work to locate these bridges is a pretty big endeavor because we have already spent a significant amount of time to get where we are.

COOK: Though presumably people on the other side of them know that they're there.

HENIGES: Correct.

DELEISSEGUES: Okay, thank you, Chris.

COOK: You're welcome.

DELEISSEGUES: I think I'll take a little license here and ask Chief Koehler to come back representing the fire chiefs and just ask you to give your thoughts about the width of the bridge. I mean we're talking about 12 or 16 or 20, we didn't allow you to include that in your testimony because it's kind of crept up into the conversation after you testified, so if you would, please.

KOEHLER: Scott Koehler, East County Fire. In dark conditions and inclement weather a wider bridge probably would be a good thing, but the engine's going to be eight-foot wide plus mirrors, we could probably get by with a slightly narrower bridge as long as we had curbs, I don't think it would hurt us.

DELEISSEGUES: Does the eight-foot width of the engine include everything? I mean all the out gear --

KOEHLER: Well, every vehicle that travels the public roadway is eight-foot wide plus

mirrors and so I'm just -- do you have anything wider than eight that you know of?

BROOKS: No, there are no fire apparatus that are wider than eight feet. I worked with the committee -- Gordon Brooks again.

DELEISSEGUES: How about a lowboy with a bulldozer on it with a blade sticking out?

BROOKS: Well, they deal with those kind of things all the time now, they stop, they fire up the dozer, they lift the blade up above any kind of rails and they drive across.

What I personally would prefer to see is go back to the original recommendations of the committee. We talked about those houses that we would allow the 12-foot bridge and again like Chief Koehler is saying we're talking about an eight-foot wide vehicle and that still gives us a little bit of room between any curbs.

We specifically discussed all of those elements and talked about why they were good, why they were bad, and we had collaboration between all of the people that were involved to reach those original numbers. The Board of Commissioners chose to go with something other than what was recommended and staff has put the Commissioners' wishes into the amendments that you got, but that's not the recommendation of the committee that put together the new code.

HENIGES: I'd like to jump in if I may to help clarify because I think a couple of things happened at once that had some unintended things to kind of bring us to where we are. Initially when we discussed using the 12 foot and the reason it was in there was for up to four homes and so we really felt like the numbers of trips across a 12-foot wide bridge is the eight-foot vehicle and two foot of shy on either side, that's how we got to the 12.

But when we started and made this increase up to 20, I think that might have been part of the reason why we compromised between the 12 and the 16 because we made that change at the same time.

And so Gordon's right, when we had it in a 1 to 4 lots, 5 to 20 lots and then above 20 lots, now those that was the 12 and then you step up into the 20 and so that's why width was happening while we were changing numbers of lots.

And to be honest, 12 might be too much, that's the width of an Interstate lane for reference for you, and then the fire truck width is eight foot, but when you have a hard curb it's a hazard in the way that's when us engineers with our engineer hats on start looking for that two foot of shy because it doesn't take much slippage in bad weather for you to go two foot with your rear ends. Anyway, there's some kind of maybe some more explanation about how we landed on the 16.

DELEISSEGUES: Okay. Well, I think we've got all the information that we need unless there's questions. Do you have any questions that we haven't asked? Okay, thank you very much, and we'll deliberate as necessary and if we've done that, a motion. It's deafening.

BARCA: Well, I find it somewhat problematic that we want compliance but we aren't willing to do the hard work to notify the people that we're aware of. And granted we don't know all the bridges, but I would say the fire districts are out there every day and the discovery process will continue.

I think what we're doing by not being proactive to notify everybody that we can whether it's through a variety of communication means is sooner rather than later we're going to have that scenario of the emergency call is going to get to the bridge that doesn't have the rating on it and then we'll be dealing with it in that fashion as opposed to doing the outreach.

To me we want the safety, we're going to have to try and put the people on notice that we know they're out there and you have choices, that we're not forcing anybody to do anything they don't want to do but they need the awareness and I think that outreach campaign is perhaps the hard work that we're talking about.

I would really like to see it put into some form that says that we shall endeavor to notice every bridge that has been identified, put it in some fashion that says we're going to do it, and I think partnering with the fire districts it will be an ongoing campaign, but as they develop more leads for existing bridges there will be those opportunities.

So I would like to see us put that in. I mean the Commissioners can take it out if they want to. And I'm still good with a 12-foot bridge with curbs on it. And I don't really know about the number of dwellings having any impact in it. I would say for somebody wanting to do a subdivision of greater than 20 houses, he's going to have customer standards that he needs to meet for traffic more than worrying about the emergency.

If he can get everybody to buy a house in a 25 house subdivision with a single-lane bridge on it, right on, that's the way that works, but if it meets the safety needs, it's 12 foot with curbs on it, it sounds like it should be good enough.

DELEISSEGUES: I think we've got the message on that. Anybody else have a comment?

WRISTON: No, I agree with everything Ron said. And again I agree with Ron, I think the market will drive the width of the bridge. I mean if it's a recreational bridge, something that would be used for say 20 homes but maybe three or four people will use the home once a month or something like that versus a recreational bridge somewhere in incorporated Clark County, we got two different things and I think the private side can handle that. So I agree with everything Ron said, I agree with the outreach, and I agree with the 12 foot and the curb.

DELEISSEGUES: Jim.

GIZZI: Well, I agree with what Ron said, but in the interest of moving forward and not having the language to support an outreach program and the potential liabilities that that brings into play and question I think that I'm able to divorce the two pieces.

I like what's been proposed here and we're already hearing some confusion about the suggested changes that the Commissioners had made and we don't know how they fit into this document. So I'm comfortable with the curbs that are in here and the sizes of the bridges that are in here and could possibly work without the public outreach piece just to get something in place to start the process and revisit public outreach in a separate effort.

QUTUB: Mr. Chair.

DELEISSEGUES: I'm going to skip you for now. Estelle.

QUTUB: Eileen. Eileen.

DELEISSEGUES: Eileen, whatever. I'm Dick. What's my name?

QUTUB: Okay, Mr. Chair. Mr. Dick chair. Anyway, I think that staff actually clarified why the change in the width was done when it was indicated that the Category A is no longer in that and that's the four lots, so now we're talking about 20 lots, and so that is why the Commissioners said with 20 lots it ought to be 16-foot wide, not 12 because 12 was originally for the four. Is that correct, it was the A1 category?

HENIGES: They did not specifically connect the two, they both happened during the same work session.

QUTUB: Right. But to me that makes perfect sense when you go back to these, the number of lots, and why they would have chosen to widen the 12 foot and narrow the 20 foot simply because it probably would be less expensive and that's what they were trying to do.

So I would actually go back to the idea that 16 feet with a 12-foot inch curb height on both sides is a good alternative. I would want to keep the curbs. I don't agree that pedestrian railing should have to be on there.

I was on the 205 bridge after reading this thing, I thought wait a minute, there's no railing that high on the 205 bridge and traffic's going pretty fast on that bridge, so I thought that was a little over-engineered to have the pedestrian railing. And so, Mr. Chair, I'd put that in motion form if you'd allow me to do that.

DELEISSEGUES: We'll come back to that.

QUTUB: Are we ready for that?

DELEISSEGUES: We want to give the other two Commissioners here a chance to weigh in. Go ahead, Steve.

MORASCH: All right. Well, I, whoa. I agree with Ron, I like his free market approach, the only thing I would change is I would probably recommend that we recommend the outreach in a recommendation that goes with our proposal rather than putting it in the

actual code language for the liability purposes that Christine Cook mentioned earlier.

USKOSKI: I am in full agreement with what Steve has just said. That's it.

DELEISSEGUES: And my thoughts on this are that if we're going to build a bridge, I don't know why we wouldn't build a wider bridge. But if we're going to go to 12 feet that would be a 12-foot clearance not including the curbs. In other words the curbs would be maybe an additional foot on either side and now we're up to 14, 16 to me doesn't seem unreasonable at all.

So I don't see where the Commissioners were wrong at all, I applaud their wonderful foresight in coming up with a compromise between the 12 and the 20 at 16 and making it simple so you don't have to have four or five different widths and designs.

As far as the outreach goes I agree with what's been said, but I think the outreach has been really good so far and it's been in the papers and you've done a pretty good job and I don't know what more we could do. If you can't get to the bridges, we can't either. I think all you can do is lead the horse to water but you can't make them drink type of thing and I think you've done about as good as you can do on that. So if you would like to make a motion, we'd appreciate it.

QUTUB: Well, I will **move** that we go with the amendments on Page 3 of 6, bridge width, that would be c, bridge width, and number (1) change that to 16 feet, number (2) for categories that, (1) is A and A1 and A2, number (2) is category A3 bridge 16 feet, and I would also leave in b.(1) where it discusses the 12-inch curbing on both sides of the bridge.

DELEISSEGUES: Just a question. Isn't the 16 feet already there so we don't need to --

HENIGES: It is in the latest that --

QUTUB: Okay.

DELEISSEGUES: So all we need to do is say we agree with that and add the curb; right?

HENIGES: That's right. Do you want me to --

QUTUB: So the amendment, strike that. The amendment will be to add back in to amend this for b.(1) to be added back in as it was in this edition that we received by courier that's dated January 26th, 2012.

DELEISSEGUES: It's the original.

QUTUB: And then signed on 3/6/12 by Pete Capell.

DELEISSEGUES: Is there a second?

BARCA: I need a clarification. The wording on c, bridge width, says 16 feet between the inside faces of the curbs, so with the curbs back in place we're saying that this is 16 feet plus curb width which now puts us closer to --

USKOSKI: 17.

BARCA: Yeah.

QUTUB: Is that what we have?

BARCA: That's what the wording is.

QUTUB: This is old wording.

DELEISSEGUES: But if you're going to make an amendment, you could amend it to the 16 feet including the curbs.

QUTUB: Including the curbs.

HENIGES: You could.

QUTUB: So let's do that.

GIZZI: So basically we're saying all three, although there's only two now, categories of bridges would be 16-feet wide, they would have curbs and they would not have pedestrian railings and that this was my only concern about going with recommendations because we don't have documentation to support this, but is that the gist of what we're saying, there are two categories of bridges but for all intents and purposes they're the same?

HENIGES: In our code proposal we are only asking the width be considered for new bridges. And so we have a term that we use for bridge widths, we call it an out-to-out, what I would recommend, what I'm hearing as the proposal is a 16 foot out-to-out and including the curb; is that correct?

QUTUB: Yes.

GIZZI: I believe so, yes.

HENIGES: And so for the Category B bridges which are the existing again this only regulates capacity?

GIZZI: Correct.

DELEISSEGUES: That's the motion. Is there a second?

HENIGES: I know I'm out of order but I'm going to remind you that the Commissioners also eliminated the category of the one to four lots, so if you want that to be part of your

proposal that was a change of what you had in front of you.

DELEISSEGUES: Do you want to include that?

QUTUB: Well, then I would include that the original Category A1 which is access on a driveway up to three residential lots be eliminated.

HENIGES: Perfect.

DELEISSEGUES: Anything else on the motion? Is there a second?

GIZZI: I'll **second** that motion.

DELEISSEGUES: Moved and seconded. Any more discussion on the motion? If not, we'll have roll call, please.

### **ROLL CALL VOTE**

GIZZI: AYE  
MORASCH: NO  
BARCA: NO  
USKOSKI: NO  
QUTUB: AYE  
WRISTON: NO  
DELEISSEGUES: AYE

WISER: 3/4. 3 AYE, 4 NO.

BARCA: Let's try again.

DELEISSEGUES: Why?

BARCA: Why?

DELEISSEGUES: Where's the people that voted "no" can come up with another motion that would satisfy their concerns and we'll vote on that.

MORASCH: All right. I'll **move for the same motion** except for the bridge width be 12 feet exclusive of curbs and that we include with our motion a recommendation that the County conduct outreach and notify the property owners to the best of the County's ability, but that wouldn't be part of the code language, that would just be a recommendation that would accompany our motion.

USKOSKI: Just to clarify, Steve, you're talking about face-to-face 12 feet but the curb would still be included with the bridge as a requirement to put curb on the bridge or no curb on the bridge?

MORASCH: My motion was 12 feet exclusive of curb so the curbs would have to be in addition to the 12 feet.

USKOSKI: Perfect.

DELEISSEGUES: Second?

USKOSKI: I'll second that.

DELEISSEGUES: Moved and seconded. Any discussion on that motion? If not, roll call, please.

### **ROLL CALL VOTE**

BARCA: AYE  
USKOSKI: AYE  
GIZZI: AYE  
QUTUB: NO  
MORASCH: AYE  
(Commissioner Wriston stepped out of the hearing.)  
DELEISSEGUES: AYE

DELEISSEGUES: Just to move it along. So with that we'll recommend that motion to the County Board of Commissioners and there will be a public hearing I suppose with the County Commissioners on that if anybody would like to attend that carry on from there. We'll take a break and we'll be back at about five minutes after 8:00.

(Pause in proceedings.)

### **PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION,** continued

#### **B. Retooling Our Code, Batch 6**

This proposal includes code changes to the Unified Development Code (Title 40) and the Clark County Building and Structures Code (Title 14) as follows:

- In Title 40 Amend Section 40.350.030 Street and Road Standards; and
- In Title 14, amend the Grading, Excavating, Fill and Stockpile code (14.07) to better align the code requirements with the potential risk of grading activities, to include: revising the method of calculating grading volumes, reviewing what minimum volume triggers code requirements, and clarifying the definition and requirements for temporary stockpiles.

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DELEISSEGUES: We'll resume the Planning Commission hearing for tonight and we'll go

to Retooling Our Code Batch 6. Do we have a staff report, please.

JENKINS: Yes, we do. Just to introduce myself I'm Marlia Jenkins with the Clark County Budget Office and I'm the project manager for the retooling our code project. Tonight you'll do the public hearing for ROC Batch 6 which I am pleased to announce is the last batch in the ROC process.

If you remember back in 2010 the Board of Commissioners started this project and their goals for this set of code revisions was to revise the code to get better results with less process and complexity, to improve the code to achieve objectives of the comprehensive growth management plan, to provide staff with the discretion and flexibility to help applicants through the development process and to complete these code revisions by January of 2012 with minimal increases to existing budgets.

I am very happy to say that even though it isn't January we've done fairly well, we'll be complete with this process by April. The County used a cross-departmental approach to assemble this slate of code amendments and also to process them. We have had staff from Community Development for example or Community Planning help writing code that is coming from Public Works, so we really worked across departmental boundaries to get these code amendments ready for you.

Over the last two years you've processed 39 different code amendments through the retooling our code. And this has been in addition to your regular workload where you also did 5 annual reviews, 23 dockets, 36 biannual code amendments and reviews of major plans such as the shoreline management plan and the new aging plan. This is a truly impressive body of work and we want to thank you for all of the time and effort that you've put into it, we know that it has not been easy and at times it has been very stressful.

The retooling our code project was unique because of process changes that were designed to move a very large volume of code amendments to the County Board of Commissioners in approximately two years. These process changes required constant refinement and monitoring and you were called upon to be flexible as we developed these new processes. It resulted in some institutional learning for us, sometimes with positive results, sometimes with negative results, we've had both.

So what did we really learn through retooling our code, the primary learnings were that a clear statement of the desired result of the code change improved our efficiency. The clearer the statement was of what we were trying to achieve, the easier it was for staff to write the code and the easier it was for you to evaluate whether or not we had actually met that goal.

We also learned that eliminating repetitive steps moves code amendments forward more quickly. One of the agreements by design in ROC was that we would not do kind of a cycling approach where code amendments went from the Board of Commissioners to work session to the Planning Commission back to Board of Commissioners, work session to the Planning Commission back to the staff and then to the Board of Commissioners, we have done those kinds of loops in the past and they're very time consuming.

By agreement we decided not to do that this time, it was more stressful for everyone because for staff and the Planning Commission and our advisory boards we had to get it right the first time because we didn't loop through the circuit time and time again. The other thing we learned is it is possible to do process change in Clark County. It's difficult, it's hard, but you have proven that we can change our processes to be more efficient.

Even though we had our failures, our moments of conflicts between bodies and other problems, the speed in which these amendments were reviewed showed it is possible to change the way code amendments are reviewed and approved. Changing these amendments because it is different than our normal process does require constant monitoring so we remember when we're doing a different kind of process.

I think the last learning that really became evident is use of both the DEAB and the Planning Commission as review bodies requires a new kind of collaboration for the County. These two review bodies have different charters, they have different staves, they have different missions, and they are independent and freestanding and both report to the Board of County Commissioners.

Both of these bodies should really be congratulated on the way that you have managed to take your separate charters and your separate processes and you've worked together to bring these amendments to the Board of Commissioners. It's been a very challenging and difficult process, but both groups have shown great courage in the way they've approached their work.

So as you move into this final batch of ROC we would like to thank you for your time and your effort, you still have a very long evening ahead of you because you're going to be looking at road cross-sections and some amendments to the grading permit, but we would like to thank you and wish you well in this next set of public hearings.

DELEISSEGUES: Well, thank you.

JENKINS: Thank you.

DELEISSEGUES: Jan, did you have anything to add?

BAZALA: Yeah, just a quick outline. Jan Bazala, Community Development. Tonight we are going to look at the road cross-sections and the grading code and Attachment A has the road sections in it, it also has an old version of the grading code.

On March 6th you were sent amendments to the grading code draft so Attachment A is the document we'll be looking at when we get to grading. So you'll be looking at Attachment A and then there are two large tables and footnotes for the tables, that's Exhibit 1 and 2, and these tables are meant to replace the struck tables within the text of Attachment A.

Also in your packet you should have some comment letters from a number of fire districts and the Development and Engineering Advisory Board, that the DEAB supports the

changes, they have one minor suggestion to change a minor element to the road standards and Steve Schulte will discuss that when we get to that. So without further ado I will turn the mic over to Steve Schulte who was the lead person on the road cross-section changes.

DELEISSEGUES: Good evening, Mr. Schulte.

SCHULTE: Good evening, Planning Commissioners. Steve Schulte with County Public Works. Sonja, we have the wrong graphic up. This is road cross-sections, not grading code revisions.

BARCA: We could always do grading first.

DELEISSEGUES: I think he's going by this.

BARCA: You can't wait, you have to act on these things.

SCHULTE: Commissioners, this is largely the same presentation you saw two weeks ago. I'm going to go through it real quickly. I've included all the slides in here, if you want me to stop or slow down, please just let me know and I could do that, but in the interest of getting through this I am going to move quickly. Mike Mabrey is going to join us for a few minutes to talk about that 12-foot travelway issue we had considerable discussion on two weeks ago and we have some additional details on that front.

DELEISSEGUES: High technology.

SCHULTE: There we go. I want to click on Slideshow. Okay, I'll just go. Commissioners, as we talked about I want to introduce road cross-sections and road classifications. A cross-section is that upper part of the diagram, it's the cross-section look of a road, it shows all the different features of a roadway and the dimensional widths.

And then the classifications are the different road types we have in our hierarchy of roads. You can see down there at the bottom on the left we have an Urban (C-2cb), that's an urban collector, two lane, it's a center left-turn lane and a bike lane. So this particular slide is our urban collector classification of roads and we have three different subclassifications.

As far as goals for the project, there's seven up there, we talked about these in great length last time. Goal 1, simplify the road classification system. Goal 2, wanted to provide an approach with fewer road modifications required of developers and County staff doing road designs. Goal 5, we wanted to update the County's median policy. And Goal 7, we wanted to address some emergency vehicle access concerns.

Goal 1, and this was on the first slideshow, this is a listing of all the hierarchy of road types we have. For arterials we have parkway, principal and minor arterials. For collectors we just have the collector category. For commercial/industrial we have local and storefront roads. And for our access roads we have neighborhood circulators, local roads, short cul-de-sacs, private roads and alleys.

These are the outcomes we have. By the second bullet down I think is an important one, we actually simplified and reduced the number of classifications from 37 down to 22.

Goal 2 we added some designer flexibility. We have that flex zone now on the periphery and that's a zone where developers have wide latitude to design as they would like. They have to include all those elements in the design, but they have wide latitude how to get there. It's more of a functional requirement than a dimensional requirement.

Roadway widths, you can see for collectors we're already down on our minimums. There's regulatory standards we need to comply with and the dimensions already that are being proposed and historically have been in County code are very near those dimensions, so we really don't have a great opportunity to reduce road widths any more than we already have.

With respect to the neighborhood streets, you can see Clark County's down on the narrower end. We're in there with Whatcom and Washington County. Kitsap County is all the way up to 36 feet wide for their local access streets. This is a curb-to-curb width and these are roads that have parking both sides, eight-foot parking lanes each side and a travelway, but the curb-to-curb width is from one curb one side to the other side.

DELEISSEGUES: Steve, on that what are the traffic lanes on that, 12-foot lanes?

SCHULTE: These streets aren't center striped with a turn lane so there's a parking lane each side and then there's a travelway that has no stripe down the center.

DELEISSEGUES: How wide is that travelway?

SCHULTE: In the case of a 28-foot wide street it's 12 feet. So you have 8 parking, 12-foot travelway and 8 parking, but it's not centerline striped.

DELEISSEGUES: Okay.

SCHULTE: Stormwater features, I think the one I want to focus on here is 3 and 4. We were going toward a system where we're encouraging stormwater features detached from the roadway that often are actually sited in residential subdivisions, we encourage those features to be moved up and managed in the public right-of-way.

They can be incorporated into that flex zone design, things called rain gardens which is similar to what you see on the side there, they can actually be incorporated in the public right-of-way and then they become a County maintenance obligation, so that's one inducement to try and encourage the water to the public right-of-way. I think the County believes we can also get better maintained facilities, better assurances during construction that they'll be built right if they're put in the public right-of-way.

And Number 4 we're opening the door for permeable pavement. We use the "allow" word not the "require" word, but we're trying to look for opportunities where we can have some

deployment of that technology. Our median policy.

WRISTON: Steve, I'm sorry, can you back up. What are the requirements for a stormwater LID I guess or something that's in a median or --

SCHULTE: What are the --

WRISTON: What are the requirements? What type of infiltration?

SCHULTE: Well, LID, it's really best management practices. LID is low impact development, best management practices. The very first one you come to is Number 1 and that is just infiltrate on-site. So on the individual lot sites --

WRISTON: Right.

SCHULTE: -- the parcel itself it's best to simply infiltrate if you can, but if you need to take it somewhere else off that particular parcel we'd like to have the water run out to the public right-of-way. And again we think we can treat it more effectively, we can maintain the facility better, easier, we can observe it both during construction and for maintenance, so we're trying to induce that.

Number 3, those could be things like rain gardens, I have a photo later on, new technologies are coming along. And then Number 4, permeable pavement, we all know what that is, that's where you have pavement with voids in it either concrete or asphalt and the water simply permeates through and infiltrates down below the pavement and there's no collection of stormwater. So we're trying to open the door for permeable pavement where it's safe and there's not going to be excessive wear on the pavement itself.

Median policy, historically Number 1, our median policy, has always been aimed at roadway safety and mobility. We're going to Number 2 which still has those as primary factors but we're bringing in a third factor and that's consideration of the access needs of commercial and other fronting properties. So instead of weighing two things there we're going to be weighing the commercial access needs into that factor, but Number 4 is critical, the highest priority will still remain public safety on the County road system.

Goal 6, and this is where we get to that 28-foot curb-to-curb width and again it consists of one 12-foot wide travelway is what it's called, it's for two directional travel and two 8-foot parking lanes on each side for a total width of 28 feet. So the challenge when a vehicle 7-feet wide and you only have a 12-foot travelway, how do you get passing done.

And the concept there is this queuing concept and you can see down in the answer there we see vehicles pulling to the side, we've all done it, there could be a driveway there, there could be an unfilled parking space, but that process of pulling to the side and passing on the side is known as queuing and there's a graphic rendition of how queuing works.

The challenge is, and I think I mentioned this at the work session, is that there's great demand for those parking lanes. We have designers that want to use them for rain

gardens, stormwater features is shown there, that's a rain garden where you have runoff both from the sidewalk and the roadway going into that lowered drainage facility that's vegetated.

In back of that you have a vehicle that's parking in the parking lane and then you have an unfilled space there, potentially that unfilled space could be used for queuing for a car to pull to the side to make your passes. This particular road looks to be well wider than a 12-foot travelway.

But the challenge here is given all those demands, we want rain gardens, we want parking spaces for vehicles and we want some unfilled spaces for queuing, how do we fit all those in those parking lanes and we actually have in this proposed code some numerical equations that will allow our designers to leave adequate queuing spaces. We've done some studies, we've done some layout work and we've got three different approaches to allow developers do their designs so we retain adequate unfilled parking spaces.

The Goal 7 is the one we had some extended discussion about two weeks ago and this has to do with the dimensioning on that neighborhood street. And this is a new graphic, I think this is the issue we talked about where we have a 28-foot wide roadway, you've got 8 foot of parking, a 12-foot travelway and 8 foot of parking, that's 28 feet, how do you get the vehicles to pass.

The fire service interest that will be testifying tonight, their interest will be a 20-foot travelway. So this graphic is going to help interpret some of the comments you get tonight. Where Public Works staff has landed on this issue is that -- well, let me start with 1.

The fire districts and the fire marshal's office are recommending that we increase that travelway width from 12 feet to 20 feet as was shown in red on that previous graphic. For situations where structures would agree to be equipped with sprinkler systems, their recommended travelway width is down to 16 feet. County staff is recommending that we retain the current 12-foot travelway width which is presently in code.

Number 4 what we're proposing is that the roads actually be built to the 12-foot travelway width and that if post-construction a road is found to be routinely inaccessible or just occasionally inaccessible, we run some sort of a field test with Public Works staff, with the various fire services staff there and really test to see if it's not passable.

Number 5, if it is found to be not passable on a certain basis, we would have to develop the parameters for this test, the actual number of days per week or number of days per month, the County would agree to eliminate on-street parking as needed to allow the street to be passable.

So what we do here under Number 4 is we would work with the fire service interests and we would formulate some sort of a test, and you just call it emergency vehicle access test, formulate a testing protocol that we would agree to go out and test these streets if they were observed to be impassable. And if they were, we would sign the street "no parking" at least to one side, we would do what we have to do to make it passable.

So from County staff perspective this takes this issue out of a theoretical concern or a possible concern and puts a real practical solution on that issue.

DELEISSEGUES: Is that kind of like the FAA when you want a control tower at an airport, you have to have about ten fatalities before they decide to put it up? I mean how do you decide it's unworkable?

SCHULTE: Well, it would be a field observation. I mean we would go out there, again we aren't --

DELEISSEGUES: Okay.

SCHULTE: -- we aren't getting these reports today that emergency vehicles aren't getting through the roadways, we're not receiving those reports today. I can't say they're not, they're just not hitting our desks.

So I think from County staff's perspective there's really only one large outstanding issue and that is this travelway width question. So I'm going to ask Mike Mabrey to come up, he has some additional information on this question.

But before he starts, just so I don't forget, the DEAB comment letter, the Development and Engineering Advisory Board comment letter that's in your package, about halfway down under Standard Road Cross-Sections, second sentence in, they had a request to allow parking on one side of a 24-foot partial width road. The County staff does support that recommendation, so I think Jan has actually drafted up the code with this request incorporated in it.

DELEISSEGUES: What did your graphic show?

SCHULTE: We don't have a graphic on this particular issue. This is a partial width road --

DELEISSEGUES: Okay, I see.

SCHULTE: -- this isn't a full width road, but County staff can support DEAB's request and Jan's incorporated it in the code already.

BAZALA: And actually the existing code in front of you does not currently have the DEAB's request. Currently the draft in front of you shows a 28-foot wide road, partial width road, and the DEAB is requesting 24 and we're agreeing to go down to 24 as the DEAB has requested so the future draft will reflect 24 feet.

MABREY: Thank you, Commissioners. Mike Mabrey, Community Planning. I wanted to address some of the concerns that have been expressed about emergency vehicle access through local residential streets.

The first point I want to make is that the 28-foot wide standard that we're proposing with

parking on both sides is nothing new. Subdivisions have been built with that standard since 1999, if not before. With so many of those streets out there, if they are actually causing delays in an emergency response, we would have heard about it, we would have specific examples to point to, so far we don't, we don't even have anecdotal evidence that safety has been adversely affected by the 28-foot streets that have been built in the last 12 years.

The contention and the testimony that was written seems to be that safety should trump all other considerations and I would tend to agree with that, safety was one of the big considerations that went into the queuing street adoption back in 1999. Queuing streets slow traffic and they increase driver and pedestrian safety and they increase neighborhood livability.

And I think how that happens is fairly well depicted on this color sheet, I think you have that. There's graphs on the bottom starting at the right, average speed increases with the width of the road, people travel faster on a wider road. The second graph shows that the impact of speeds increases pedestrian injuries. So as you go from 10 miles an hour to 30 miles an hour there's a drastic increase in how that's going to affect the pedestrian.

And the third point is that wider streets clearly have more accidents per mile per year. If you want to look at that chart and compare the 28-foot wide street with the 36-foot wide street that's being proposed, you'll have three times as many accidents on a 36-foot wide street as you will on a 28-foot wide street.

I think we have to keep in mind in making this decision that fire fatalities are certainly a concern, but traffic fatalities are 15 times more likely to happen based on national statistics. And in terms of injuries it's 3 million injuries a year in traffic accidents versus about 16,000 injuries in fires.

Another point is that the 28-foot wide standard for local streets has been endorsed by emergency response officials in other jurisdictions. The State Fire Marshal Association, and Fire Chiefs Association and the Fire Marshal Association and Chiefs of Police in Oregon all endorsed a 28-foot wide local residential street standard back in 2000.

If you look on the websites for their counterparts in Washington, you won't find any mention of street widths at all. It doesn't seem to be an issue that's in the forefront at the state level and at the national level there's no NFPA standard for street widths. There's several thousand standards out there covering everything from your kitchen fire extinguisher to a nuclear power plant, but I couldn't find anything that related to street widths.

On the other hand, the experts and national authorities on street design do speak to a local street standard that is more along the lines of 28-feet wide or perhaps even smaller. In the AASHTO Green Book which is considered to be the principal authority on street geometrics they note that one obstructed lane such as what we're showing here, one travel lane, must be ensured where parking occurs on both sides, but the level of user inconvenience in having only a single travel lane is remarkably low in areas where there's

single-family units. In many residential areas a 26-foot wide street is typical.

Another publication put out by the American Society of Civil Engineers and the National Association of Home Builders and the Urban Land Use Institute has recommendations for streets as small as 22 and 24 foot wide. The ITE, the Institute for Transportation Engineers, have several documents that refer to neighborhood streets and their guideline for residential subdivision street design says that 28-foot curb streets with parking on both sides is an acceptable standard based on the assumption that the community has required adequate off-street parking for each dwelling unit. I think that's all the points I wanted to make. Thank you. Any questions?

SCHULTE: I think my closing comment would be that these last three notations, the AASHTO one, the American Society of Civil Engineers and the Institute of Traffic Engineers, ITE, those are national organizations that are all recognized nationally as being stewards of public safety and it seems they're very consistent in their focus on 28-foot wide curb-to-curb roadways.

DELEISSEGUES: Any questions of staff, either of Mike or Steve or Jan? Jeff, do you got any questions?

WRISTON: No.

DELEISSEGUES: Jim.

GIZZI: Well, I do. When I look at this set of graphs and charts, I clearly see the correlation and it makes perfect sense that the wider the road, the faster folks are going to go, the more accidents and more injuries, but I also then read the text and they say the finding support the premise that narrower so-called skinny streets are safer than standard width local streets.

The study also noted narrow streets should not be used without at least a second means of access, and it says this means of access could be accomplished with alleys and interconnected network of streets. I mean that raises still the concern that is being expressed that it clearly is a limitation that needs to be addressed.

And then the closing comment in your argument was based on the standard that adequate off-street parking exists, so again if we're talking about higher density apartment complexes and single-family units closer together, I would think that off-street parking is reduced therefore increasing the likelihood that both sides are going to be used. And I don't know, I see both sides of the story and your own documentation tends to support the fact that it may be difficult to live with a 28-foot wide street.

MABREY: Well, in regard to your first point I think we would be certainly willing to work with the fire chiefs on a greater interconnectedness of streets. It's been in the standards for many years, we don't have a very effective way of implementing it as each subdivision comes in for approval because they all want to create barricade subdivisions and have only internal circulation so you don't have a network of grid streets.

With regard to medium density residential areas, our original proposal was to require a somewhat wider street adjacent to medium density residential areas where you could have small lots and townhouses with driveways just almost side-by-side that doesn't really provide much.

You could widen the street there but unfortunately you're not going to create any more space in terms of linear space to put cars on because the driveways are taking up all the street, so probably the real solution is to put the parking off the street. However, we would certainly be willing to work with a 32-foot wide street standard adjacent to medium density residential development.

DELEISSEGUES: Okay.

GIZZI: Yep, I appreciate it. Thanks.

DELEISSEGUES: Ron.

BARCA: Nothing at this time.

DELEISSEGUES: Eileen.

QUTUB: No.

DELEISSEGUES: Steve.

MORASCH: No.

DELEISSEGUES: Valerie.

USKOSKI: I actually do have a quick question and, Jan, I don't know if you'll have the answer, I know when you're looking at land use on development, what's the maximum number of lots that you can propose or build out prior to having that second access road, that second connection point so that you have two ways into a development versus just a single?

MABREY: Yeah, I'm going to let Jan answer that because it's been in the code and it has been for quite some time, I don't know it off the top of my head.

DELEISSEGUES: What did you say, you're going to answer it or --

BAZALA: I'm looking for it.

BARCA: Mike said Jan will answer it.

DELEISSEGUES: Jan said Mike was.

MABREY: It's in one of those footnote things that you won't find it.

BAZALA: I think it's in the text --

BARCA: It's on the web.

MABREY: Oh, okay.

BAZALA: -- so it's not the easiest thing to find when you don't use it every day. Let's see, private lots, private roads.

USKOSKI: Page 23, "no road may serve more than 100 lots or dwelling units unless the road is connected by a second vehicle access road to the same feeder road at a different location, or another feeder road that serves at the same level."

BARCA: So you knew it all along.

DELEISSEGUES: She was testing them.

USKOSKI: I wasn't sure of the number and then I just saw it in here.

BAZALA: And what page is that on?

USKOSKI: Page 23 of what we received in the workshop, Section (4)(a) starting on Line 19.

BAZALA: Yep, there it is. I went right passed it.

USKOSKI: Under Access Management.

BAZALA: Right. A road may serve more than 100 lots or 20 units unless that road is connected by a second vehicle access road. Good job.

SCHULTE: I believe with the circulation system we have for the most part in the county that it would be rare we'd actually have 100 lots with only a single access. I think that would be a rarity.

USKOSKI: Yes.

DELEISSEGUES: I hope so. Anything else?

USKOSKI: No.

### **PUBLIC TESTIMONY**

DELEISSEGUES: We'll go to the sign-up sheet and first on it is Gordon Brooks. You're back.

BROOKS: It's getting dark, I'm going to have to use some glasses to help me read. Thank you for your time. Again, I live at 17113 NE 391st Street, Amboy. I work for Clark County Fire District 10. I've worked with the road standards committee at the request of the County Fire Chiefs Association because of my background in highway engineering, road standards engineering.

We would request representing the fire chiefs exactly those things that Mr. Schulte showed on his last slide, we would request that they use the same standard for all of the local access streets as they use for the neighborhood circulator speaking as to the lane widths and the parking streets.

And it seems to make sense to us where you're using a single design speed that if it's safe for one type of road in that category, it's probably safe for all of the types of the roads in that category. Your traffic calming issues can be handled other ways, especially where you have a single point of access, a cul-de-sac or something like that, the greater width seems necessary to us.

We talk about some of the other elements that the County has to deal with, rain gardens, drainage, stormwater management, some of those features they look like they should be someplace we should be able to walk, but I know specifically rain gardens they discourage people from working in them, walking in them, it reduces their ability to treat stormwater.

We talked about we've been building subdivisions with these standards since '99, in my research I found that this street standard was adopted well before that. The fire marshal that was dealing with this issue was no longer with the County when I started in the fire service here in 1988.

So prior to 1988 the County Fire Marshal was against adopting this road standard. He was part of the process and was not getting anyone to listen to his point of view so he protested the process and withdrew from participation and then we got the standard that we have now.

When Mr. Schulte is talking about public safety, I don't know that he's necessarily talking about the concerns of the fire service. He's talking I would guess about roadway safety, cars, pedestrians. That's a different thing than what we may have to deal with.

Earlier in the evening we talked some about statistics, less than 12 percent in my agency, 10 to 12 percent of our calls annually are fires, less than that are structural fires, we deal with other types, so we are talking a relatively small proportion of our calls. That's part of why we would propose that in lieu of the 20-foot traveled way we could live with a 16-foot traveled way where those homes are sprinkled. Fire sprinklers save lives, they're very effective at reducing the risk of fire. If we have sprinkled homes the work that we would have to do would be much, much less.

And that's what we're talking about when we're talking about requesting a 20-foot traveled way is we're requesting workspace. When we pull up in front of a home our position of our

fire apparatus isn't something that we can choose. We have to spot our fire apparatus based on the conditions the fire gives us.

A lot of times the first apparatus in will be a fire engine, there's specific positions that the ladder trucks need to be at to work at a fire structure. If you have a single-lane road and a 12-foot road, your first apparatus in may block the best access for that. We're limited by lengths of hoses and things like that to positions where we can work. So we're looking at it as a working space, not a driving space.

Queuing works very well for travel and so the 16-foot roadway width would work well for the bulk of our calls, EMS calls and things like that, car accidents, we could get in and out with a 16-foot roadway, but we're just not able to work at a fire, that's why we're requesting the sprinkled alternative.

We talk about adequate on-street parking, I just recently purchased a house that was built in 2002 and it's got a three-car garage, I can park two of my cars in that garage depth, width, things like that and make it so that those three-car garages, those garages that are being built in current standards homes don't meet adequate needs for parking.

We talk about the lack of knowledge of places where we're seeing difficulties in access. When we have an issue with getting to an emergency scene, we deal with it at the time. A lot of times we will try to later get that situation worked at, worked with, the access issues that we've had worked with.

But our point of contact is not County Public Works, generally we're talking to law enforcement to deal with those kind of issues and so that I'm not at all surprised that Public Works isn't apprised of those kind of things in their normal day-to-day business. We've been working on trying to collect some of those things so we can have some actual statistics on the times that we deal with that, but not all of the agencies in the county have roads like this that apply to them, the agencies are here tonight are dealing actually with rural roads, not any of these local access urban streets.

I would like to be able to speak more to the issues that Mr. Mabrey brought up, but frankly I had not heard any of that information until tonight so I'm not prepared to talk about it at all. In representing the County Fire Chiefs I would request that you not adopt Title 40, Section 40.350.030 as presented. Thank you. Questions for me?

DELEISSEGUES: Any questions of Gordon? Well --

MORASCH: Actually --

DELEISSEGUES: -- before you leave I was just going to say we could adopt it but maybe we would want to recommend some modifications to it.

BROOKS: And as presented.

DELEISSEGUES: What would you recommend as a modification and to where would you

recommend it in the code?

BROOKS: Specifically I can speak to the chart, the proposed Table 350.030-2, if we use the traveled lane, lane width columns from the neighborhood circulator for all of those, that would work for us and that's what we proposed and what Mr. Schulte had in his show.

DELEISSEGUES: Neighborhood circulator, yeah, I see that.

BROOKS: If you look on the other chart that prepared that, that has the same 25 mile an hour design speed that all of the rest of those local access streets. There's other design features of the neighborhood circulator that don't apply, I'm specifically only talking about the number of traveled lanes and the lane width.

DELEISSEGUES: Okay.

BROOKS: And as an alternative to building roads with that kind of construction, it would be acceptable to the fire chiefs that we used a 16-foot traveled way and require homes or that I suppose that would be a builder option kind of thing if the builder chose to use a 16-foot traveled way and require homes built in that kind of subdivision to be fire sprinkled.

DELEISSEGUES: And that's exclusive of parking 16 feet?

BROOKS: Affirmative, that is exclusive of parking.

DELEISSEGUES: Any other questions of Gordon?

MORASCH: Yeah, I just have a quick question, I just wanted to get the statistics down in my notes. I know you mentioned it earlier when we were talking about bridges and you just repeated that 10 to 12 percent of your calls is fires, can you remind me what percentage of your calls is auto accidents versus EMT responses?

BROOKS: I don't have those numbers specifically, but generally 88 percent of our calls are non-fire. Chief Wrightson mentioned that about 65 percent of their calls are true home medical type calls and all agencies the workload is pretty similar, within a few percent. So 88 minus 66 means about 23 percent of our calls are non-fire rescue type calls and auto accidents, people with their fingers stuck in a hay baler, things like that.

MORASCH: Thank you.

BROOKS: You're welcome. Thank you.

DELEISSEGUES: Any other questions? Thanks, Gordon, appreciate it. Gary Larson.

GIZZI: These guys look familiar.

BARCA: We're out of sequence.

LARSON: Thank you. Once again Gary Larson, 1121 NE Blair Road, Washougal, Washington. I am board chair of East County Fire & Rescue and president of the Clark County Fire Commissioners Association.

Our association has looked at this standard for quite some time and have some real issues and concerns with narrowing the road standards. And I sympathize with staff that they don't have the data to support what our contention is and we as an industry I have to admit don't do a real good job of reporting those kinds of things.

We are an emergency reactive type agency, we get a call, we go out, we respond, we know we have an emergency whether it's medical, whether it's a fire, whether it's an auto accident, if there are access issues we deal with them, we figure out how to get around it, we figure out what needs to be done to gain access, we don't go back and compile that kind of data and feed it back to the County and that's our shortfall, that's our error.

And I understand that, but it is a real issue day-to-day that we deal with all the time. Our whole focus is to get the emergency mitigated, the folks who are having the emergency get their issues taken care of and then quite frankly if it's a fire, once the fire is complete we go back to the station, our whole focus and time is spent then getting the apparatus back in service, getting it ready for the next call.

And hopefully you don't get the next call until you get it completely back in service whether it's a fire engine, whether it's a squad. I mean it takes time and our staff by that time they're getting pretty tired and so they try to get it back in service as quickly as they can, go take a break so they're ready for the next call that comes in. So I sympathize that we don't do a good job of providing you that kind of data, but it is a real, real concern for fire service. Any questions?

DELEISSEGUES: Any questions of Gary? Okay, thank you.

LARSON: Okay, thank you.

DELEISSEGUES: Appreciate your testimony. George Hooper.

HOOBER: Hi, I'm George Hooper. I'm a commissioner with East County Fire & Rescue and I neglected to give my mailing address the first time I was here, it's Post Office Box 286, Washougal. At any rate, I have a few nuggets to offer that you may want to consider.

First of all I think the whole process of even considering narrowing the roads is ridiculous, we should stick with the 28-foot dimension at a minimum. Now I know you may not agree with me on that, but why would we want to go any narrower when it's an impossible impediment to getting rescue equipment to an address.

Secondly, I as a taxpayer I don't want to run into a situation where we have a new subdivision built or something and then we go out and examine the street to see why it's too narrow and we have traffic flow problems or something like that, that should be

engineered into the street I think before we ever build it. Does that make sense?

DELEISSEGUES: (Nods head affirmatively.)

HOOBER: Okay. And my last, now I'm having trouble thinking what my last recommendation was going to be, but, oh, golly, anyway, that's basically it. Oh, I know what it was. We have a city fire department, we have county fire departments, let's get some of the equipment out there and look at turning radiuses and needed dimensions before we start setting parameters for building roads and streets, that way we're sure where we're headed before we ever scrape the first dirt and pour the first concrete. Any questions?

DELEISSEGUES: Yeah, I've got one, and probably others do too, but you speak of the turning radius and did you look at the bulb requirements that they're coming up with on the cul-de-sac?

HOOBER: Yes.

DELEISSEGUES: Are those radiuses sufficient or not?

HOOBER: I think that in my limited knowledge I think they would be adequate, yes.

DELEISSEGUES: I didn't know whether they were or not, but they looked --

HOOBER: Yeah.

DELEISSEGUES: -- some of them looked kind of small.

HOOBER: I'm sure Chief Koehler could add more detail to that, but I would think it would be.

DELEISSEGUES: Any other questions? Certainly somebody must have a question? Okay, George, thank you very much.

HOOBER: Okay, thank you.

DELEISSEGUES: Chief Koehler.

KOEHLER: Hello. Scott Koehler, East County Fire & Rescue, 600 NE 267 Avenue in Camas, Fire Chief for East County Fire and chair of the County Fire Chiefs. I want to thank everybody who has worked on this project because there are all kinds of different needs or wants or desires and in no way do I want to argue that the process is a bad process. I understand that there are competing interests and cost issues and things like that. I certainly understand that.

As Gordon mentioned when he was up here the existing code was written before there was a lot of fire service involvement and that was our fault in the day and we are here

today to try to convey to you our needs and our concerns. And whether it's fire, whether it's medical, whether it's law enforcement, it doesn't matter, rapid access is what's important.

And I don't want to talk about burning buildings and people who die, I mean that's not the point. The point is is that we are called to preserve life and to limit property damage and time is brain, time is heart, time is building, fire doubles in size every 60 seconds it goes unchecked, after about six minutes without oxygen your brain becomes less and less viable.

I have to tell you that the idea of pullouts probably works okay for cars, but when you're driving a 36-foot fire engine or a 45-foot ladder truck and you're trying to park, you're trying to queue up in a 16-foot driveway it's not going to work. And I have to tell you that this process is the first time anyone has ever asked the fire service for feedback about access or response issues.

So we talked to our firefighters and said we're trying to gather data, what can you tell us and they basically laughed and said we have problems every day getting places. The fire district that I work in has narrow roads, the two-way roads, the biggest problem we have is getting people to pull over and stop and then trying to get around them.

I guarantee you that when we meet head on on narrow roads, it is an awful game of chicken trying to convince people that they need to pull over and give us room to get around them. I just don't see that pullouts, queuing, when the siren's on and the air horn's going no one wins, there's going to be the potential for delayed response is awful, the potential for accidents is awful.

And when we meet head-to-head and they're panicked it's not going to be us who can back up quickly. I'm not sure how well they're going to do either. When I started in 1973 they used to tell us we had 20 minutes to make some kind of dent in a fully involved structure fire and then we had to evacuate.

With light-weight construction the standard is now five to seven minutes. That's five to seven minutes from the time that a fire gets underway, a good working fire, five to seven minutes. If you take into account the time it takes someone to notice the call, 60 seconds to process the 9-1-1 call, four minutes in an urban area for us to respond, for us in the rural it's probably eight to ten minutes, you're looking at the chance of saving someone's life being significantly reduced.

When the building flashes, when the whole thing lights up, ten minutes into this process, the chances of us being able to intervene is significantly reduced. It doesn't happen every day, I'm really glad it doesn't happen every day, I'm not a statistician, but I got to tell you that it's not statisticians who get to meet the families when they have a house fire, it's not the statisticians who get to meet the families when someone dies because of a medical issue.

So I guess I would also point out that with the fact that buildings burn faster and more

aggressively we are also seeing houses put closer together and so we are now seeing a trend in our business where fires spread from house to house to house to house. And I can tell you that it doesn't take a lot of wind to spread from house to house. On the days we have big winds, it's a race to see how you slow that down.

I don't have statistics but you can talk to Vancouver Fire who has the greater number of close built houses and they will tell you that they are seeing the trend of fire moving quickly. And there's a cause and effect and I think that we can intervene here if we have the ability to respond in a timely manner.

Gordon talked about the work area in the street, I mean there's two issues here. One is access and going from point A to point B it's not just one neighborhood, it's getting through several neighborhoods sometimes for the apparatus, so we need passage, we also need work room.

And on a ladder truck when you put out the outriggers, if you don't have enough room because there's cars parked or you've got rain gardens or whatever it is that forces you to stop there, and let me tell you the building will force us to stop in certain areas to reach with ladders, to have proper angles so we don't tip fire trucks over and stuff like that, if we can't get the outriggers out, we can't use the ladder.

If we smash cars with the outriggers we're the ones who get to pay for that. When you open the compartment doors on the truck and when you're operating out of this toolbox and the compartment doors can't open because the roadway is too narrow, that's a problem.

And the most ludicrous thing that's come to mind is when we lower the ladder racks I can see firefighters standing on somebody's cars trying to offload our ground ladders and I guarantee you that it will not be you who gets the call to repair their cars.

So there's some operational issues. They're not going to happen every time but they exist, and I tell you it's not a question of if, it's a question of when. And I don't want to damage people's property, I don't want to get anybody hurt, I just think we need to take this into consideration.

Yes, we did. In fact I did write a note that said public safety should take precedence over stormwater, I stand by that. I see in the presentation there are other counties that have wider roads that are being proposed. Wider roads may indeed cause accidents, narrow roads are going to prohibit us from getting to accidents, find a balance somewhere.

I would suggest and I would ask on behalf of the fire agencies that 20 feet be considered a standard road passage, two 10-foot lanes. I just can't see a reason you'd want a single lane anywhere, I just can't. If you want to live in Seattle and you want one-way streets that's fine, but that's not what I think people want here. I see it as a quality of life issue as well. If we can't get 20 feet, we would take 16 and sprinklers.

And I got to tell you automatic sprinklers, fire sprinklers, there has never been a fatality in a

residential single-family occupancy that had fire sprinklers. So you can pay me now, you can pay me later, it's not a question of if, it's a question of when.

Narrow roads are going to create issues for us. I think trying to solve them after the fact is going to be a giant headache because when you take parking away from somebody, they're going to be mad. It doesn't matter if you go out a week later and test, what only matters is when you couldn't get to the call you couldn't get to that that was important and I just think that that little proviso there is asking for a lot of heartache.

So on behalf of the fire service, please consider the 20-foot travel plus whatever parking you want or if you want to cut that down give the builders the option of going down to 16 but sprinkle the houses in the neighborhood because the short-term effect is life safety and the long-term effect is it cuts down the workload for the fire department and in the long-term that's a cost savings for us that I think our taxpayers would appreciate. And I think that's what I got.

DELEISSEGUES: Okay, Scott, thanks. Any questions of Scott? Okay, thank you.

KOEHLER: Thank you.

DELEISSEGUES: I think Steve's left, hasn't he?

KOEHLER: Steve had to leave.

DELEISSEGUES: So last on the sign-up sheet again is Eric Golemo. Last but not least.

GOLEMO: Good evening again. Eric Golemo with SGA Engineering, also here tonight representing the Development and Engineering Advisory Board. My home address is 11608 NE 30th Court in Vancouver, Washington. I had a few displays to put up but it looks like that might not be working so I'll try to explain them instead.

The Development and Engineering Advisory Board participated on the work session with representatives from County staff, the fire departments and several other local representatives. The Development and Engineering Advisory Board recommends adopting the code as proposed.

We had one suggestion regarding being able to increase the width on half streets to 24 feet to allow parking on one side, that's consistent with other parts of the code and codes in other jurisdictions. The County actually reviewed that and I guess were supportive if I understand correctly.

There seems to be a misconception that through this process that we narrowed our streets and that is not the case. Through this process we did not make our roads narrower and that is a misconception. We did, however, allow competing uses to use the available space. So one thing that we ran into while going through this process is there are tremendous amount of competing interests for the right-of-way in the roads.

You have, and I've got kind of a short list and it's really not that short, you've got stormwater, you have low impact development, you have fire access, you have parking, you have driveway and other types of access, you have bikes, you have pedestrians, you have maintenance issues, you have accommodation of auxiliary lanes, you have dry utilities, sight distance, clear zone, planning and setbacks, available right-of-way area, critical areas, not to mention the cost, growth and density concerns, consumer demand and situations where there's a half street. That's just part of the list of the competing interests.

What this group tried to do was balance those competing interests to come up with a compromise and something that we could do. We started this process with the goal of trying to make the streets narrow which we ended up not doing.

What we had was the environmental groups, the Department of Ecology actually released this document here which I was going to put up and it's a guidebook for local governments and they're in the process of mandating local governments adopt something like this and if the fire department saw what they're requiring, not requesting, requiring now, the local governments to adopt, I don't think they'd like it at all.

And I wish I could put this up on the board, but I don't know if you can see this at all, it's pretty small, but it narrows the roads about half of what they are currently today, so you're going from about a 28-foot wide roadway to about probably a 12 to 14-foot roadway. That's what they're requesting and that's what's in this guidebook.

We looked at that, we couldn't balance those competing interests, that wasn't reasonable, and I don't think that's where the consumer demand was. It didn't allow for parking, it didn't allow for adequate fire access, it didn't allow for some of these other competing interests, it put too much of that competing interest on purely stormwater and environmental concerns.

So we had the fire department look at wanting to make the roads wider to increase access. So where we ended up was unchanged basically. We left the widths of our roadways the way they are and we allowed compromise and allowing competing interests to use the available space we have.

There's a lot of talk about access and having that passing and the 28-foot road widths are used for local access, those are not the main thoroughfares. The transportation system is set up with arterials for the main thoroughfares that have plenty of two-way traffic, then it goes to circulators, to, or I'm sorry, collectors, then circulators and then down to local access, that's the last stretch that gets basically in a neighborhood to a home, most of the traveled way and the travel distance is on the other classifications.

Where the roads currently which are 28-foot wide it's usually a fairly short stretch or should be, there should be another access that has a wider roadway that provides for higher speed and more efficient movement of traffic.

That's about all I had there. I'm also available to answer any questions that you might

have. But to kind of close, the code in front of you right now is a balance of a lot of different competing interests. I don't think all of them have been represented tonight, but that work group worked very diligently trying to balance those impacts and those competing interests.

What you have in front of you came from a lot of effort and a lot of work by a lot of people in the community. So I urge you to adopt it and the Development and Engineering Advisory Board recommended adoption of the code with that one amendment.

DELEISSEGUES: Thanks, Eric. Any questions?

MORASCH: Just a quick question. The thing from Ecology that you can't show us because we don't have the gizmo working, is that part of the new NPDES permit on the LID that Ecology has out for public comment right now?

GOLEMO: It is a reference document, I'd be glad to pass that around so you can see it a little bit better, but what you'll see is a traditional development and then you'll see a low impact development which is what they're encouraging. So I'll pass this around.

MORASCH: I wouldn't mind seeing it. It looks like something I've seen before that is part of the new LID permit Ecology's got out for comment, but I'd just like to take a look at it.

GOLEMO: Yeah, what I included was the cover of the document and then a page that kind of shows what I was talking about.

DELEISSEGUES: If that in fact --

MORASCH: Yep, that's it, I've seen this before. Thanks.

DELEISSEGUES: If that in fact does ask for public comment, maybe we ought to get it out to the same people that are concerned about the road widths we have now. If they're much narrower than that, we wouldn't want to miss the opportunity to provide some public input.

GOLEMO: Yeah. Clark County and staff along with the Department of Ecology has received a tremendous amount of comments about the new proposed code and just to basically create some balance I think I'm guessing the County submitted over 60 pages of comments to the Department of Ecology, some of them are exactly what you're talking about there.

DELEISSEGUES: Any other questions? Jeff.

WRISTON: Hey, Eric, is your one amendment the 24-foot partial width road improvement with discretion to the fire marshal to eliminate parking as necessary?

GOLEMO: What's that?

WRISTON: What is your one amendment?

GOLEMO: The one amendment is the that if a half-width roadway is increased to 24 feet, then parking would be allowed on one side. So right now you have 28-foot parking on both sides. So if you look at the road section, if you just eliminated a half-street roadway, if you just took the parking out of one side, eliminated 4 feet from the roadway, you have 24 foot with parking on one side, it's consistent with the existing classification, just knocking off parking on one side.

WRISTON: Okay.

DELEISSEGUES: Can't figure this chart out you gave us because there's no numbers on it.

GOLEMO: There isn't, it's a display. I did also have some pictures of some 28-foot wide roadways and a 32 that I was hoping to put up there, but, oh, well.

DELEISSEGUES: Any other questions of Eric?

QUTUB: I have a question. So you said there were very many competing interests, what is it really? And since the Department of Ecology is presenting even narrower streets, I'm assuming that we want to get rid of so much hard surface so that wastewater and stormwater and all of that will not be so injurious to the countryside.

And for landowners or developers I'm sure that making a road narrower then it's less costly for them to develop, but I just happen to be in a neighborhood this past weekend that has these, it only has parking on one side of the street, the houses are very close together, the garage in the house that we looked at could not even house one car.

So some builders are building houses where cars cannot even fit in. They look like a double-car garage, but you get in there and it's not long enough and especially if there's a furnace there and a water heater, a regular size car unless you've got a Smart car or something doesn't fit into the garages, therefore they're having to park in their driveways. It was a nightmare.

I do not understand how this can be a higher quality of living. It really was a little rat race in there. And I see it more and more and these houses that are really built very close to one another, and I can certainly see the problem of emergency vehicles trying to get to either a fire or a medical emergency or something, but is it true that the competing interests aside from the economics of the developer and wanting to get rid of hard surface, what is the idea of having roads narrower? For you or staff or --

GOLEMO: Yeah. Well, the idea is to reduce the amount of impervious surface. And I don't disagree with what you're saying, I agree with about everything you just said, and I don't, although that's what's being brought down and mandated, it's probably not what the consumer demand is and I think everyone's version of the American dream is a little different.

QUTUB: Yeah.

GOLEMO: And some people that might be there verse and they want to live in a townhouse downtown, other people want to have a yard and a little more space. So I agree with what you're saying and I think there has to be some variety.

We didn't settle on what the Department of Ecology wanted us to do with our road standards, we didn't do that. We looked at compromise and trying to balance all those competing interests, trying to provide for eliminating parking in some areas, to allow for low impact development techniques so we could address the stormwater concerns, but we also left the roads the current widths they were.

Actually there's another sketch I was going to put up on the display here which shows under these new road standards what would be allowed and how the competing interests are served and actually when low impact development techniques are used and placed directly across, it provides a 20-foot passing area even on the lowest classification of road because there's the 20-foot clear in between, where when cars are parked under the current standards you might have a 12-foot clear space, but by incorporating this, sure, you're cutting down on some of the parking but it actually provides a wider section of road in that section.

So I could pass this around, too, if you're interested in seeing it. I was hoping to be able to put it up there.

DELEISSEGUES: Yeah, I'd like to see it.

GOLEMO: Sure.

DELEISSEGUES: Any other questions? Okay, Eric, thank you very much for your testimony, appreciate it.

GOLEMO: Thank you.

DELEISSEGUES: Does anybody else in the audience wish to testify on this? We'll return it to the Planning Commission, then, for deliberation. And what we're going to do is we'll go ahead and vote on 40.350.030, street and roads, and then we'll move on to the next one and vote on it separately too, the grading issue, so we won't put them together.

BARCA: Mr. Chair, there are Department of Transportation requests specifically about 40.350.030, are we going to take those into account or are they separate votes?

DELEISSEGUES: Well, I would hope that whatever we come up with we would certainly want to take into account their concerns because for example Footnote 3 to Table 40 where it almost looks like an encroachment permit that the Washington State has requirements for encroaching on their right-of-way.

SCHULTE: And, Commissioners, I believe staff is very respectful of everything in the Washington State DOT letter. It doesn't really change any code language from what we can tell, but we're very supportive of everything they say in this letter.

BARCA: So the correspondence February 23rd calls out some specific items in which I think they are requesting language changes. We can go through them specifically or we can just go with a motion that says you accommodate the Department of Transportation requirements if staff has no --

SCHULTE: It's our intent to do just that, is to fully comply with this letter.

BARCA: Okay. So when we get to a motion is everybody comfortable just including it in that fashion?

WRISTON: Given the weight that the Commissioners give the DEAB, I'd be curious. Eric, have you had a chance to review the letter?

GOLEMO: Are you talking about the WSDOT letter?

WRISTON: Yeah.

GOLEMO: Yeah. I didn't see any issue with the WSDOT letter. It seemed pretty standard.

BAZALA: The reference to Footnote 3 in there that they said has been removed is actually in the table so that is already there.

WRISTON: Okay, thank you.

GOLEMO: Yeah, I think they were commenting mostly on State highways where some of those wouldn't apply like the head-in parking, didn't have any problems with what was in that letter.

WRISTON: Thank you, Eric.

DELEISSEGUES: What do you call your chart here? Is there some way we can refer to it if we want to?

GOLEMO: You can have that if you like, add it to the record, I can get more copies. That was just an example of integrating low impact development into the current County road standards and a lot of the work that were in reference to that chart throughout and the standards that we ended up with this type of design would be allowed under the new code where it wasn't previously allowed.

SCHULTE: That's correct. These proposed code changes would support that kind of development. What's unique with that development is that would be one individual developer coming in with a very large subdivision. We don't always have that situation.

Sometimes we have just ten lot subdivisions. So this code needs to work for the smaller subdivision that comes in piecemeal and maybe just as a half width one-side road and the larger subdivisions, but staff supports this kind of integrated approach also.

GOLEMO: One thing on that diagram there it actually has three different road classifications so it wasn't a real development per se, it was an example of how LID could be integrated into three different road classifications while maintaining fire access and providing for parking and again balancing all of those competing interests.

DELEISSEGUES: Yeah, it's too bad the fire people weren't able to take a look at this, they might be able to reach some kind of an agreement here on how we could accommodate all the different desires we all have, parking, rain gardens.

BAZALA: And one thing I might add is that the County has made revisions, tried to address some of the issues that are created by very narrow lots in the circumstance where you're saying where there's a one-car garage, we're now requiring two and a half spaces per lot and those spaces can be in a garage, driveway, on the street, in common areas.

We haven't seen any developments come in under those yet, but we're hoping that the most egregious examples of over-parked neighborhoods will be vastly improved from those new narrow lot standards.

WRISTON: Could you repeat that, I'm sorry.

BAZALA: So in Batch 2.b we created the narrow lot standards --

WRISTON: Right.

BAZALA: -- and we've increased the parking requirement for town homes for example from one to two and a half and so applicant needs to demonstrate that they're having at least two and a half parking spaces per lot and those spaces can be either if they have a two-car garage on the property, then they would meet those parking requirements, they have two in the garage, two in the driveway.

The setbacks in the County code always require 18-foot setbacks so you always have an 18-foot driveway in front of your garage so that's an automatic parking space.

MORASCH: Yeah, I remember when we did that, that was pretty recently, wasn't it?

BAZALA: Yeah.

MORASCH: Last year or something?

BAZALA: That was about a year, a year and a half ago.

BARCA: Pretty recently, a year ago.

DELEISSEGUES: That's recent.

MORASCH: That's recent in my book.

BARCA: Institutional memory.

BAZALA: Right. And like I said as Mike Mabrey had said before at one point we had considered requiring a 32-foot wide street for those instances where we do have narrow lots and I think staff is still willing to go with that in the most dense cases, at least that would give four feet more of working area between parked cars if there is no actual (inaudible) space that exists on it given the site.

BARCA: I have a different question for staff if I can broaden the discussion. At our work session we talked about trying to develop numbers for residential development that would talk about tangible impacts of going with a sprinklered design, did you guys work on that?

BAZALA: For dollar amounts?

BARCA: Yeah.

BAZALA: My recollection is that Jon Dunaway said about \$3,000 per unit, per standard home, is what pretty much what it would cost per unit. Is Jon here now? Is that correct, Jon?

WRISTON: "Standard home" being?

BARCA: Yeah, what's the definition of a "standard home"?

GIZZI: Well, he had a number per square foot, was it 61 cents or something. I can't remember what it was.

DUNAWAY: Yeah, good evening again, Commissioners. Jon Dunaway, Fire Marshal. The national standard for sprinkler installation in a new home is about \$1.61 a square foot, per sprinkler square foot.

DELEISSEGUES: How much?

DUNAWAY: \$1.61. So if you got a 2,000-square foot living space in a house, we're looking at like you say about \$3,000 for that in advance.

DELEISSEGUES: Thanks. Anything else?

BARCA: Well, I wanted to get that number on the record for the discussion about an alternative proposal so I thank you.

DUNAWAY: You're welcome.

DELEISSEGUES: Well, we returned it back to the Planning Commission for deliberation. We'll start the other way. Valerie, you're up first and weigh in.

USKOSKI: Well, I guess I have a few things on my list. When we were talking about like cul-de-sac lengths in the urban area, considering we're not looking at reducing the width of the roadways and the local access, that we're going to maintain that 12-foot way that's proposed, I understand cul-de-sacs can make it difficult, but we are limited in length to 600 feet which also reduces the number of homes that can be served off of that cul-de-sac.

And even when you start looking at like the lengths of the hoses on the trucks that they have available to get to a fire or whatever that emergency is, I think we have hydrant spacing requirements in code for a reason and if those aren't adequate I think maybe we need to look at changing hydrant standards rather than stating that that roadway isn't sufficient and looking at changing the road standards based on something like that.

And then you combine that with the 10 to 12 percent that you're seeing that are actually fire responses where they're going to need to put out the truck, I understand that when you need to put out for the ladder truck, you need to do it and you need that work space, but when that's 10 to 12 percent like it's been stated, then it's a balancing act and where do we fall.

I guess right now I'm in support of maintaining that minimum 12 foot and I don't think there's enough there for me to be convinced that we need to increase that from where it is now. That's pretty much all I have at this point.

DELEISSEGUES: Steve.

MORASCH: Well, there are a lot of competing interests. I guess I'm coming down in favor of the staff proposal because I've been convinced by their chart here that shows safety versus street width and we have recently amended the code to significantly increase the requirements for off-street parking on developments and so I think keeping the current width that we have and allowing the staff to have some flexibility to remove parking off one side of the street. If they see a problem, then that would give the 20-foot width where there's an identified problem.

So given all the pressure we're getting from Ecology to make things more narrow and with their new LID permit that Ecology's got out for draft comment right now, and these pressures from Ecology are only going to get worse in the future, so I guess I would support the staff proposal.

QUTUB: I would say that one concern that I have is sort of this backwards way of dealing with if there's a problem, then we'll change the parking. I would agree with the gentleman that spoke about the fact that you should look at that first.

And it's unfortunate that the fire department wasn't able to give actual statistics on some of the places that have created problems for them in getting to emergencies, and I can see why they would be going to law enforcement instead of coming to the County because at

some point it's pretty hard after the fact to change things and that's why I see some problems with the narrowness of the streets and parking on both sides.

I know that the Department of Ecology is trying to narrow everything and the comment of different people have different ideas of the American dream and I think there are a lot of people and the powers that be right now that their dream is that everybody get on a bicycle and ride to work and there shouldn't be so many cars and so because they don't want cars, this effort has created to make it a real hassle to get around.

But I wouldn't be ready to make any amendments at this point to change that width. I mean I'm listening and I want to do what's right, but I understand that for the others, as Steve said about this chart, there's safety, certain safety.

I guess that's my comment is that we should try to address some of these issues beforehand and not after the fact, take people off of the street parking because there will be difficulty finding places for those cars to park. If they're on the street now, they're on the street for a reason, not because they got the driveways and the street full.

DELEISSEGUES: Ron.

BARCA: Well, I think it's really important for us just to remember we're not narrowing the road, this is our standard right now, and we're facing the 10,000-pound gorilla of Department of Ecology and dealing with stormwater is a direct expense to any development and it gets passed on to the consumer in one form or another.

So I'd like to work with the fire department proposal about the idea of considering keeping the same standard but going with sprinklers for new construction. I think it's a reasonable compromise and I suspect, especially the way that the last stormwater change came down from Department of Ecology, that this would be a much more palatable expense than it's going to be to try and retain all the extra stormwater from impervious surface. So I would put that forward as perhaps a reasonable compromise in the context of safety dealing specifically with fire and see if this meets the needs.

GIZZI: Well, I clearly see the competing interests, but being forced to queue when parking spaces aren't available and the concerns about high-density development and parking on both sides of the streets just has me concerned and I think we would probably build frustration in people that were forced into a situation where they can't pass on their own street.

Then if we decide that fire trucks can't get in there and we eliminate parking on their side of the street, I can't even imagine what that would be like if that were my house and I was told I can't park in front of my house. So I understand the competing interests but I've got some concerns.

WRISTON: I think it's time we shoot the 10,000-pound gorilla with a tranquilizer and send it back to Africa and for anyone that doesn't --

MORASCH: Is that a motion?

WRISTON: That's the motion.

QUTUB: I second it.

WRISTON: That's a motion. For anyone that didn't get that, that was my disdain for some of this stuff that is coming out of Ecology right now. They are not taking into consideration these conflicting issues that will continue to face us.

This is one that I actually didn't even think about until it came up in front of Planning Commission recently. I thought of it purely from a development standpoint in the fact that you're going to potentially lose on a commercial, industrial or residential, especially commercial, industrial, perhaps half your land to stormwater.

Now when you add road widths, fire sprinklers, things like that, I mean it starts to become a real problem. I wish there was a way that until we can shoot that gorilla with a tranquilizer that we could sit down and come together with a reasonable standard that would meet all demands.

I thought that the exception on the roadways that were causing problems was a reasonable one, although I agree with Eileen now, how do you find that reasonable until you have a problem. And I'd hate that problem to be anyone's family.

So I don't know really where to go from here. I don't know. I don't know that I have a vote. I almost feel like some of the testimony from the fire department and the fire officials tonight versus what we had earlier tonight seemed a little off-the-cuff, and maybe I'm wrong, but it seemed like some of it was more short notice. Am I wrong on that? Has this been in process as long or longer or --

BAZALA: Yeah, it's been in the process for four months.

SCHULTE: Well, this issue has been known for a number of years now. It became more discussed as we moved into this particular Batch 6 project, it continued to be discussed for the last nine months, and simply we knew going in it was going to be the one most difficult to resolve and it is still unresolved, there are simply very different competing interests here.

WRISTON: Yeah. Well, I completely agree with Commissioner Qutub -- did I pronounce that right?

QUTUB: Yes, you did.

WRISTON: Thank you. -- that in a utopian world they would all like us to ride our bikes and shop two doors down and work one door up. I'm not getting anywhere with where I'm going because I am completely, I really do, I have a family, I don't want to see them put in jeopardy.

Obviously when you have fire professionals come up here and give an indication that you can be putting your family into jeopardy, that carries a lot of weight. On the other hand, when you have issues of quality of life and whether or not we can actually do this, actually make this work on the ground in Clark County, there's no quality of life there either if my kids can't afford to live here or build a house because they got to put in sprinkler systems and their developer has to widen the roads and do all these different things then, so I'm confused. I don't know where to go.

DELEISSEGUES: Well, my turn.

WRISTON: How's that for a --

DELEISSEGUES: That's good.

WRISTON: Thank you.

BARCA: Thanks for being concise.

DELEISSEGUES: Yes.

WRISTON: Thanks for being concise. I am sorry.

DELEISSEGUES: Thank you for your advice on the gorilla too, that's good advice.

WRISTON: Yeah. Well, that gorilla needs to be shot.

DELEISSEGUES: Well, for full disclosure I'm a fire commissioner for Fire District 3, and I want that on the record, but I think these competing interests are not all the same, you need to prioritize those competing interests and one of the highest priority would be life safety.

And I agree with Jeff, you don't put people in jeopardy because there's a competing interest supposedly for somebody riding a bicycle, you have to weigh those, you have to come up with which one's the most important and which one's the least important and weigh those. Any engineering analysis would weigh the benefits and the cost in an analysis and it wouldn't be very long for me to decide that life safety would be the highest and most useful purpose for access.

This business that Eileen was talking about the parking, you might have a two and a half car garage, but I can guarantee you in the new houses that they're building there's no storage, the storage area is the garage, there's no parking in the garage, you can forget about it. I would give you 50 bucks almost for every house you can find that even has one car in the garage.

This business about we're not narrowing the roads, we're a planning commission, we're supposed to be looking ahead, we're not supposed to be looking backward and saying,

well, this is the way it was done ten years ago so we're not changing that, so what's the problem.

Well, until they can put a fire rig on a bicycle or a Smart car we need to deal with the way things are right now and look into the future about what we want to have in our future developments and what we want in our future developments in my estimation would be a safe living environment.

That safe living environment would include absolutely access by emergency vehicles to every doggone unit in the subdivision and barring that you don't have a safe environment. I don't think the realtors are going to run around and tell you that when they're selling the house that a fire engine couldn't get to your house and if they did I don't know how many houses they would sell.

But if that's the fact we need to recognize it and we need to deal with it and we need to have access that's adequate and in my mind some of the proposals we've got on these charts is not adequate, it's just as simple as that. And if we're not willing to deal with that, I don't think we're much of a planning commission. So does anybody have a motion?

BARCA: Wow. Ouch.

USKOSKI: Well, I guess I have just a little bit of a questioning for staff and comment in general looking at parking on both sides of the roadway. What are the parking standards that would allow parking between driveways, they have to maintain a separation from that driveway and from intersections and from cul-de-sacs, like they can't park within, how much parking does that leave on average within that 28-foot roadway?

Is it typically you're going to find a lot of violations so to speak within that area that you're really limited down or by the time that you take all that into account you don't have much parking left on the street that's legal parking?

SCHULTE: The County standard is you can't park within five feet of the curb return of a driveway. So when the driveway arcs out and hits the tangent of the curb, the straight run of the curb, you can't park within five feet of that.

The thing we spent the most time on over the last nine months was this issue of the parking and how do we provide adequate queuing spaces, given the demand for rain gardens and parking spaces that would be filled we needed to leave vacant parking spaces, we needed to leave driveways to make the queuing work. If you remember Goal 6 was all about making neighborhood streets work and that's all about queuing.

We did a number of analyses, that was the most technical work we did, and we came away with these three numerical approaches for providing adequate parking of which a portion would be queuing or unfilled spaces. That was by far the most technical thing we did. We spent a lot of time because everything in Goal 6 and Goal 7 is predicated upon there being adequate queuing space.

Actually we started with a neighborhood street with no parking on it, but we decided that wouldn't work because vehicles had to park somewhere and they'd simply park on the street in the travel lane. And we then went to the concept of one-sided parking and we decided that there's simply too much demand for on-street parking, we backed away.

So the only standard we're bringing forward is a two-side parking arrangement and that gets us those street stalls we need and that's probably the only way that we think we can make queuing work is to provide lots of on-street parking that will allow those queuing spaces for driveways and unfilled.

BAZALA: And as for the amount of parking you have on the street depends a lot of the lot, the width of your lot. I mean the code allows lots down to less than 30 feet for these narrow lots, but we've tried to adjust that by having a development have additional parking someplace.

Whether they put it in an off-street parking area, that's one way, two-car garages with two-car driveway widths in front of them, that's another option. But clearly once the lots seem to get over 50 feet there generally seems to be more on-street spaces to park, but it does depend on how the driveways are laid out.

I mean if driveways are laid out right next to each other that's typically a good thing because the abutting driveways can create a queuing space because hopefully people aren't parking in front of their driveways. But if the driveways are not spaced optimally, then you can end up with a space that's not quite long enough for a car and so essentially it's a waste.

So some of the provisions we tried to accommodate in the code when we were trying to figure out how many curb extensions we could allow of a percentage of a block. One of the methods we used was to allow up to 25 percent of a block to be used with a curb extension, but then the applicant needs to demonstrate how they're going to provide passing opportunities on that block and that might be by dictating shared driveways on a plat, but we could be open to other suggestions.

So basically if a developer would show us their street layout and how they would provide some queuing spaces, that's one way to allow more of the street to be used up in the rain garden concept. It's difficult, you just can't clearly say a lot has to be so wide unless you start dictating the locations of all driveways and we like to give the developer that option to show us where he wants to put his driveways but not everybody's going to want to do that.

USKOSKI: So do we maybe need to look at what our parking standards are for some of the other areas too in recognition of the fact that most garages you can't count on a two-car garage having four parking spaces, that that's just not today's reality overall, that maybe we need to look at that end of how we're counting things and how that impacts our street parking?

BAZALA: Well, that could be. When we looked at the different jurisdictions the City of Kirkland has 24-foot wide streets with parking on both sides, they have a really narrow

travel lane, but they have a 20-by-20 foot parking pad requirement that they have to have on each lot.

So whether we want to start requiring additional parking in front of the house in addition to anything that's in front of the garage, I don't know. I mean it might solve a problem. It may not be the most attractive thing in the world either, but there are various ways to skin a cat.

DELEISSEGUES: I thought Ron had a good idea, but I'm not sure I am expanding on his idea or whether he was including it as an option, but to sprinkle it or provide the width of the road. I don't know if you just wanted to sprinkle it and forget about the road or the developer would have the option of the narrower road.

Here's what I can't do, I can't envision a fire truck coming down the road where you've got this queuing and there's a car parked on either side of the road and they meet another car coming head on, now what's supposed to happen there. Is the car coming head on supposed to back up until he can find a spot to park?

BARCA: In a driveway, yeah. That's what happens.

DELEISSEGUES: What if you panic, like you're saying, a driver doesn't know what to do, you got fire sirens and red light going and the whole works and he just sits there.

BARCA: Then they'll end up in a stormwater garden.

DELEISSEGUES: Well, no, it's real, it's a case scenario. What if there was parking, people have boats, they have RVs, they have all kinds of stuff, and they've got all these toys, they've got trailers with Ski-Doos on them and what have you.

SCHULTE: And I think that hits the heart of the question and County staff wants this to work more than anyone else, but if it wasn't working we'd be hearing about it. If fire engines couldn't get through these neighborhood roads, we would be hearing about it and we're not getting these reports.

DELEISSEGUES: Well, do you want to hear about it?

SCHULTE: We would love to get the reports.

DELEISSEGUES: If you come up with these road standards, you are going to hear about it.

SCHULTE: We've had these road standards for years now.

DELEISSEGUES: Oh, I don't think so.

BARCA: These are the same road standards.

WRISTON: No, that's the thing, they're not changing the road standards; correct?

BAZALA: That's correct.

WRISTON: That's where I'm conflicted.

DELEISSEGUES: Yeah, me too. You sure are when you're narrowing the road.

(EVERYBODY TALKING AT THE SAME TIME)

QUTUB: Since are you talking about since 1999, is that the date?

MABREY: Even before that.

QUTUB: Yeah, I just know I live in a neighborhood where we have gloriously wide streets and dogs lay in the middle of the street, it is very safe, I mean. And that's my idea of the American dream, but then that isn't everybody's and I wouldn't want to dictate that to everybody, but it seems that we're being dictated to.

I mean even when it comes to safety and in reading this the fire marshal is asking for 20 feet, but if they can't get 20 feet, at 16 feet they will sprinkle, they recommend sprinkling the dwellings. Actually that was a question that I had, too, that Dave (sic) just brought up is that would the developer have --

DELEISSEGUES: Dick.

QUTUB: Dick. I'm sorry.

DELEISSEGUES: We're even now.

QUTUB: Yeah, we are, Mr. Chairman.

Whether the developer would have the opportunity to make the choice, do the math, decide whether he or she wanted to put \$3,000 into a sprinkler system of a home or widen the streets?

SCHULTE: I believe it would be a developer choice.

QUTUB: Either or.

SCHULTE: They could develop out a subdivision that had the wider streets with no sprinklers or they could go to the narrower streets with sprinklers. We certainly have an issue about longevity of that. If they built a narrower road, we'd need some assurances that those sprinklers would be maintained and be usable into perpetuity.

DELEISSEGUES: Well, the County's got all kinds of requirements like your septic system has to be checked by a licensed septic, you could do the same thing for the sprinklers. But I like that idea with the caveat that there would be a clearance there for two-way traffic

instead of this business of trying to play Dodgeball with the fire engine.

This queuing idea might be something that somebody dreamed up someplace that looked good on paper and made a name for himself, but I don't think in actuality put it out on the ground and let it work for a while that it would work.

And I think there's too many RVs and there's things that might not even fit in one of these spaces, that people have a 40-foot motor home that they paid \$700,000 for that you can see over at the Expo, what are you going to do with that.

BARCA: They won't park it on the road.

DELEISSEGUES: They won't park it up in the driveway.

BARCA: Right.

DELEISSEGUES: Well, anyway this is getting off the track I suppose.

BARCA: Yeah. I think we've had a lot of supposition about what if, but I think we can fall back on the concept that says this is the road standard, we're looking at it now because we're doing the retooling the code.

We have an opportunity to modify in a couple of ways. We can say that we want to go wider or we can say that we would like to require sprinkling at the existing standard or we could say we want to give them a choice, do nothing, sprinkle, go wider, I think that's really what's on the table.

We don't have data in front of us that says what has been in place has necessarily caused safety problems. We can all understand the scenarios that would take place, but we're working with this on somewhat of a supposition that if we keep the same standard, we're going to be jeopardizing the public. That makes for good TV.

WRISTON: Sorry.

DELEISSEGUES: Is Jeff helping you?

BARCA: I think he's okay now with the sprinkler system. So I'd like to make a proposal in the form of an amendment.

DELEISSEGUES: Is this a motion?

BARCA: No. I would like to take and put the sprinkling system into staff recommendation and make that as the motion, that we adopt the staff recommendation, the Washington State Department of Transportation correspondence and add sprinkling as a requirement.

DELEISSEGUES: Not an option, requirement?

BARCA: Well, I'm putting it in the context as a requirement.

DELEISSEGUES: I just want to understand that. Any comments or other suggestions?

QUTUB: I would just say that DEAB had made the suggestion also that the draft code be revised to allow parking on one side of a 24-foot partial width road improvement with a discretion to the fire marshal to eliminate parking as necessary. Because the 28-foot width does that, was that included in both sides in queuing?

SCHULTE: Yeah. The 28-foot width is the full both sides of the road is developed, the 24 width is just when one side is developed and that one side has to build a partial width road. So the 24 feet is a partial width road, the 28 feet is where both sides are developed.

GIZZI: But you call it a partial width road but there's 16 feet of travelway on the partial width road and there's 12 feet of travelway on the fully developed road; correct?

SCHULTE: Right now if you've got a developer building on one side only, the other side is vacant field, they have to build a 20-foot wide road. That's the County minimum standard. But under this a developer could say I want to build 24 feet and I would like parking on that one side.

GIZZI: Understood.

SCHULTE: So that's how they can get parking on one side for these partial width roads.

QUTUB: Right.

USKOSKI: So, Ron, I have just a quick question. Is there another option that we could look at as far as adopting staff's recommendation all inclusive of the different items and then recommend going forward that we definitely need to revisit this life safety issue with fire widths and the local access width for that issue?

BARCA: I think the way that it works is since there's a motion on the floor either it's seconded and we can discuss and amend or it doesn't get seconded and then it fails.

DELEISSEGUES: But there's no motion.

GIZZI: I didn't hear a motion.

WRISTON: Well, wait a minute.

BARCA: I thought I made a motion.

DELEISSEGUES: Well, I thought you said you were suggesting something besides a motion. I asked if you were making a motion and you didn't say yes. Was that a motion?

BARCA: Can you read that back to me. No.

WRISTON: I thought -- oh, my gosh.

MORASCH: I heard him make a motion.

BARCA: Yeah, I'm pretty sure I made a motion.

WRISTON: Don't get me started on (inaudible). I thought can we ask a question on motions?

DELEISSEGUES: Sure.

WRISTON: Okay.

BARCA: Do you want to second it first?

WRISTON: I can't ask a question on a motion until it's seconded? I'm not going to second it.

DELEISSEGUES: No, you can ask a question on the motion, make sure the motion's clear before anybody decides whether or not to second it.

WRISTON: No, it's not a question on the motion, it's a general question.

DELEISSEGUES: Jeff, ask.

WRISTON: DEAB's recommendation that Commissioner Qutub I think just brought up or someone just brought up to allow parking on one side of a 24-foot partial width road improvement with discretion to the fire marshal to eliminate parking as necessary did we hear clear testimony from the fire officials present as to whether that was acceptable or not?

DELEISSEGUES: No.

QUTUB: No, we did not.

DELEISSEGUES: They didn't have that advisory letter from DEAB I'm sure.

WRISTON: So I guess before I could vote on the motion, I would want to hear comments because it's the fire officials that are here tonight that are scaring me to death and I would want to hear some comments from them on whether that's a reasonable accommodation.

BARCA: Let me be clear for a moment, that wasn't in my motion.

WRISTON: I don't believe this, you're going to get me going again. I'm not going to do it.

MORASCH: Well, Jeff, the testimony I heard was they wanted 20 feet, so 24 with 8 foot of

parking would not be adequate unless they had sprinklers which would give them 16 feet which was basically what they were asking for, 16 feet with sprinklers, 20 feet with no sprinklers.

But remember the 24-foot width that's only for a half street improvement where you've got a field on the other side of the street, that's not the general condition throughout the county, that's a temporary condition.

WRISTON: That's a temporary condition, okay. Thank you.

DELEISSEGUES: So where are we? I'm not sure. I did lose track of the motion.

WRISTON: Oh, Ron, remember Ron was --

BARCA: I can say it again just in case you weren't paying attention.

DELEISSEGUES: Please. I was misled. I thought you were not making a motion.

BARCA: Okay. So my **motion** is to adopt staff recommendation and the WDOT correspondence concerning the road width standards with the addition of sprinkling for the residential development as a requirement which is the question that you asked at that time.

DELEISSEGUES: Discussion on that before? Is there a second? Well, for purposes of voting on it and finding out where we are, I'll second it.

BARCA: Let's do some discussion.

DELEISSEGUES: Discussion on the motion? If none, roll call.

### **ROLL CALL VOTE**

BARCA:	AYE
GIZZI:	NO
QUTUB:	NO
MORASCH:	NO
USKOSKI:	NO
DELEISSEGUES:	I ABSTAIN
WRISTON:	NO

DELEISSEGUES: So all of those who voted they're not happy with that motion. Would you care to make another motion that you might be more pleased with?

WRISTON: Can I ask --

WRISTON: Gordon.

DELEISSEGUES: Gordon.

BROOKS: Gordon Brooks, Fire District 10. You're specifically talking about the half width proposal for the future development, the 24-foot road, parking one side with fire marshal approval?

WRISTON: Yeah, I believe so. I mean DEAB's letter is pretty short and sweet but it talks about moving to recommend --

BROOKS: My understanding is what they're talking about is where you're developing the land on one side of the roadway --

WRISTON: Right.

BROOKS: -- and the developer that's developing that land and leaving the land on the other side of a future roadway undeveloped to be built by the developer of that future development, speaking from my opinion and my understanding of that I have no problems supporting that because what we're talking about is a road that is the additional parking, the additional roadway width would be built by someone else to meet the category of the roadway. We're talking about a road that at the time we're looking at it we don't even know what kind of road it's going to be.

So it's a limited use, limited development, you're going to have a hay field on one side and houses on the other and I think it's a minimal impact.

WRISTON: So we potentially agree on that, but between the fire community and I guess DEAB we don't necessarily agree on the County road standards as they're set today, is that --

BROOKS: Specifically the local access roads we don't --

WRISTON: The local access roads.

BROOKS: I can live with not agreeing with them, that's fine. We have different points of view, we have different reasons, and there are competing interests, stormwater, access, livability, bike communities, planting strips, there's so many things, and I'm speaking from my point of view.

WRISTON: No. And I know Eric can be pretty reasonable. Is there any way that you guys could sort of come together and bridge this gap or do we have to just make a vote, Eric, in your mind?

GOLEMO: I had some other pictures I was going to put up and I had an example of a 28-foot roadway with no problems and a 28-foot roadway with a problem. I had two examples, one was in a neighborhood with about 50 to 60-foot wide lots and one was in an

old neighborhood downtown Vancouver that had very few garages even and everyone parked on the streets.

So I had some pictures that kind of explained the situation. And it's not something that you have everywhere, it's something from driving through the community and trying to find this problem it's something that you have in select locations.

And one thing that we talked about was giving the fire department the authority to say you know what, this here is a problem area and in this area we need to limit parking on one side or something like that. And there's examples of where I can show you, I wish we could see the pictures on the display, but it's not a problem everywhere. But I could pass it around if you'd like.

WRISTON: I guess what I'm trying to get at is there a compromise here that before we go voting sprinklers in every home --

BROOKS: I don't know that we could reach a compromise tonight.

WRISTON: No, not tonight.

BROOKS: Okay.

WRISTON: I'm wondering --

BROOKS: I think that there is room to compromise, I think that there is a way to work it out, but we haven't gotten there yet.

WRISTON: I'm not asking tonight.

BROOKS: Thank goodness, it's passed my bedtime already.

WRISTON: Could we pass it back?

DELEISSEGUES: That's an option.

WRISTON: Requiring fire sprinklers, I know they're great but it opens up a whole other can of worms for me.

DELEISSEGUES: Well, it's more regulation.

WRISTON: Well, it's not more regulation, it's more there's maintenance of them, I think there's testing, aren't there? I don't know.

BROOKS: There's significant differences between the fire sprinklers that most people are used to in commercial construction and what they put in modern residential construction. Generally those are designed as part of the plumbing system. If you have a problem with your sprinkler, you end up with a toilet not flushing too. And so they're kind of

self-regulating. Where you have an issue, they're a little more difficult to retrofit, but where you plan for them ahead of time --

BARCA: Right.

BROOKS: -- the cost, with the numbers that Fire Marshal Dunaway gave are current numbers, we're seeing those trending downwards over the last five to ten years. The cost for residential fire sprinklers has gone about half what it used to be. So as we do it more, we're going to see the cost continue to go down.

They're looking at new technologies in plumbing to make those work. My 2002 house was built with PEX tubing instead of hard plumbing, that's very adaptable to fire sprinklers and it's a newer construction method. So I think that long-term we're going to see a greater and greater trend towards sprinklering as a life safety issue, but that's really not where we are now.

BARCA: 2500 bucks for a 1600-square foot.

QUTUB: That's a lot.

BARCA: 2500 bucks.

QUTUB: That's a lot per unit.

BARCA: I'd say it doesn't seem like too much.

WRISTON: No, it's not --

BARCA: Wait until you see the DOE.

WRISTON: -- that's not a very big unit. But, anyway, I guess I would make a motion. Can I make a motion?

DELEISSEGUES: Why not.

WRISTON: Or do you want to make a motion? Steve, go ahead.

BARCA: She was in the middle of one.

MORASCH: Valerie was in the middle of a motion when you jumped in to bring more testimony up.

WRISTON: Oh, sorry.

DELEISSEGUES: You'd think the Chair would be on top of this whole thing.

WRISTON: Sorry. Missed another one.

USKOSKI: My **motion** was going to be to accept staff's recommendation with DEAB's amendment but also recommend that we take a look at these local access roads to address this life safety issue with fire.

BARCA: As a separate work agenda?

USKOSKI: Yes.

WRISTON: Which would potentially include fire sprinkler systems if needed or whatever I mean.

USKOSKI: They would look at the fire sprinkler systems for the reduced roadways, if that was feasible, if we need to increase that from a 28 to a 32 look at what our options are based on what some of the real data is out there, if they can collect that and try to come to a compromise like Gordon was saying he thought we could eventually get there, just not tonight.

WRISTON: Economic viability --

USKOSKI: Yes.

WRISTON: -- things like that. I know you can't put a number on life, but...

BROOKS: But you can compare that to the cost of building more pavement and putting more drainage.

WRISTON: Exactly.

BARCA: Yeah.

WRISTON: Exactly.

DELEISSEGUES: And you can compare that with the risk.

MORASCH: Well, you got to compare it to auto accidents too. That's one thing we're not really talking about a lot is that wider streets lead to more auto accidents.

USKOSKI: Which means they have to drive down our road more.

WRISTON: We could have a new governor by then too.

MORASCH: Anyway, **second** the motion.

(EVERYONE TALKING AT THE SAME TIME)

DELEISSEGUES: Well, Holley, you're pretty good at straightening them out if they get

crossways with you.

MORASCH: I'll say that again, second the motion.

DELEISSEGUES: So there's a motion on the floor that's been seconded. Any discussion on the motion?

GIZZI: I'll need someone to tell me what the motion was, I apologize, but I was out.

DELEISSEGUES: Well, I couldn't do it. You'll have to say it again.

USKOSKI: The **motion** is to accept staff's recommendation with DEAB's amendment and that we revisit these local access roads for life safety issues regarding fire in a different session or under a new workshop item and look at the economic viability of sprinkling with reduced roadways or do we increase those roadways, look at what our options are, some of which I think have been discussed tonight and I think there's probably some other options out there that we could get to to where we would all agree and feel comfortable with providing the fire access and those other things.

DELEISSEGUES: Discussion?

GIZZI: Well, I'm hesitant to accept the recommendations as they are before we've had the discussion I guess is my -- I'd like to see the financial implications and the life safety studies and the quality of life arguments before I said that this was okay.

USKOSKI: And I understand that and I would normally agree if we were proposing to reduce, but we're not proposing to change that standard as it stands today, we'll maintain the standard we have today in going forward looking at --

GIZZI: Oh, maintain the standard we have today --

USKOSKI: Yes.

GIZZI: -- not the standards in this package?

QUTUB: It's the same.

MORASCH: The same standard.

DELEISSEGUES: Well, point of order here.

GIZZI: Now wait a minute.

DELEISSEGUES: We've got a motion on the floor that's been seconded. What you can do is vote when we call roll and you can discuss why you either agree or disagree. That's the kind of information the Commissioners need to hear is why you are supporting it or why you are not supporting it when you vote. So you've got that option, but we're going to

go ahead with the motion and a roll call, please.

**ROLL CALL VOTE**

USKOSKI: AYE

BARCA: AYE

QUTUB: AYE

MORASCH: AYE

GIZZI: NO

WRISTON: AYE

DELEISSEGUES: NO and I think the options are either sprinkler it or provide two-way access on the road.

BARCA: Then why did you vote no on mine?

DELEISSEGUES: I would have voted "yes" if you would have had that other option, see, that's why I was asking.

MORASCH: He didn't vote "no," he abstained.

DELEISSEGUES: Oh, Jim, would you care to elaborate why you voted "no"?

GIZZI: Well, I'm not exactly sure I understood what was being said because it said that what we're agreeing to and what the motion was was to leave things as they are and I asked if that meant we're not approving staff recommendations and then the statement was made but that is what we currently have so I'm a little confused in how what we currently have can be what's in here so then why are we talking about it. If this is exactly what we already have, then why are we talking about it.

So my argument is what staff is recommending is not exactly what we already have, it's a concatenated list of what we already have and I think that accepting what we already have given the passionate testimony we've heard from the fire service would be a disservice to our constituents. That's just the way I feel.

DELEISSEGUES: Anybody else want to -- go ahead.

QUTUB: Actually I just would like to say one thing. I thought the motion was is that we're taking up again in a different work session ideas for how to recommend or change or deal with this fire life safety issue and passage on a road whether it's looking at sprinklers and the cost of that and various other things. So until we've decided that I would think that what we've just proposed is to kind of hold off on --

GIZZI: Hu-huh, I don't think so.

QUTUB: Well --

DELEISSEGUES: See, that's the question.

BARCA: Yeah, staff recommendation is to approve and that's what we did, we just approved it.

DELEISSEGUES: Whether you like it or not.

BARCA: So it will be on our work statement in the future, 2013 or --

QUTUB: Oh, no. Well, then I will change my vote to NO.

BARCA: Fine.

QUTUB: It may not make a difference.

DELEISSEGUES: Is that the end of this topic?

WRISTON: Can I ask a question?

BARCA: About this subject or a different one?

WRISTON: No, a rule of order. Can I ask?

DELEISSEGUES: Yes, absolutely.

WRISTON: Once you have a second isn't there a discussion on the motion or no? Do you have no discussion on the motion?

GIZZI: We had discussion.

DELEISSEGUES: There is.

BARCA: He had asked for discussion.

WRISTON: No, I know. But you kind of cut Jim off when he was trying to get a clarification from Valerie and Valerie was kind of explaining to him that that's the current standard and we got a lot of confusion because everything got cut off and we went straight into a vote. Had we discussed the motion I think we could have avoided some confusion.

DELEISSEGUES: Point well taken, you're right.

WRISTON: Yeah. I just I think Val was trying to explain and things got cut off.

DELEISSEGUES: Yeah, I guess I didn't understand that that was what, you know, I thought he was --

WRISTON: Yeah, this one's been a tough one.

DELEISSEGUES: I thought he was explaining how he was going to vote and he could have done that when he voted, that's where I was coming from.

WRISTON: Yeah, it's been a tough one.

DELEISSEGUES: But you're probably right. So where are we? Are we done with 40.350.030?

MORASCH: What's the vote count?

DELEISSEGUES: Thank you. Thank you everybody for coming and testifying on this.

MORASCH: We need to check the vote count on this.

QUTUB: 4 to 3 and it passed.

BAZALA: So we're still left with the revisions of the grading code, the last item.

DELEISSEGUES: Yes.

MORASCH: Well, we should double-check the vote count since Eileen changed her vote.

QUTUB: She needs to stop for a minute because of the computer. And I did change my vote, so what is the vote count and did it pass?

GIZZI: 4 to 3. It's 4 to 3 and it passed.

QUTUB: 4 to 3 and it passed, it's just a simple majority.

(Pause in proceedings.)

DELEISSEGUES: We'll resume the Clark County Planning Commission and we're going to go to grading, excavation and stockpile. Is there a staff report?

BAZALA: Yes. And just as a reminder you'll be looking at the revisions to Attachment A.

STEPAN: Are we ready? Whoops. Good evening, Commissioners, it's 10:30 on a wonderful Thursday evening, later than typical, but we'll get through this. Due to technology problems what we've done is we've made some paper copies of a PowerPoint presentation. I just ran up the stairs, sorry about that.

DELEISSEGUES: Is this pretty much the same thing that we saw at the workshop?

STEPAN: Right. So what I'm going to do, this PowerPoint presentation is very much focused on the actual code language and what I'd like to point out is we had a work session two weeks ago and there were several items that you raised during the work session that we've attempted to address and I'd like to just highlight some of those as we

go through it.

I think as Jan has mentioned what we're doing is that we're getting ready to go to the Board of Commissioners' public hearing on April 24th so we will take any of your comments, gather them together into a staff report and have them at that hearing.

I'm going to streamline here less. When we met at work session, we talked about the goals of the grading code revisions, we talked about the importance of how the grading code is very much integrated with other portions of the County's development codes. Basically what that means is when the activity of grading happens on a site it's not just grading that we're interested in, we're very much also interested in stormwater, land use, wetlands, habitat, things like that.

So what I'd like to do is let's just jump directly into code language and it's Page 4 on your handout. And Page 4 on your handout talks about the Applicability section of the grading code, and this is also on Page 1 of the actual code handout that you have, so I think you received by courier or by e-mail kind of a yellow highlighted code document.

I've got the notes on the PowerPoint slide which page we're looking at in case you made any references to yourself, but one of the changes you'll see right up front, Section 14.07.020 is Applicability, this is primarily just a code writing change. Gordy Euler who was our primary code writer on this section recommends that we keep this simple, this section very short, and that there's a subsequent section that will have the text that used to be in this section. It looks like there was a lot of changes to this section but we really just moved everything to another portion of the code. So that's applicability.

Definitions, there were two changes. One I'd like to point to your attention is under Earth Materials and it is on Page 2 of the code document. The definition of "earth materials" there is an additional definition that's being added. This is upon request of our code enforcement environmental services staff who want to make sure that generally -- grading typically is regulated based on what we call mineral materials, earth materials, soils, and there's language in our code that exempts compost materials, soil amendments from grading regulations.

But what we've seen happen occasionally is that materials such as compost or bark can actually cause quite a few problems if they are put into drainages if they're in really large volumes, so this definition on earth materials is just meant to cover that situation when a property owner may do something egregiously inappropriate with compost or soil amendments so you may want to think about that, if you agree with that or not.

You'll also notice on Page 2 of the definitions that we did add the definition of "land-disturbing activity." I think that was a recommendation that your Commission had two weeks ago so we agreed with that and this is a definition that's consistent with what our stormwater regulations have.

Now we'll jump into Permits Required. This is on Page 5 of the PowerPoint presentation or if you want to look at Page 3 of your code text, either way, we'll talk about permits

required. Section 14.07.040, this is what I would consider the guts of our grading code.

This is primarily a new section but what we've done is we've combined sections from other places of the code, try to group the minimum requirements for grading kind of all in one place, so this is an important one for you to be comfortable with the text that's in here.

What I'd like to do is I'd just like to draw attention to a few changes that we've made to it. 14.07.040 which is on Page 3, Section A, General, Number 1 is the section of the code where minimum volumes that the regulations govern are stated and this is a change from what you saw two weeks ago.

Two weeks ago and when we met staff was proposing to separate out basically some differences between what is 50-cubic yards for regulations and 100-cubic yards as regulations. I think you had some questions at that time, not really grasping what our intent was but the difference between 50 and 100, and I think we heard you and we agreed that that wasn't entirely clear.

The proposal before you tonight is kind of a different approach to how minimum volumes are regulated and what we're proposing are kind of a, b and c, three different steps or three different tiers of volume regulations.

B is probably one I want to talk about first which is in a backwards order, but b we're recommending a split between rural and urban in terms of how volumes are regulated. What the code says is that all rural areas the minimum volume that would be regulated would be increased to 100-cubic yards across the board for all rural areas.

Then the question was for urban areas what should we do and what's being proposed is a lot size differential or I guess maybe I don't know discriminate for a threshold, that's the word, for areas for the 50 to 100 volume and what we're suggesting is that lots that are greater than 10,000-square feet could go up to the 100-cubic yard minimum, but if a lot is less than 10,000-square foot, the 50-cubic yards is what the regulations would govern.

GIZZI: Is this the 100 yards under the new definition of cubic yards as well then?

STEPAN: It is. We'll get to that, right. This is what staff has heard from some of our stakeholders and from our County Commissioners is is there a way to lessen regulations for grading and I think this is one of the recommendations that we have as a way of doing that.

Then the important thing is Section c under this section still talks about critical areas, so even though there may be a 50 to 100 split with urban and rural, any place where you are working within critical areas there still is a 50-yard requirement so that kind of trumps your location or your size of your lot. So any questions on that?

GIZZI: Just to clarify, basically this is a 400 percent increase in the amount of grading that's currently allowed?

STEPAN: I'm not going to do the math tonight, but it is a change from 50 to 100.

GIZZI: And then the 100 is counted only once instead of excavation and then as fill, if you excavate then fill on the same property that's just 100?

STEPAN: Right. Exactly.

GIZZI: Whereas current rules are if you excavate and then fill that's 50 of excavate then 50 of fill so it's a 400 percent increase?

STEPAN: That's exactly right. If the material is kept on-site, and we'll talk about that in a minute here, but you're right, it's a significant leniency of our proposed code than what we currently do. I think that's why that's actually an appropriate policy choice for you as Planning Commissioners if you agree with that or not.

BARCA: So a point of clarification that I think I need to make is in A.1.b, if we're going for the rural, then we should stay out of residential densities. If we're trying to include residential, I'm wondering how did you pick 10,000-square feet?

STEPAN: Right. Internally we debated that 10,000-square foot issue. I don't have the numbers entirely with me, but we started looking at how much ground area is 50-cubic yards, how much ground area would 100-cubic yards under kind of a typical depth and I guess it was our opinion that if you have a lot that's more than 10,000-square feet the 100-cubic yards probably is not going to be too detrimental if the property owners are smart about what they're doing.

I mean the reality of grading is that regardless of your lot size, if someone does something right on their property line, that's just dumb. It's going to cause problems. So we're trying to recognize that most property owners are doing good, smart things on their property and we want to provide some leniency for them, but recognizing that there's not a magic answer why 10,000-square feet is what's suggested here.

BARCA: Okay.

STEPAN: Item Number 2 under General is where the question about how volumes are calculated is being changed, we'll talk about it in words, we've got some graphics here that we can show you, but they're the same that we showed you two weeks ago.

Current code if you have a project site looks at the amount of your excavation and the amount of your fill and adds both of them separately to come up with the amount of volume that's regulated. So say you have a site that no material is removed, no material is brought back on, it's just cut from one area and moved to another area, we would count that cut area plus the fill area to get your total permit.

Many of our stakeholders felt that that was the double counting of material. That just because you have material here and it's moved someplace else many of our stakeholders felt that we should be looking at that movement instead of the amount on each site.

The proposal that's before you is changing the formula for how materials are calculated and it's based on the amount that's cut or excavated, but then it's only added the material that is just hauled in from like an off-site source. So we don't count it twice if the same material is moved on-site, but we will add any material that's brought in from someplace else and that's the proposal and that's the exact example where this volume calculation change coupled with raising the 50 to 100 could result in a large percentage increase.

GIZZI: Four times, yeah.

STEPAN: Right.

GIZZI: So what is the cost of a grading permit, roundabout I mean?

STEPAN: What we do is that our grading permits are based on we have an engineering review and then an inspection review process and our grading permits are actually tiered based on the amount of material that's being moved. Let me see if I have it here. Actually I do have that here.

GIZZI: No ballparks? 900 bucks?

STEPAN: I'm really bad about doing numbers from off the top of my head. I guess I don't have it, but, oh, it doesn't tell me. But generally I would say this is a dangerous way to say it but it's probably between 5 to 100 to \$1,000 for the low end permit and then it goes up from there.

The reason I'm drawing a blank we just changed our fees a few weeks ago so they're really fairly fresh yet. Oh, there they are. Yeah. Thank you, Eric. Yeah, exactly, for a project that's 500 yards or less pure basic grading is \$700 for the engineering review and 365 for the inspection.

GIZZI: 1,000 bucks, you were right on off the top of your head.

STEPAN: Yeah. But that's a very low end type of a project, very simple, no drainage complications. So that's the volume situation.

Under Permits Required we've also clarified Items 3, 4 and 5, which I'm not going to go into the detail on them, but those items were all just clarifying the types of questions that our codes don't address.

Item Number 6 we've expanded the language about how timelines and expirations on permits work so I think the language is fairly self-explanatory there unless you have any questions on those.

On your code, if you want to jump to Page 5, there's a section of our code that is Exemptions and our County Commissioners had some questions related to drainage tile systems in fields and they asked if drainage tiling systems could be exempt from grading

requirements and we agreed that maintenance and repairs of existing tile systems would be an appropriate assumption, so that's proposed in here and that's what's on Page 5.

MORASCH: As long as we're on this subject of adding new exemptions, I sent out an e-mail to everybody a few days ago asking what the staff thought about exempting maintenance of existing roads confined to existing roadbeds, was there any response to that question?

STEPAN: Sure, there is.

BARCA: (Inaudible.)

STEPAN: Yeah. I think for everyone's benefit if you look at the handout which is the PowerPoint flip to Page 11 there's one item on here that's called Planning Commissioner Email Comment. There were I think three things that were raised in Commissioner Morasch's e-mail to us and I can address kind of the three points because I think he had some good suggestions for us.

The first point that he raised was that the language that we were just talking about where the 10,000-square foot rules were set we used the word "lot" in that description and what we failed to recognize is that some of our grading projects are more typical of a road which may involve several lots that are contiguous with each other. I think we realize that "lots" was the wrong word to put in the proposed code language.

When we regulate grading we really regulate a site and that site could consist of more than one lot, so one of the things that we will likely change before the Commissioners' hearing is change that "lot" to "site" so that would allow a project like a road project not to have to worry about the number of lots or you would most always would be over 10,000-square feet so that threshold changes for you. I thought that was a good suggestion.

The question also, though, is should road maintenance projects be exempt and I think that's a policy choice that I think as a Planning Commission you should suggest to us. I think at this point we haven't gotten your e-mail soon enough to really talk across all the departments.

MORASCH: Yeah, I know and I didn't think about it until a few days after the work session, but I used to be president of a homeowner's association in Ammeter Heights which is up Ammeter Road, and they've got, I don't know, 25 lot owners, five acres of lots.

It's probably maybe a mile and a half or two miles worth of gravel roads to maintain and \$1,000 a year for a grading permit would have been a big impediment to their ability to actually keep those roads in good shape because we had a hard enough time collecting a couple of hundred bucks a year from each property owner and some property owners that didn't feel like road maintenance was very important.

We probably put 10, 15 yards of gravel on those roads a year and if it's counted for the life of the property, I mean you're going to start needing a grading permit even with 100 yards,

after four or five years you're going to start to need a grading permit and then you'll need one every year after that so I think that is an important policy issue.

STEPAN: Right. And now the counter to that or the other considerations are going to be how does SEPA start playing into that type of work.

MORASCH: Well, I think SEPA's got exemptions for maintenance of existing facilities and things like that.

STEPAN: Yeah, and those are the types of things that we'll look at because --

MORASCH: I'm not talking about new road building here, I'm just talking about you've got an existing set of gravel roads, you hire a contractor to come in with a couple of dump trucks, they dump some gravel on the roads, they run a grader over it to spread it out and then you have your work parties that go and trim the brush.

STEPAN: Right. So I would look forward to that in your motion if you felt that was an appropriate exemption.

And then the other question that that links to is what is the life of a project because I think that starts getting into the question of --

MORASCH: Right. And that's what triggered my concern because --

STEPAN: -- when you do the thing year after year after year and that's where SEPA also has some language about the life of projects and that you really can't do each of them separately, but I'm not sure what the legal answer is going to be, but definitely we should look at that further.

MORASCH: And that's why I got the idea to exempt the roads because it kind of gets you out of this issue of the 100 yards does that apply per project or per year, is it the same project if I maintain the roads again next year, but if you just exempt road maintenance, then you don't have to worry about that issue anymore.

STEPAN: Right.

DELEISSEGUES: Maybe it should just be maintenance in general. You know what this looks like it's aimed at is a construction project, it does have a beginning and an end, but a lot of maintenance projects don't. People have sluffing landslides and so forth that come down on the road and that's another maintenance problem.

But it may not be a road, it could be their backyard or it could be a play field. Some of the subdivisions have areas that are common areas that they need to maintain. It looks like maintenance versus construction might even be a better way to delineate it.

STEPAN: Okay. The only other thing that we did, we did some minor editing on some stockpile language, but the concepts and the philosophies are still the same as you saw a

few weeks ago. So I think that's really all my formal presentation will be for tonight. Somewhat impromptu, but that's okay, it's late.

MORASCH: I think most of us heard it just a couple of weeks ago so thank you.

STEPAN: Yeah, you did.

GIZZI: Any idea how many projects we're talking about between the 50 and the 400-cubic yard range?

STEPAN: I don't have numbers for you, but I can tell you that we get quite a few grading --

GIZZI: Or 200 really.

STEPAN: We get quite a few in because people often want to stay below the 500-cubic yard SEPA threshold, so we see a lot of applications that come in for those 400, 450-yard projects, that's a fairly common permit that we see, but I don't have those numbers.

DELEISSEGUES: Any questions of staff? Jeff, do you got any questions?

WRISTON: No.

DELEISSEGUES: Want to check. Questions?

WRISTON: Thank you.

DELEISSEGUES: Okay. Eric, you're on.

GOLEMO: Are you guys sick of me yet?

BARCA: You were first on the sign-up sheet.

DELEISSEGUES: Yes, and the last too.

GOLEMO: Once again Eric Golemo, SGA Engineering and I've been switching my address so I'll use my work one this time, 2005 Broadway, Vancouver, Washington, and again representing the Development and Engineering Advisory Board. The DEAB supported staff's code language as written without any additional comments.

DELEISSEGUES: Any questions of Eric?

MORASCH: Do you see any problems with exempting road maintenance?

GOLEMO: I thought you brought up a really good point and something that we didn't even really talk about it. Whenever we're talking about grading I go back to kind of standard engineering definitions and then the State specifications, that's kind of like where we go to when there's issues like that.

And gravel in general, when you said that I wasn't even thinking of road maintenance, I was thinking more gravel because you could consider that earth and material, but it depends on how it's used and the State specifications would change how it's counted by how it's used.

If it's used in a road section as part of a pavement, then it wouldn't be considered part of the grading, it would be measured as part of the road construction. If it's used in fill, and there's many sections where you're actually filling an area in for different reasons and you want to use gravel material to fill it in, if you're using it for grading, then it obviously would be counted in there.

MORASCH: But what I'm talking about is you got five-acre lots way up in the hills, they have gravel roads and if you want to maintain those, you got to bring in a dump truck to dump gravel on every Spring or maybe every other Spring because you get potholes and the gravel kind of sluffs off to the sides.

So you bring a new dump truck of gravel and the dump truck, it raises its tailgate a little bit and angles up the dump truck and then they drive up the road and the gravel falls out on the road and then you got some guy with a grader that comes up behind and smoothes it out. So as I read the definition of "grading" that would be grading and it would be fill because you're dumping gravel.

GOLEMO: And that's very interesting.

MORASCH: But does the County really need a grading permit for that type of an activity is what I'm asking?

GOLEMO: In that application it's actually being used as paving, that is a paving application for gravel as opposed to a grading application, so paving would be different. The State specifications would not measure that as an excavation quantity or a grading quantity.

MORASCH: But as I read this code that would be fill under this code.

STEPAN: Oh, definitely.

MORASCH: So we would need to change the code to meet the State specifications if we wanted to exempt that type of activity or we could just say we're going to exempt road maintenance.

STEPAN: Well, we're actually talking apples and oranges here to be very frank. The grading code is here to protect the land, protect other environmental regulations, our grading code is not intended to match a engineering WSDOT quantity spec, bid item spec, that's not the intent of the County's grading code, we're looking at protection of property and protection of lands.

MORASCH: Sure. And I get that. And I'm just trying to make sure we adopt a code that doesn't entrap rural homeowners that are trying to maintain their existing roadway because I read this it technically would apply to them.

STEPAN: Absolutely. I mean we would consider regrading a road, bringing in more gravel material within a grading fill, grading application.

MORASCH: Right. And I guess what I'm asking is there a policy reason why we would want these people to come in every year and get a grading permit from the County?

DELEISSEGUES: No.

MORASCH: And I'm not hearing one.

GOLEMO: That's a good point.

MORASCH: Okay.

STEPAN: Yeah. Like I said I would look for other consult on that too, but I think it raises a very good point and I'm sensing some strong opinions on that so go for it.

GOLEMO: One other thing to consider, too, when you guys are talking about quantities and SEPA is something that's triggered at 500-cubic yards of material and when you were talking about the cost of a grading permit it's important to know that a SEPA if on top of the grading permit you trigger a SEPA, that's an entirely separate process.

And I think the SEPA fee is around \$2,000, I don't have that one right in front of me, but it's close to that, and it also adds a significant amount of time because a SEPA then goes out for public comment and it might be a good two months before you get your grading permit.

So by the time you get all the public comment back, and I think that's conservative, I think normally it's more than that, so that 500 yards is a significant threshold and it adds a lot of cost and time.

DELEISSEGUES: Wonderful. Any questions of Eric? Okay, thank you very much.

GOLEMO: Thank you.

DELEISSEGUES: Return to the Commission for deliberation. Discussion.

WRISTON: I'll pass.

DELEISSEGUES: Or a motion.

MORASCH: I **move** we adopt the staff proposal with the amendment of adding another exemption that says they're going to exempt grading within existing roadbeds or road maintenance and maintenance of other facilities within existing roadbeds and areas, how

about that.

USKOSKI: I'll **second** that.

DELEISSEGUES: Moved and seconded. Any discussion on the motion?

BARCA: I do have some discussion. I am not really comfortable with the arbitrary change over to the 10,000-square foot lots getting the 100-cubic yards. I don't really believe staff was able to give a rational reason behind it. It sounded like they got together and came up with a number and that seemed like a good number.

But when I look at the volume in relationship to 10,000-square feet, it seems to me what we're really trying to do is we're trying to impact the difference between rural and residential and I would be much more comfortable with this being at the rural lot size rather than at a residential lot size.

MORASCH: So you would just draw a boundary at the urban growth boundary basically?

BARCA: I would draw the boundary at the existing zoning as it stands at the moment in time, yeah.

MORASCH: So anything outside the urban growth boundary would be 100 yards and inside the urban area would be 50?

BARCA: Right. And as the urban growth boundary moves and neighbors become much closer together, I would look at the restriction moving with the urban growth boundary.

MORASCH: Right.

BARCA: Yeah.

MORASCH: Is that a proposal for a friendly amendment then?

BARCA: I would like to make the amendment that adds that to it.

MORASCH: I'm okay with that if the second is okay with that.

USKOSKI: Well, I guess I just have a question when you get into some of the larger lots within the city or within the urban growth area that are a one acre or a five acre that hasn't been developed, now we're telling them even though you're bigger than some of the rural lots out there you can't bring in the 100, so maybe we bring it up to an acre, I would be amenable to that.

BARCA: An acre, I could work with that as an urban boundary number.

MORASCH: Okay, an acre. I'll amend my motion to change 10,000-square feet to one acre. Do you second it?

USKOSKI: I'll keep my second on that.

DELEISSEGUES: Any more discussion on the motion? None? Roll call, please.

**ROLL CALL VOTE**

GIZZI: NO  
QUTUB: AYE  
BARCA: AYE  
USKOSKI: AYE  
MORASCH: AYE  
WRISTON: AYE  
DELEISSEGUES: AYE

BARCA: Do you want to talk about it?

DELEISSEGUES: Do you want to talk about your NO?

GIZZI: I mean it's all of the concerns that I've already been suppressing. I mean to make a four times increase in the amount of earth and material that could be moved on a lot under no permit just concerns me.

I think having lived here as long as I have and seen some of the things that get done in the rural landscape trying to spread 100-cubic yards or 900-cubic feet across five acres is a heck of an impact and I think it's done sometimes with impunity. My wetlands personally have been denigrated as a result of improper handling of grading materials so it's just I understood going in where this would probably end up so it's not a problem.

DELEISSEGUES: Anybody else want to weigh in on this? All right. We're through with Retooling Our Code Batch 6.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION**

None.

**ADJOURNMENT**

The hearing adjourned at 11:15 p.m.

All proceedings of tonite's hearing can be viewed on the Clark County Web Page at:

**[http:// www.clark.wa.gov/longrangeplan/commission/06-meetings.html](http://www.clark.wa.gov/longrangeplan/commission/06-meetings.html)**

Proceedings can be also be viewed on CVTV on the following web page link:

**<http://www.cityofvancouver.us/cvtv/>**

\_\_\_\_\_  
**Chair**

\_\_\_\_\_  
**Date**

*Minutes Transcribed by:*

*Cindy Holley, Court Reporter*

*Sonja Wisner, Administrative Assistant*