

**CLARK COUNTY  
PLANNING COMMISSION MINUTES  
Thursday, October 16, 2014**

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

**6:30 p.m.**

**I. CALL TO ORDER 6:30 P.M.**

MORASCH: Well, good evening, and welcome to the October 16, 2014, Planning Commission hearing.

**II. ROLL CALL & INTRODUCTION OF GUESTS**

Can we have roll call.

BARCA: HERE

BLOM: HERE

JOHNSON: ABSENT

BENDER: HERE

MORASCH: HERE

QUIRING: HERE

USKOSKI: HERE

**IIII. GENERAL & NEW BUSINESS**

**A. APPROVAL OF AGENDA FOR OCTOBER 16, 2014**

MORASCH: Thank you. So are there any changes to the agenda? And, if not, I would take a motion to approve the agenda.

USKOSKI: Motion to approve.

BARCA: Second.

MORASCH: All in favor.

EVERYBODY: AYE

**B. APPROVAL OF MINUTES FOR AUGUST 7, 2014**

MORASCH: Has everyone had a chance to review the minutes? And, if so, unless there's any changes, I would take a motion to approve the minutes.

USKOSKI: Motion to approve.

BARCA: Second it.

MORASCH: All in favor.

EVERYBODY: AYE

MORASCH: All right. Those two motions pass.

### **C. COMMUNICATIONS FROM THE PUBLIC**

MORASCH: Now we are at the time of our hearing for communications from the public, and this is for matters that are not on our regular agenda. So if there's anyone in the public who would like to come up and talk to us about something not on the agenda, now is the time. Seeing no one, we will move to the public hearing portion of our agenda. And I think we had a recusal.

### **IV. PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION:**

#### **A. CPZ2014-00005 ARTERIAL ATLAS: FIFTH PLAIN CREEK AREA**

BENDER: Yes, Mr. Chairman, my home bounds on two sides of the streets and roads that are being discussed tonight; therefore, on this one item and one item only, I will recuse myself from the meeting.

MORASCH: All right. Well, you may be excused.

(Commissioner Johnson entered the hearing.)

MCCALL: And note at this time that Commissioner Johnson has joined us.

JOHNSON: Thank you. Sorry I'm late.

MORASCH: All right. I think we're ready for the staff report.

LEBOWSKY: Okay. Laurie Lebowsky, Community Planning. And I also want to indicate that we have Carolyn Heniges and David Jardin in the audience from Public Works and they're here to answer questions as well.

The item before you, Commissioners, is CPZ2014-00005, Fifth Plain Creek. The proposal tonight is an arterial atlas amendment. It is a follow-up to last year's docket item if you recall where urban holding was lifted in the Fifth Plain Creek area. Tonight the proposal is to change the classification on three roads from rural to urban. No new roads are proposed. No construction is proposed.

I'm going to go up to the slides. This first slide is just the existing arterial atlas classifications. And the docket for tonight involves 88th Street which is currently an R-2 which is a rural major collector. So 88th Street is currently a rural major collector. NE 182nd Avenue is also currently a rural major collector. And then we have 83rd Street in the green, and that is currently a rural minor collector. Also want to show that on our arterial atlas - and it's been there since 1996 - would be 83rd Street and then the extension of 83rd Street.

Let's see. I'm going to go to the next slide. So the next slide are the proposed classifications. So for NE 182nd Avenue, the proposal is to reclassify it to a C-2cb which is a two-lane collector with a center turn lane and bike lane. Also 88th --

ORJIAKO: Can I bump in for a minute, please?

LEBOWSKY: Sure.

ORJIAKO: I'm sorry, Planning Commission members. Good evening. Oliver Orjiako, Clark County Community Planning Director. There may be some folks here in the audience for the Port of Camas/Washougal. If you can announce that the Port pulled that application, it will help them some of them to leave. Okay.

MORASCH: Yes. There's only one item on our agenda today, that's the public hearing on the arterial atlas for the Fifth Plain Creek area. The other --

ORJIAKO: It was advertised, that's why I want you to make the announcement.

MORASCH: It was advertised on our agenda, I see. Okay. Well, I guess I can announce that the agenda was amended before it was printed because, as I understand it, the application was

withdrawn.

ORJIAKO: Yes.

MORASCH: And so the only matter on our agenda tonight for public hearing is the arterial atlas for the Fifth Plain Creek area. The other matter has been withdrawn and is not on our agenda at all. Does that help?

ORJIAKO: Yes. Thank you.

MORASCH: Okay. Thank you. Okay. Let's return.

LEBOWSKY: So changing the arterial atlas for 88th Street and 182nd Avenue to C-2cb. And then 83rd Street would be changed, in the portion that's in the urban growth boundary, would be changed to a two-lane collector. And then I just want to show you the design standards or the cross-section for the different types, the two different classifications.

So basically for the C-2, which will be 83rd Street, it would be two lanes for cars. I'm sorry. This is the C-2cb. This is for 182nd Avenue and 88th Street. So for 182nd Avenue and 88th Street would be a C-2cb which means two travel lanes, a center turn lane, the two bike lanes, sidewalk. So we're talking about 46-foot paved width and 70 feet of right-of-way.

And then the cross-section for the C-2 - I want to magnify this - would be two travel lanes and parking. So that would be 38 feet of pavement, 60 feet of right-of-way. Also I just wanted to include the cross-section for a C-2b. The difference between a C-2b and a C-2 is that you don't have parking on a C-2b. You have the bike lane instead. So the paved width is 34 feet, so slightly narrower than the C-2.

Planning Commission, you all requested at the work session information a couple of weeks ago and we provided you that information. One was the CC&Rs and also included in this e-mail was the conceptual plan from last year for the lifting of the urban holding, and I also included the adopting ordinance in the additional information.

Also I want to let you know that we've recently received written testimony since the work session and you all have copies of it. The first is an e-mail from a local resident, that's the e-mail with the picture on it of the truck, the red truck. Just to sum up her e-mail, she's indicating her support for the change of the classifications, because with the change in the classifications, the posted speed is lowered on these roads.

And then today we just received an e-mail from Randy Printz and you should also have copies of that e-mail. He's raising issue with one of the facilities in the area specifically the cost and the feasibility. And I would just add that cost and design issues are addressed during development review process, and issues are not relevant to what we're discussing tonight. Again, all we are discussing is changing the designations for the roads from rural to urban.

And a few weeks ago we gave you copies of the staff report and that includes the applicable policies and criteria for the arterial atlas amendment. And based on the information that's provided in the staff report, it is my recommendation that the PC recommend approval of the arterial atlas changes to the Board. And with that, I conclude my staff report and I return it to the Planning Commission with any questions that you have.

MORASCH: Does any member of the Commission have questions of staff at this time? It doesn't look like it. Do we have a sign-up sheet?

MCCALL: Yes, there is one back there. I was waiting to make sure everything was complete.

MORASCH: Okay. We have a few people signed up to speak. So we'll start with - I know I'm not going to pronounce the last name right - Frank. If you'd like to come down and give us your name

and address for the record and speak into the microphone and we'd be happy to hear what you have to say.

BEREITSCHAFT: My name is Frank Bereitschaft and I live at 18014 NE 85th Way in Monet's Garden.

MORASCH: All right. Welcome to the Planning Commission.

BEREITSCHAFT: Thank you. I'm having a hard time hearing you back there. I don't know if the PA system is operating correctly or not.

MCCALL: I'm just turning it up.

BEREITSCHAFT: Okay. Thank you. Anyway, my concerns are -- I guess I'll just go through the docket items that are on here. I assume this is all correct and this is all in order.

In regards to 88th Street, we're talking about going from a two-lane rural major collector to a two-lane urban collector with a center turn lane. So basically we've got three lanes; correct? Now, the problem is -- I'm representing Monet's Garden South, okay. And we just built, let's see, one, two, three, now four new homes along 88th. And I guess the question is, where is this -- how much of a right-of-way are you going to take away from the folks who just had a home built? That's a big concern. And that would be -- I guess that would be on - let me think about this a minute - that would be the west side. So where are you going to come up with this extra right-of-way to accommodate an extra lane? And will there be more than just a lane, will there also be bikes or walking sidewalks or anything like that there?

MORASCH: And so you're talking about on 88th?

BEREITSCHAFT: On 88th. We're just addressing 88th right now.

MORASCH: Can we look at the 88th cross-section really quick.

LEBOWSKY: Yeah. Sure.

MORASCH: Or the proposed cross-section.

BEREITSCHAFT: So if this is the one, we're talking about a turn lane, bike lanes and sidewalks. Where is it going to come from? Where's the right-of-way going to come from?

MORASCH: Well, what's the existing right-of-way width on 88? Is it less than 70?

LEBOWSKY: Yes, it's less than 70. But if you're talking about north of 88th Street, that is -- so up here -- gosh, I had this. So this is --

BEREITSCHAFT: Right in there.

LEBOWSKY: Yeah. -- this is Monet's Garden. This is 88th Street. So north of 88th Street is outside the urban growth boundary. So these roads would be -- typically they're improved through the development process; however, 88th Street on the north side is currently outside the urban growth boundary.

BARCA: Which means?

QUIRING: And that means?

LEBOWSKY: Well, the type of development that you're talking about would, at this time, would not occur. On the south side you have Monet's Garden which is already developed.

BEREITSCHAFT: Right.

LEBOWSKY: Across from Monet's Garden is outside the UGB. So in this section it is unlikely that there would be some type of development where we would require the right-of-way dedication. David, do you want to add anything?

JARDIN: David Jardin, Development Engineering, Transportation Concurrency. A lot of times when you have development in an area outside the urban growth boundary such as north of 88th Street, what happens is you do get the single-family homes. And when we start looking at trying to exact right-of-way during a development, it really is triggered on the number of vehicle trips basically impacting the roadway.

So a single-family home outside the urban growth boundary doesn't really raise red flags or major impacts that would allow us a nexus to exact right-of-way from a single-family home. It's more kind of the larger developments, short plats, where you're dividing the lots into multiple parcels giving the availability of multiple families moving in, creating larger impacts on the road network. And a lot of times even with those, all we ask for is just the right-of-way, not that they build the frontage, especially in a rural area or areas outside the urban growth boundary.

BEREITSCHAFT: But the expanded right-of-way is going to be taken away from Monet's Garden? That's the question. Are the residents, the new residents that just had homes built on 88th - one facing 88th, they're building it right now - are they going to lose frontage? Are they going to lose some of their property because an expanded right-of-way?

If you're not expanding to the north of 88th, you have to expand to the south; right? If you're going to have this corridor, if you're going to have the cross-section that you just showed all the way through to 182nd, where is the additional right-of-way going to come from?

LEBOWSKY: Well, first of all, what would trigger the expansion of the right-of-way would be redevelopment and what David's saying - and Monet's Garden is already developed - and what David is saying is that the land is outside the urban growth boundary and unlikely to trigger the type of requirement for expanding the right-of-way.

BEREITSCHAFT: So you wouldn't have the third lane, you wouldn't have the sidewalks? You know, these are basic questions. I spent 14 years in civil engineering. I understand the concept here. Where is the right-of-way going to come from? Is there a right-of-way agent going to show up at the doorsteps of these people and say, hey, I need ten more feet of your property? That's the question I have tonight. I just want to know what we're going to tell our constituents back at Monet's Garden what to expect. These people just bought new homes.

MORASCH: And I think the answer to that question is all we're doing right now is drawing some lines on the County's plan map. We're not taking right-of-way. If the County decided it wanted to take right-of-way, that would be a whole different decision. They'd have to form, like, a rural road improvement district or something like that. That's a whole different process. And as far as I know, there's no current plan to do any of that.

What we're looking at tonight is changing our comp plan map for some future planning for a road that, you know, goes beyond Monet's Garden in both directions. Now, that stretch through Monet's Garden, that may not get developed to this standard ever or maybe not for a very long time. We just don't know the answer to that at this point. But there's no current plan to go out there and develop that road through that area.

BEREITSCHAFT: The issue though, Commissioner, is that if you stay on track with the proposal I'm seeing tonight in the cross-section and it goes all the way to 182nd, where are you going to get the right-of-way? And the only answer I have in my mind, my little mind right now, is it's going to have to come from the south side, which means we're going to take right-of-way from the landowners along 88th. All I want is a simple yes, that's true; no it's not.

MORASCH: Did you have something you wanted to respond?

HENIGES: Carolyn Heniges, Public Works Transportation Division. There's two ways that the roads get improved. One is through the development process, David was sharing that process, and

it's related to the land use around there and what is allowed. So when that happens, when Monet's Garden, for example, came through, they looked at what was in the arterial atlas for the road standard at the time. That's the dedication they typically ask for. Sometimes it gets improved with the development; sometimes it gets done later.

If Clark County brings forward a project because we feel like that road needs improvements, we put it into the funding plan. It is possible they could come through and purchase right-of-way from the landowners along 88th Street later. Oftentimes we try to split the difference of the widening on both sides. That's not always true. Nothing is guaranteed. So you would look at somewhere between five and ten feet. I would guess five, but certainly I'm not going to guarantee that. And we like to balance it on both sides just because of the way widening happens.

So if it's not in the capital facilities plan and it's not in our six-year plan, it's not going to happen in the next 20 years. Now, that plan gets updated regularly as growth happens, but so it is possible and that we would come along and ask for a few feet off of those parcels.

BEREITSCHAFT: Okay. That's really all I needed to know. Okay. The portion of 83rd connecting up with 78th Street, I'm going to tell you right now that it's more than just six out of ten that are in opposition to the extension of 83rd Street going through Monet's Garden. I'd say it's 100 percent. People are not going to buy that. I mean, if it would go through, it would literally be - I know one property owner anyway - it would be within five feet of his foundation if it was to go through. I'd just like you to consider that when you're thinking about doing this that you're going to have a serious impact.

I live out there. I see how folks drive. If the speed limit is set at 40, they're going to do 60, and just because that part of the county is just full of good ol' boys who think that, well, speed, they need speed and they're going to fly through there, and a lot of times they ignore stop signs. And the reason they do it is because there's no law enforcement out there, they're just going to do it. I'm just afraid there is a safety issue here that they're not going to take that curve and it's going to go into somebody's property and somebody's going to get hurt.

The last issue is 182nd which is probably parallels the 88th situation. I see where right-of-way expansion is feasible on 182nd because there's a lot of undeveloped property, let's see, that would be to the east then. Yeah, I see where that's a good possibility. But, you know, outside of Monet's Garden because we really hate to lose anything off of Monet's Garden, but there is plenty of room to the other side, so... That is really not a real big issue. But the question was, are you going to expand the right-of-ways and so forth to accommodate the cross-section plan that was presented tonight? That's about it.

MORASCH: All right. Thank you. Are there any questions from the members of the Commission? All right. Thank you very much.

BEREITSCHAFT: You're welcome.

MORASCH: Next person on our list is Al and Linda Thompson.

THOMPSON: I guess I'm representing us.

MORASCH: Okay. Come on down. Give your name and address for the record and welcome to the Planning Commission.

THOMPSON: Thank you. I'm Linda Thompson and I live in Monet's Garden at 17707 NE 84th Circle. And my concern is the connector between NE 83rd and then 78th, the second item on here. We back up to that, our property. We have lived there five months. Already - as Frank spoke - the noise out there from the roads is loud. The speed is horrendous. I see people coming, if it's on a curved road, lots of accidents, lots of fences being knocked down. Already in the surrounding area around our neighborhood there's two examples of fences that have been

knocked down. I guess I'm -- I and my neighbors are not real pleased that it could happen.

We were told by the builder when we bought our property that that road probably would never go through, and hopefully that's true at least in my lifetime. But it would be, I think, a real detriment to our subdivision. It would split Monet's Garden into two sections and it would be difficult. I don't know. I don't know why it curves like that. It would just be not so great, so...

MORASCH: All right. Thank you. Is there any member with any questions? All right. Karl.

JOHNSON: I have a question. When you bought, you said you bought your property five months ago or built on?

THOMPSON: We moved in five months ago. We bought it just over a year ago. I know it's --

JOHNSON: And this is just a safe question, okay, I'm just trying to figure it out. Did you know that that --

THOMPSON: No, we did not.

JOHNSON: So you weren't -- I mean, just -- and this is information. So the builder or whoever you bought it from did not tell you that the County owned that property, that easement?

THOMPSON: They did, but they said it would probably never go through. That was -- we were aware it was there, but other than that.

JOHNSON: Sure. Sure. I mean, you didn't know that that was a --

THOMPSON: No, we were hoping it never would, so...

JOHNSON: Okay. Thanks.

MORASCH: All right. Thank you.

THOMPSON: Thank you.

MORASCH: Louie Steinhauer. If you could give us your name and address for the record, and welcome to the Planning Commission.

STEINHAUER: My name's Louie Steinhauer, 7304 NE 182nd Avenue. I live just across from where 73rd Street is. It's out of the development, but the road will go right passed my house, and, well, actually I have two houses there and a shop. And the lady back there commented that there would be five or ten feet wider than what it is now. According to this, I don't think that's going to be right, which would put that road right on the front door of a house that I have up there and a shop that I have on that road. So are they prepared to buy that house and shop? You know, what are they going to do if they widen that through there?

My other concern is that if they widen that out, there's the S-curves from Fourth Plain up to where it bends around, just there's some S-curves in there. There's a creek on the right side of it. So everything's going to have to go to the left, and I know that the property owners there are not going to want to give up any of that land to make it wider through there. And then the intersection on Fourth Plain and 182nd Avenue, that's just a nightmare, which kind of shows in your paperwork here.

I guess and then one guy commented on the speed there. Well, I grew up there, so I've, you know, I got 55 years there. And granted, I rallied those corners too when I was a kid and they still do, and there's a lot of wrecks down there, especially when it rains, you know. It gets wet and, yeah, there's a lot of crashes in there. If they do develop it, you know, you guys have to have a plan. You have to have something before because it is bad. When I pull out of my driveway, there's a little hill coming down, and if I see any lights in the morning, I wait, because as soon as I pull out, they're on me just like that. So you need to keep all that in consideration.

As far as if it widens out here, you know, 70 feet right-of-way, because I think this says the C-2cb is the one you guys are after with the turning lane. Like I say, that's putting it right up to my front door. Sound barriers or something, you know, what are they going to offer me to keep people, sidewalks and stuff, you know. I don't see it. It's not going to be a good thing. Then plus that other house that I have just north of me a little bit, I mean, it's right up to the front door on that one, so that's going to be a problem.

And if they do put something in there, I'd like to see, and I don't know if it's possible on that wide of a road to put, like, speed humps in it to kind of slow the people down. Because if they put a development, you know, out through that field there off of 83rd and, you know, then they bring it down just above me, we're just out of the boundary there, you know, and like that little hill there, if they could put some type of speed bump, something in there to help slow the people down. Because if they widen that road out - like the other guy said - they're going to really rally because they'll have more room for error. So that's I guess my comments on it. I'm just kind of wondering what they're going to do. What am I going to do with my house and shop that's right there, what options do I have?

MORASCH: Okay. Well, I mean, I think as was mentioned earlier, this isn't a plan to develop the right-of-way. This is just putting a plan on the map for what we would like to see in the future at full build-out which may not be for 20 years or more.

STEINHAEUER: Yeah. Well, and then that, again, 20 years down the road, you know, I wouldn't think it's going to take them that long to start developing, and if you don't do something, that traffic's just going to be worse, you know, on that narrow little road, so, you know, just keep that kind of in mind too.

MORASCH: Right. Well, and that's what we're struggling with. We have to do something so that when the development comes, the development can, you know, expand the right-of-way appropriately for that development and, you know, the beginning of that is looking at our maps and deciding how we want these roads to look, you know, at full build-out of the whole area, and that's what we're doing tonight, but...

STEINHAEUER: Yeah. I'd just hate to see them put, you know, 15, 20 houses in there, you know, one or two cars per house, you know, and then not do anything.

JOHNSON: But I think you're - and I'm sure there's other people that are going to come up - but I think you're saying, we're almost saying the same thing. We're saying, look, this thing's going to have to be handled at some time within the next 20 years. When that development comes or when that right-of-way comes - and we can't say no, it's not going to come or it's going to be this way - but that is the time when all the level heads, including yourself because you're right, if that is the case that this is going to run up next to your house or noise or whatever, that this is not what we're doing here.

We're not saying we're getting ready to build a road right beside your house and, you know, by the way, we have half your property too, that's not it. So I just want you to know that when you're saying you better have this planned out, you're absolutely right. But that's not -- we're not -- we're just saying we got to do something here to mitigate what's going to happen in the future, because like you said, something's coming, so...

STEINHAEUER: Well, we all know it's going to happen, but it's just --

JOHNSON: But the road right now, you know, two people have testified so far, the road's going to get -- we're not -- that's not our business here. Our business here is going we recognize what the need is, and that's all it is. And maybe it gets built; maybe it doesn't get built. Maybe it's the worse case scenario; maybe it's the best case scenario. I always like to think select the road

somewhere in the middle. So at the time when the road's going to get built, that's the time to go, hey, be a part of that process, but that's not what we're doing here. I hope that helps you too. We're not saying we're building a road.

STEINHAUER: Yeah. Well, yeah, but you got to get a plan in place.

JOHNSON: Right.

QUIRING: That's what we're going.

JOHNSON: But that's right. That's exactly right. So the beginning process is, hey, look at this. We see a potential, you know, issue ahead. Let's start looking at it in a reasonable way, and the plan begins. And it doesn't begin with next year we're going to put a road there.

STEINHAUER: Okay. Yeah, just --

JOHNSON: Yeah, I know.

STEINHAUER: But if you could slow the people down, that would be great, you know, that would be --

JOHNSON: Yeah. But again, even if we look at the non (inaudible) roads, which I don't know much about, but a wider road does not mean a faster road. A wider road can be a more controlled road with, you know, you've got a -- don't we have a school over there? Is that Frontier over there?

QUIRING: Yeah.

JOHNSON: We were talking about how that ran into in work session about how that naturally better be slowed down because there's children there. So there's a lot of things absolutely right that you got to work out, you got to figure out, but right now we're not saying that. And I hope that helps. And I hope you don't think I'm saying, oh, we're just going to put this on there and then tomorrow you got a tractor in your front yard digging a hole out, so...

MORASCH: No. At the time of development review would definitely be the time to get involved in that process, because at that point the developer is going to have traffic engineers and studies and things like that which are going to be a lot more detailed than what we're looking at tonight, and that would be definitely a time to come and comment if you're concerned about traffic.

STEINHAUER: So I'm wasting my time, you're saying.

JOHNSON: No. I think --

MORASCH: No.

JOHNSON: I think it's really --

MORASCH: No. We definitely appreciate you coming tonight.

JOHNSON: I do.

MORASCH: But as far as some of these details like whether they're going to have speed control devices in a particular area of the road or something, that's the kind of thing that could be developed -- or addressed during the development review process where they look at things in more detail. Right now we're at the comp plan which is kind of the 30,000-foot view versus getting down into the actual design of a project.

So, anyway, I hope that makes sense. And I hope you do come, not just come back to us if you have issues, you know, that are on our agenda, but also, you know, come to the hearing on the ultimate development proposal and have your, you know, your comments there too because that's equally as important.

STEINHAEUER: Okay. All right. Thank you.

MORASCH: Are there any other questions from the Commission? Okay. You may be excused. Thank you for coming. It looks like Sydney Reisbick.

BARCA: She's gone.

MORASCH: Gone. Okay. Carol Lexon, Lexanon.

BARCA: Levanen.

MORASCH: Levanen.

LEVANEN: Hi.

MORASCH: Good evening. Please give us your name and address for the record. Welcome to the Planning Commission.

LEVANEN: Thank you. Carol Levanen for Clark County Citizens United. P.O. Box 2188, Battle Ground, Washington. Two things. One thing, we didn't -- this is the first time I've gone to a Planning Commission meeting for many years here now and we didn't know you already went through the public comment period. So we were back in the other room gathering our things up and we just missed it. So I don't know if you're willing to open it up. I know some folks that you read there signed up and they weren't able to speak. So they didn't realize that it just went through so quickly for your public comment in the beginning of your agenda.

That being said, the arterial atlas, and I know these are specific and the landowners are talking about specific concerns that they have, but in addition to that, the arterial atlas has become a problem in Clark County. And so maybe some time the Planning Commission will have an opportunity to look more closely at this whole atlas, not just these isolated ones, but any of these proposals.

Because there was a landowner that we work with, the County was requiring a 30-foot easement for 159th Street which is three miles away from her property, and the County actually in the development process of her dividing her 19 acres of land into three parcels, they're requiring that 30-foot easement and a 50-foot setback.

So these make major impacts to these people when you have these kinds of proposals that are coming up. The only way to correct that for this landowner is to change the arterial map atlas, but it's a curiosity why. And as far as we could determine in our research is that no one goes on the ground to take a look at that, and I think that would help a great deal in understanding.

In this particular case of this landowner, they would have had to go across 503 and they would have had to build a massive bridge over Salmon Creek and whatnot to access the road that they were attempting to access on the other side. Clark County's never going to do that.

So this arterial map atlas, you know, these proposals, I don't know who comes up with them, but just like some people are saying, you're going to go right through my home.

In addition, it's unfortunate that the County has a tendency when they look at this arterial atlas to say during a development process, this is where we're going to get this easement even though we don't know what we're going to do with the road, and this is what happened with this landowner. So they wound up with a little tiny building window on a seven-acre piece of property. So 40 feet makes a big difference to a landowner when you're talking about situating a home on a piece of property, so...

You know, and in these cases of these proposals, I've not been on the ground. I don't know what this looks like. Of course I did with that other piece of property that we were dealing with. But I understand that you as the Planning Commission are just simply saying this looks like a possible

good proposal to put in the atlas for the future, so I understand where you're coming from.

But, you know, our recommendation to the Commissioners and the County is that you need to go over this arterial atlas and take a very close look at what exactly you are proposing because this is being put in the comprehensive plan and it can be very detrimental, both expensive to the County, very difficult to do or impossible.

So if you're planning your growth according to your road systems and your road systems are not capable of being constructed that way, then it's sort of silliness to consider the planning of the growth in those locations. So just food for thought. But so I don't know if you're going to be kind enough at the end of the meeting to let those of us who --

MORASCH: So are you saying there's people that wanted to speak on an item that's not on the agenda?

LEVANEN: Yes. They had left already because they didn't understand -- I mean, they sort of, like, they just kind of buzzed right through it, and since it was later coming in from the room, we didn't know you did it right at the very beginning. Sorry.

MORASCH: Okay. Yeah. We'll have to get through the rest of the people here and then I guess we can talk about that. Or, I don't know, is there any discussion? Do you want to have a quick discussion on whether we want to reopen the public comment on non-agenda items?

LEVANEN: I think the one gal left already --

MORASCH: Left already.

LEVANEN: -- but she was telling me and I didn't know when I walked in.

MORASCH: Well, she can always come back next month because we have that every month, but I'll try to make sure I pause a little more. I mean, if she's not here tonight, make sure --

LEVANEN: Yeah. Well, it was just kind of the switch over to the rooms and things. I think that was kind of -- and I kind of got talking with planners, so... But anyways, if you're willing to consider it at the end of the meeting, we'd appreciate it. Thank you.

MORASCH: Okay. Thank you. It looks like Susan Rasmussen.

RASMUSSEN: Good evening, Commissioners. Susan Rasmussen, La Center, Washington, 30101 NE Charity Road --

MORASCH: Welcome.

RASMUSSEN: -- 98629. I'm in kind of the same position that Ms. Levanen is also. I came to make a comment concerning the update of the comp plan. But I too am a landowner out in the rural areas on some AG property and I also have proposed arterial scheduled on our property, and it's been on the maps for maybe over 15 years and it goes to no place, I might add. But it caused us to site our barn and house in a position where we wouldn't have put it if that arterial hadn't been there and forced us to acknowledge that and then make the appropriate adjustments where we were going to site our house and septic and the barn. So if you're open to other comments, then I'll return, and thank you.

MORASCH: Okay. Well, we'll address that as soon as we're done with this part. Thank you.

Doug Faulkner, Fouler, I can't quite read the last name.

FAULKNER: I work hard.

MORASCH: Work hard at a doctor's signature.

FAULKNER: Yeah.

MORASCH: All right. Well, if you could please give us your name and address for the record, and welcome to the Planning Commission.

FAULKNER: Thank you. My name is Doug Faulkner. I also live in Monet's Garden at 18004 NE 81st Circle. I mostly have questions because I'm not quite sure of the implications of all of these. I note from Frank's discussion that you said the portion north of 88th is outside of the urban growth boundary. I note that the portion of 182nd, some portion of that is also out of the urban growth boundary. My question is, what does it mean? Maybe one of the main questions is how is this funded? How do you fund the improvements, and does it matter whether they're inside the urban growth boundary or outside the urban growth boundary?

MORASCH: Is that something you can answer?

LEBOWSKY: Yes. So the reason I brought up part of 88th Street being outside the urban growth boundary is that roads are typically improved through two ways. One is either through private development. And the significance of this property of north of 88th Street being outside the UGB is that, and David mentioned this, is that it's unlikely that you would have the intensity of development to where the traffic would be generated that we would require dedication of right-of-way, so... And then --

FAULKNER: Excuse me. So you might not build the road to the specifications here, is that what you mean?

LEBOWSKY: No. In terms -- the designs I showed, the cross-sections I showed on the screen are the ultimate design cross-sections for the C-2 and the C-2b. The way you arrive at that ultimate design section is one of two ways. It's either through private development or it's through a capital road project.

So for private development, when someone submits an application, typically they submit a traffic study. We look at how much traffic that development will generate. And we talk a lot about nexus. What nexus means is that the potential impact of that development that guides as far as what kind of improvements we require of an applicant.

FAULKNER: So would you require an applicant to fund road building that is not touching their development such as off of 88th Street?

LEBOWSKY: Depends.

JARDIN: It actually does depend on the impacts of the development. So what we ask for in somebody that's doing a subdivision or a commercial development that generates a lot of traffic on the roadways and their traffic study indicates that, say, just for an example, 88th Street at Ward Road, that stop controlled intersection has some operational characteristics that are less than desirable. You wait for a long period of time to get out on to Ward Road from 88th Street.

Sometimes the volumes that are generated by the development create a situation where they exceed some thresholds for upgrading the traffic control device, so you go from a stop sign to maybe a traffic signal. So it is possible for someone that is developing a piece of property, say, south of 83rd Street on 182nd to be large enough to maybe exceed some thresholds to make a mitigation like that, a stop controlled intersection.

But in a lot of cases, and most likely, so that same development as we're looking at 182nd, their frontage of their property or their development we would have them dedicate the additional right-of-way. We'd have them construct the half-street improvements in front of their property. So widened asphalt, curb, gutter, sidewalk, planter strips, all of those urban type of widening things to help mitigate their subdivision impacts on the roadways.

FAULKNER: And the other half of the road would be funded how?

JARDIN: Most likely the same way, private development.

FAULKNER: Okay. Talking of intersections, is that included in any of this or is that a discussion to be had at a future time? Because as you said, the Ward Road/88th Street is not good. And I would suggest that the Fourth Plain/182nd might even be worse, especially with the curve and the snake road there. And something like a traffic circle, when I first heard of traffic circles I thought they were horrid, then I saw one and I've driven through them and I love them, so...

JARDIN: Understood. As far as this venue goes, I don't think, you know, talking about intersections and different things like that would be -- this would be the venue for that. Where you would likely discuss that in greater detail would be at, again, when there's development that's occurring. Some of the larger subdivisions, they go through a public hearing process where you can come and comment at those public hearings about things that are occurring or mitigations that they're proposing or development aspects of that development that you may have issue with or you have questions or concerns.

FAULKNER: Okay. Thank you. Oh, if you determine that these roads are as you have labeled them, C-2cb for example, will the final road necessarily equal that or is there a subsequent discussion that says, you know, on 83rd, for example, that showed parking on either side of 83rd, 83rd is out in the middle of the country now, so I mean, are you going to put parking on that little short road? Are you going to build bicycle lanes, for example, on 182nd and 88th that, as best I know, would connect to no bicycle lanes anywhere else? Or is the road actually planned from that 70-foot wide down to what you actually need which might be 68, it might be 70? I don't know.

LEBOWSKY: Well, as I mentioned earlier, what we showed is the ultimate cross-section. As far as 83rd Street, they could either -- the Planning Commission could elect either to make that a C-2, which means there's parking or a C-2b, and the only difference being is that a C-2b has no parking and bike lanes and the widths are approximate. And then I'd also add as far as the code section, these are public roads. Typically there's parking on public roads unless there's a situation of a semi which is not allowed in a residential area.

FAULKNER: Okay. Let me clarify for my mind is that what you agree on tonight is what the final road will look like maybe 20 years down the road, but that's what it's going to look like?

LEBOWSKY: That is correct. It's just a matter of timing when we arrive and how that happens. But the bottom line is that for our purposes tonight is that last year urban holding was lifted in this area, and now it's urban level type development. When you allow for urban level type development, typically you need to have the roads to support that development.

FAULKNER: Thank you. Thank you.

MORASCH: All right. Thank you for coming. Any questions? All right. You may be excused. Thank you. That's the last person on our sign-up sheet. Is there anyone in the audience that didn't get a chance to sign in that would like to speak on this matter? I don't see anyone. So with that, we'll go ahead and close the public hearing and I guess bring it back to staff if they have any final comments.

LEBOWSKY: No.

MORASCH: No comments. All right. Well, I guess we'll open it up to discussion. Do we want to start with you, John or --

BLOM: Yeah. I think I would like to see that section to 83rd Street that connects to 78th Street, it looks like the recommendation now is C-2, I think my preference would be to have that be C-2b if the rest of the Commissioners are amenable to that. That's all.

MORASCH: Ron.

BARCA: So, well, hearing John's proposal and looking at what 88th Street and 182nd is proposed to be, that does give some connectivity with bike lanes to the school, which I believe was described as Frontier School, so there is at least an opportunity to get that bicycle connectivity that way.

I do have a question for staff, though, in regard to that particular road that's going to go through Monet's Garden. With most of Monet's Garden already built out and having to cross the Fifth Plain Creek corridor there, it seems like a fairly expensive proposition, but there can't be that much development that would cause that portion of the roadway to be built, as I heard the explanation before, if that seems correct. I'm wondering, would that have to be basically a County funded road project?

LEBOWSKY: Well, we have the CFP, the Capital Facilities Plan, we have TIF, so it would -- I think, David, you could probably speak better to that than me. But, I mean, typically with development, those are the types of issues that are hashed out.

BARCA: But I guess just for my clarification, based on the description you said before, this section of the overall plan here doesn't really look like private development nexus would be able to kick in to develop this section since most of it on both sides of the road is built and then the rest is the creek here?

LEBOWSKY: Well, actually through Monet's Garden there is right-of-way. There is County dedicated right-of-way, and in your packet you have the recorded plat that shows the right-of-way that was dedicated for the future extension of 83rd Street.

BARCA: Oh, I recognize that the land is available.

LEBOWSKY: Okay. It depends on the sections of land and where in terms of along 83rd Street whether development would pay for it. Certainly the issue of the creek probably would -- I better leave that to David.

BLOM: You're asking about the million dollar bridge basically; right?

BARCA: Well, that's a significant component of the development cost. And so there's been many questions from the people that are in Monet's Garden about, you know, if it's on the map, is it coming. And I guess I'm just trying to put it into perspective that it could be coming, but the way I'm hearing the description, it's going to have to be an important enough project to get on the County capital facilities plan to make it happen.

ORJIAGO: That's correct. And as you know - again Oliver Orjiago, Community Planning Director - some of this area is we do have impact fee districts different rates based on identified improvements and facilities that needs to be built in that district.

As we update our TIF district and will take a look at this area, there's some portion that will be in the Vancouver UGA and a majority that will be in the unincorporated. We'll look at the TIF district, redraw it, identify what projects and improvement that needs to be made. It could be that this area identifying those project, the traffic impact fee may be significantly higher than other district to accommodate identified projects in this area.

I agree with you that I'm not sure whether one development is going to trigger a private developer building that bridge, but there's other mechanism where we can assess what is needed and begin to collect the appropriate impact fees to help offset that. That's how it's going to be funded, if I may just add that. But unless they come in and try to do it in phases, I don't know what's going to happen, but that's how in any case we are going to revisit this area, redraw the TIF district, identify what project needs to occur and assess the appropriate impact fees to help offset that in terms of both private and public share.

MORASCH: Is there a timeline for when we're going to be looking at that update to the TIF?

ORJIAKO: We are looking at commencing that next year.

LEBOWSKY: Well, there's -- okay. There's two phases to -- there's -- we're going to be, as you recall, we had the hearing on concurrency and we are going to be submitting on consent a revised capital facilities plan which will be adopted in November. There's another component which is TIF, and that's what Oliver's referring to, and we affectionately call it the divorce from the City of Vancouver where we're splitting the TIF districts. And that's a process that's going to begin, we're in the beginning stages right now, but should be completed by July of next year, so there will be separate TIF districts for the County versus the City.

MORASCH: But the CFP you said is going to be updated next month?

LEBOWSKY: Yes.

MORASCH: Is the bridge going to be part of that package or has that been decided yet?

LEBOWSKY: For that revised CFP, no. But understand that that revised CFP is part of the changes to concurrency.

MORASCH: So there would be a subsequent revision --

LEBOWSKY: Right.

MORASCH: -- to the CFP to add the bridge?

LEBOWSKY: Right.

MORASCH: And is there a timeline for when they might look at that? Would that be before or after you look at the TIF? I mean, that would have to be after the TIF, right, because you can't impose a TIF unless it's on your CFP?

LEBOWSKY: Right. But potentially it could be part of the --

MORASCH: Part of the package?

ORJIAKO: Yes.

MORASCH: Yeah. Okay. Thank you.

BARCA: Yeah, thank you. I don't have anything else.

MORASCH: Okay. Valerie.

USKOSKI: Yeah. I guess I have a couple of different thoughts. I definitely would support John with talking about the portion of roadway through Monet's Garden having that as a C-2b classification. I understand where a lot of the public is coming from with the roadway and how that right-of-way acquisition could impact their property. And I would definitely recommend that they follow the development in that area and be involved and have a voice as that comes forward even as far as the sections of the roadway that are outside the urban growth boundary.

I think it's important that we maintain that extension from 83rd down into 78th for another point to go east/west through that area. The Ward Road intersection and down there with Fourth Plain, those are both problematic intersections and I don't know that there's any way that that's a quick easy fix, and I don't know that it's any easier than a bridge.

And I know when we lifted urban growth in this area, Randy Printz had gone through and worked out an agreement with the City of Vancouver and Clark County to where all the TIFs from this district could be redirected to funds that were listed on the capital improvement plan, both for Ward Road intersection and for Fourth Plain intersection; and in addition to that, could be directed towards this bridge of Fifth Plain crossing if that was added to the capital facilities plan.

In light of that, I think it's important that we consider long-term growth in this area and not try to

redirect a lot of the traffic just to those two intersections, but if we can provide some relief with another connection across Fifth Plain Creek, I think it would be in our best interest. I think that's all I have for now.

MORASCH: Karl.

JOHNSON: Yeah, I agree. I think that it's solving a few problems. 78th Street is gross coming that way. I'm fine, John, with your changing the designation of 83rd Street, that makes sense. And, you know, the school's there, it just makes sense. Like I said, I'm sympathetic to what's going on, but I really encourage you to see the other part of the process which is the part that most people in here I think were concerned with which is how it's going to be done and when it's going to be done. And so for us, it's more we're looking ahead and this is something that has to be addressed or else we are going to have a mess, so... My big thing is the bike lane, that would be my big change, short of that.

MORASCH: All right. Thank you. Eileen.

QUIRING: I would agree with what John suggested, the C-2b on 83rd is it, 83rd extension there, if and when that happens.

MORASCH: Okay. Well, and I guess I would agree with everyone else, what we've all said about the bike lanes and the C-2b, and also with what people have said about the bridge and the TIF. And although that's not technically before us today, our job is to make recommendations, so I don't know that there's anything that would prohibit us from adding that as a suggestion or recommendation that the County consider and pursue as it moves forward. So unless there's any other discussion, I think I'm ready to take a motion.

**MOTION:**

USKOSKI: I will make a motion that we accept staff recommendation for the reclassification of the roadways noting that NE 83rd would be classified as a C-2b. And also provide the recommendation to the Commissioners that they consider adding the Fifth Plain Creek to the capital facilities plan.

BLOM: Second.

MORASCH: Okay. It's been made and seconded. Is there any discussion on the motion?

BARCA: I need clarification --

BLOM: Yeah.

BARCA: -- on whether Valerie's wording includes this extension that goes through Monet's Garden from 83rd down to 78th. Does that automatically become the right wording for that?

LEBOWSKY: Commissioners, that would be -- I mean, the proposal from the staff is 83rd Street from the UGB to through the extension to where it meets with 78th Street, so, yes.

BARCA: Okay. And that's fine then.

BLOM: So the area east of 182nd would also be C-2b?

LEBOWSKY: Yes.

BLOM: Is that what you intended?

USKOSKI: Sure.

COOK: That was my question just so that we get the amendment straight.

USKOSKI: I mean, you could break it and split it if you wanted to, but if you've got development on the south side of the road, you might as well provide the bike lane for those kids and the schools to

go ahead and get everything --

BARCA: I mean, across -- yeah, I agree with that. Yeah.

MORASCH: Okay. Any further discussion? All right. I think we're ready for the roll call.

**ROLL CALL:**

USKOSKI: AYE

QUIRING: AYE

MORASCH: AYE

JOHNSON: AYE

BLOM: AYE

BARCA: AYE

MCCALL: Vote is unanimous, 6/0.

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

MORASCH: All right. Thank you. Well, that concludes the items on our scheduled agenda. And we had a request to reopen the public comment. I don't think we have any old business or new business. So I guess I would entertain a motion. I would entertain a motion if the Planning Commission desires to reopen the public comment.

**REOPENING OF PUBLIC COMMENT:**

USKOSKI: I'll make a motion to reopen public comment.

MORASCH: Do we have a second?

JOHNSON: I'll second it.

MORASCH: All right. All in favor.

EVERYBODY: AYE

MORASCH: Okay. Motion passes. Okay. This is now reopening of the public comment. This is the time for people who would like to speak on a matter not on our agenda to please come forward and state your name for the record.

LEVANEN: I thought maybe we'd just come together since it might be a little quicker for you.

MORASCH: All right. Please state your name again for the record and address.

LEVANEN: Carol Levanen.

MORASCH: Welcome back.

LEVANEN: Clark County Citizens United. P.O. Box 2188, Battle Ground, Washington. As you review the information that you received in your work session regarding the comprehensive plan possible changes, there are some major concerns that Clark County Citizens United has regarding the maps that are being used to designate some of these areas, and so I just prepared little written comments here. And as you work through this process, I'm hoping that you will stay cognizant of the information that we're going to give you today because we feel that this is a crucial point in this comprehensive plan update that needs to be corrected. And unless it's corrected, then designations of these areas really can't occur correctly.

So as far as ourselves, Clark County Citizens United Incorporated, is a rural lands, grassroots nonprofit organization who represents approximately 6,000 members and supporters. CCCU has a 17-member Board of Directors with specialties in land use, engineering, development, forest, agriculture --

HOLLEY: Whoa, whoa, whoa, whoa.

MORASCH: You need to slow down a little bit for our stenographer.

LEVANEN: Okay. Oh, I forgot. Hi, it's you.

RASMUSSEN: So sorry.

LEVANEN: Oh, yeah, you remember me too. Three minutes, boy, I tell you what, we know exactly how many words is on one page. Okay. Where do you want me to go back?

HOLLEY: Board of Directors, you can start right there.

LEVANEN: Okay. Board of Directors with specialty - I forget, I get to talk - with specialties in land use, engineering, development, forest, agriculture, real estate and law. CCCU has lobbied the Commissioners at staff regarding -- and staff regarding incorrect and erroneous resource soils maps that were adopted in 1994 and have continued to plague the resource and rural lands ever since. Resource land cannot properly be determined without adequate and correct resource soils maps as determined by the GMA.

In Clark County documents it states that prime soils for both AG and forest were and must be the primary importance and determined first, but those documents also state that in 1991 and '92 planning staff compiled the resource document, it says nothing about the soils.

On one soils map it states the County cannot accept responsibility for the accuracy of the map. In the 1994 record, reference was made to the maps, but the method for their creation cannot be found. Aerial photos were claimed as the only basis for determining agricultural cover, but they could not be found either.

In the final SEIS on September 1994, it states that the date and the maps may contain errors and were not created for the type of analysis for which they had been used. These maps need to be corrected to scientifically qualify resource soils as directed by the GMA and the WACs. Only then can the County correctly identify resource land of long-term commercial significance under the law in the comprehensive plan. And Susan has some information.

MCCALL: Can you pause just for a second, I don't want to be interrupting your speaking. It's really noisy. Thank you.

RASMUSSEN: Susan Rasmussen with Clark County Citizens United. Carol and I attended all four of the open houses that were out in the county. I find it quite interesting that none of them were situated out in the rural lands. The most rural it got was the Community Center in Battle Ground. The very first open house was held right here at the downtown library in Vancouver.

We know that several comments made during the public comment period are not in the record for the SEIS. One is Carol's, another was a gentleman out in Camas. Carol and I over the last, I'd say, six months, we have testified in the public hearing before the BOCC every week on issues regarding rural lands in the comp plan. None of those comments are included in the SEIS. We wish those to be included.

An ongoing comment made by Oliver this evening during the last work session was that they want to actually look at what is on the ground and to clean up the maps best we can in order to reflect what is actually happening. We wish the same methodology to be applied to the rural and resource lands. In the BERK study it says - I'm sorry, I can't remember which one - but I recall it saying that

just 17 percent of the parcels comply with their zoning. We wish to correct that. We wish the zoning to reflect what has historically gone on with the rural and the resource lands.

At the last work session a little over two weeks ago, Oliver made the statement that the planners don't promise change, they promise analysis. With that in mind, we'd like the planners to actually look at the parcelization that is actually on the ground like they're doing in the urban lands and apply that same reasoning.

They also need to acknowledge the changing face of AG that's gone on over our county in the last 20 years, and there have been some compelling changes. Our family was dairy farmers for years up in the north part, three generations. We've watched the migration of the many, many dairy farms in the county out, mostly to Idaho and east of the mountains where it's drier and there aren't so many contentious environmental impacts that they have to plan for. We're now down to five dairy farms in the county.

In the BERK study, it mentions this changing face of AG and how it's gone from the many commercial farms down to the very small and small farms, and our comp plan needs to reflect that changing AG in our county. Lewis County did in their comp plan update and the courts upheld it. They saw that there are many dairy farms had migrated out when they were making their comp plan and they wrote that, acknowledging that in their plan, and the courts upheld that decision and commended them for it. We hope and sincerely, with much sincerity, that the planners will conduct their analyses and act appropriately.

Thank you for your time this evening and your work with the County.

MORASCH: All right. Thank you for coming. Does any member of the Commission have any questions? All right. Well, thank you again.

LEVANEN: Thanks for giving us some special time.

MORASCH: No problem. Sorry we rushed through it so fast. I thought I gave enough time.

LEVANEN: That's all right. We'll just remember next time. We'll make sure --

MORASCH: Get here early.

LEVANEN: -- we're getting here on time.

RASMUSSEN: We appreciate you accommodating us.

## **VII. COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION**

MORASCH: Thank you. Okay. Are there any comments from members of the Planning Commission?

JOHNSON: I have a comment --

MORASCH: All right.

JOHNSON: -- and this is kind of -- I know where -- since we're bringing everything back, I wanted to do a quick -- I was going to do this before, but I have concerns about the past and this Commission, or this Commission and members of the Board of Commissioners coming and testifying here. And I don't know how to address it other than it was really weird, like what were we doing.

Now, this was a while back and I had planned to do this and I missed the one I was at. But I would just like the Board to, and chair too, to prepare itself to how we would handle that in the future. Both times I was, and the first time it happened I was new. I didn't know any better, but looking back on it when Commissioner Madore came here to testify on something that we were going to recommend back to him.

Once I figured it out, I went this is -- this is not -- this didn't feel right. It felt like there was some type of an oversight almost. And it got more relevant when we had our joint session. And I'm not sure why we were called back to rehash the surface mining when we had done our homework. We had worked very hard. And I even got the impression that the Commissioners were not prepared by the questions that they asked. And I am just going to say again, I find it odd that we have to justify what we recommend.

If, in fact, it is a recommendation and we say, hey, take it or leave it, take parts of it, don't take parts of it. I walked away saying what are we doing? And the reason I bring it up is because to look forward -- and I would encourage the chair and this group to really look at that if a Commissioner asks again to come speak to us. I, for one, don't think it's appropriate.

I like to work with this body. And by the way, in the short time I've been here, I have learned so much from each one of you because you work so hard, you read so much, you come here prepared and it has caused me to be a better commissioner by working hard, reading more, understanding the issues and not walking in here unprepared. I don't get the feeling that our County Commissioners do that kind of work. And I'm not saying they don't do anything. I'm saying we work really hard, so...

I don't know how else to say it. But I, for one, would be up for, and I don't know the legality of it, Chris, but to say, look, if a County Commissioner came up and said I want to testify, that we said no. No. We'll do our business, submit it to you and you can come back for clarification, I suppose, but I think clarification is probably a staff. There's also a record they can read. They can watch us on TV. And I know it's harsh, but I've been sitting on it for a while, so... And I know some of you -- it was just odd to me. Again, that's the year-end being a Commissioner, I just felt weird about it, so...

MORASCH: Okay. Any other comments or discussion?

QUIRING: Yes. I just completely disagree with everything he had just said, completely. When you are in a legislative body, it doesn't matter, we're at a very low level of a legislative body, but you will have state legislatures and governors will come and talk to you and they are the ones that are going to sign the bill. So I think it's actually taking away the rights of people to not allow them to come and testify before us regardless of the fact that they're the ones that are going to make the decision. So that would be my comment. It's a very common thing in the process of making policy that you interact.

MORASCH: Anyone else wish to comment on the issue? Chris, did you have anything to say? I mean, I'm not sure if we have the authority to tell the Board of Commissioners what to do.

QUIRING: For one thing, don't we have some kind of bylaws or rules that we abide by?

COOK: You do.

MORASCH: We have bylaws. I don't think they have any -- I think they're silent on this issue.

COOK: No, I don't think they address that. But I would suggest that a member of the Board of Commissioners is still a citizen of Clark County and still a member of the public. Now, the weight that you give that person's testimony is your decision, but I don't find authority for refusing to hear from someone. You don't have to believe it, you don't have to agree with it and you don't have to recommend what someone wants you to recommend. But in a very fundamental way, I think that the Planning Commission is the body that first hears from all kinds of members of the public about things.

JOHNSON: Can I ask Chris, has it ever, has this Commission ever denied a County Commissioner and said we're not going to do that?

COOK: Not while I've been here. I couldn't speak to before then, but I would doubt it.

Commissioner Barca was here before I was, so you have a longer institutional member.

BARCA: Since 1999 the only time we've ever had a commissioner come forward and request to testify is the event in which you're speaking of.

JOHNSON: Yeah, I just think it's odd. I think I understand about every person having a right, but I don't think that circle is if I'm recommending to someone, we're bringing in all this data and then to be, you know, on the second one would probably be -- I probably was a little bit more concerned with was almost like we were questioned, like what did you mean? Well, there's a record of it. What do you mean did I mean? Are you questioning it or it's a recommendation? And so I think it's odd. I think it's -- you know, there's a level of unprofessionalism, as far as I'm concerned. Again, I understand everybody having the right to say what they want, but it's kind of like the circle gets messy and what are we doing, so...

USKOSKI: Yeah. I guess I would just add that, Karl, I understand what you're saying. And, I guess, like from some of the items on the docket that I've recused myself from, I guess technically I'd have the right to come before the Planning Commission as a citizen or on behalf of my employer and comment during the public hearing, and I've chosen not to out of respect for my fellow commissioners and to not unduly try to influence you one way or another. So that's just kind of my thoughts on the thing, but I understand where you're coming from. I understand that they're still a citizen and, therefore, have a voice. It's just how you choose to use that voice.

BARCA: Well put, Valerie.

JOHNSON: Good point, yep.

MORASCH: It's also nice that they're showing interest in our recommendations, I mean, they could just ignore them entirely.

JOHNSON: No, I'm sure. But are they showing interest or that's the point. It was like I'm recommending to you and you're -- what were you trying to do? Were you trying to clarify so I recommend something to you? Were you -- these parts were it was like, oh, okay, that's the part I couldn't dice out, and I think you're right, maybe it is about respect, maybe it is about, you know, putting people in a position that they don't have to make the right choice.

QUIRING: I actually saw it as completely different, you know, it's just a viewpoint. I thought he actually was getting clarification, not wanting us to turn any way. I think he really wanted to know. While the record -- I mean, you can read the record. Yes, you can read the record, but I think that my impression was it was delving a little bit further into finding out why. That's what I saw it as.

It was sort of like looking back and what happened here and why, trying to understand it more. Not trying -- I didn't see it as -- I didn't see what if he was trying to get us to go one direction, I sure don't know what that was.

JOHNSON: Well, that's my point.

QUIRING: Well, then he wasn't probably.

JOHNSON: Okay. The big elephant in the room was is it a political cover? And I don't --

QUIRING: No.

JOHNSON: It's none of my business, but my point was, look it, there was a contentious group of people. We sat here and took testimony till 10:00, 11:00 at night.

QUIRING: Midnight.

JOHNSON: Yeah, I know it was. We did it. And so then I went what do you mean what do -- I mean, I had to go back and look at, okay, what did I say there. And again, it's not like I said, I think

you might have capsulated it for me which is it's probably about respect and not about, you know.

MORASCH: All right. Any other comments?

BARCA: I'm glad we were able to get that on the table there and we'll all feel better now; right?

JOHNSON: I suppose.

BARCA: Possibly.

QUIRING: Maybe.

## **VII. ADJOURNMENT**

MORASCH: All right. Well, I think we're adjourned then. Thank you all for coming. Good night.

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The record of tonight's hearing, as well as the supporting documents and presentations can be viewed on the Clark County Web Page at: <http://www.clark.wa.gov/planning/PCmeetings.html>.

Proceedings can be viewed on CVTV on the following web page link:

<http://old.cityofvancouver.us/cvtv/cvtvindex.ask?section=25437&catID=13>.

*Minutes Transcribed by: Cindy Holley, Court Reporter/Rider & Associates, Inc.  
Marilee McCall, Administrative Assistant/Clark County Community Planning*