



proud past, promising future

**PUBLIC WORKS  
DEVELOPMENT ENGINEERING PROGRAM**

**AGENDA  
DEVELOPMENT and ENGINEERING ADVISORY BOARD**

Thursday, February 4, 2016

2:30 – 4:30 p.m.  
Public Service Center  
6<sup>th</sup> Floor, Training Room

<u>ITEM</u>	<u>TIME</u>		<u>FACILITATOR</u>
	<u>Start</u>	<u>Duration</u>	
1. Administrative Actions <ul style="list-style-type: none"><li>• Introductions</li><li>• DEAB meeting is being recorded and the audio will be posted on the DEAB's website</li><li>• Review/Adopt minutes</li><li>• Review upcoming events</li><li>• DEAB member announcements</li></ul>	2:30	15 min	Hardy
2. Shoreline Exemption Process	2:45	30 min	Snell/Hardy/Tyler
3. Retaining Walls and Setbacks Update	3:15	30 min	Snell/Bazala
4. 2015 Annual Report and 2016-2017 Work Plan	3:45	30 min	Hardy/Gunther
5. Public Comment	4:15	15 min	All

**Next DEAB Meeting:**

**Thursday, March 3, 2015**  
2:30 – 4:30 p.m.  
Public Service Center  
6th Floor, Training Room

**Agenda:**  
BOCC Work Session Update - Hardy



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**BOCC Work Sessions and Hearings**

BOCC Work Session – every Wednesday at 9 a.m. \*

BOCC Hearing – every Tuesday at 10 a.m. \*\*

BOCC Work Session – Annual Report for Clean Water and Presentation RTC due –  
Wednesday, February 10, 9:00 a.m.

BOCC Hearing – 2016 Comp Plan Update – Tuesday, February 16, 10:00 a.m.

BOCC Hearing – Rural Industrial Land Bank – Tuesday, March 1, 6:00 p.m.

**PC Work Sessions and Hearings**

PC Work Session – Clark County Code 40.210.030 to Allow Residential Care Facilities  
On larger parcels in the rural center Residential districts and 2016 Comp Plan Update –  
Thursday, February 4, 5:30 p.m.

PC Hearing – Amending Clark County Code 40.210.030 to conditionally allow Residential Care  
Facilities on larger parcels – Thursday, February 18, 6:30 p.m.

*Note: Work sessions are frequently rescheduled. Check with the BOCC's office to confirm date/time of  
scheduled meetings.*

*PC – Planning Commission*

*BOCC – Board of Clark County Commissioners*

\* Unless cancelled, which some are if there are no topics

\*\* Except first Tuesday when the hearing is typically in the evening

**Development and Engineering Advisory Board Meeting**  
**January 7, 2016**  
**2:30 p.m.-4:30 p.m.**  
**Public Service Center**

Board members in attendance: Steve Bacon, Don Hardy, Ott Gaither, Eric Golemo, Andrew Gunther, James Howsley, Mike Odren, Terry Wollam, and Jeff Wriston.

County staff: Marc Boldt, Julie Olson, Mark McCauley, Chris Horne, Rosie Hsiao, Ali Safayi, Nikki Olsen, Dean Shadix, Greg Shafer, Marty Snell, and Jeff Swanson.

Public: none

**Administrative Actions**

- DEAB meeting is recorded and posted to the county's website.
- Review/Adopt Minutes:
  - Odren mentioned there was one minor error that needed to be corrected on Page 3. 4' wall on the property line with a 4'sight-obscuring fence on top should be 42 inches sight-obscuring fence on the property line. Minutes from December 2015 were adopted with minor changes.
- Reviewed Upcoming Events:
  - County Work Session – every Wednesday at 9 a.m. (Unless cancelled if there are no topics)
  - BOCC Hearing – every Tuesday at 10 a.m. (Except first Tuesday the hearing is typically at 6 p.m.)
  - BOCC Work Session – 2016 Comprehensive Plan Update – Wednesday, January 13, 10:00 a.m.
  - BOCC Hearing – 2016 Comprehensive Plan Update – Tuesday, January 19, 10:00 a.m.
  - PC Work Session for January 7, 2016 has been cancelled.
  - No PC hearing is scheduled on Thursday, January 21, 2016.
- DEAB member announcements:
  - Howsley welcomed the new 2016 County Councilors Marc Boldt and Julie Olson.
  - Shafer reminded Members the new Stormwater permit will take effect on Jan 8, 2016. Fully complete applications before Jan 8, 2016 and final engineering approval on or after December 28, 2011 must comply with the standards of the 2007 Stormwater permit. After Jan 8, 2016, applications must comply with the new Stormwater permit.
  - Gather asked for the clarification of Contingent vesting. Safayi explained contingent vesting does not apply to Stormwater regulations.
  - Golemo questioned how to comply with Stormwater code for the old projects approved prior to Sept 2009. Safayi stated there are not too many changes. All projects using new Stormwater code are based on the fully complete date, not pre-app conference date. So all projects fully completed or approved prior to Jan 8, 2016 are to use the old Stormwater code. The County has provided an applicability guide for assistance.

- Golemo mentioned sidewalks; parking lots that need infiltration would be affected. It won't affect the large storm areas.
- Hardy thanked to County staff and Safayi working on this.

### **Election of 2016 Officers**

Gunther recommended Hardy, the DEAB vice chair of 2015 to be the chair of 2016. Motion was seconded and approved. Howsley nominated Jeff Wriston as a vice chair of 2016. Motion was seconded and approved.

### **Review 2015 Annual Report/Preview 2016-2017 Work Plan**

Gunther went through all DEAB 2015 accomplishments and 2016 work plan. He emphasized that the DEAB will work closely with County Councilors and Mark McCauley, move forward on the action items and get feedback from the staff this year.

Following are the action items the DEAB discussed and agreed for the 2016/2017 Work Plan.

- SEPA thresholds and exemptions. The DEAB will revisit SEPA thresholds and exemptions, with emphasis on grading.
- Engineering/stormwater reviews/requirements for Single Family Residences. The DEAB will work on details for the review comments and requirements to make the process easier.
- Impact fee deferrals. County is taking actions on that. Snell is working on three things. First, change the ordinance. Then work on impact fees collection or deferral. There are some financial issues for collecting impact fees before recording. Last, divide different phasings for building permits from single family lot to Subdivision. Snell will bring it back to DEAB in a few months.
- Shoreline Exemptions – simplify process for the most basic projects. Ellinger is working on the application form, reducing the pages from 14 pages to 2. She is also requesting volunteers to move the projects from regular to a pilot process.
- Plat Alteration process – look at ways to simplify where allowed by State law. Snell is working with Horne, PA's office, for some solutions. They will continue to work together.
- Infrastructure percent deduction for residential development in the Comprehensive Plan. The DEAB is working on it, tracking the data. It is a long term task.
- Continuing encouragement to make the 60-day expedited review codified. County 60 days projects work well, majority of site plan reviews are working. HWY 99 is a challenging area. Ellinger and her staff are working on this.
- Review County policies and regulations with regard to driveway locations on corner lots. Safayi is working on that with Wriston. He will present it later on.
- Work with staff to improve County code with regard to retaining walls at the perimeter of developments. DEAB is working on this.
- Encouraging the use of technology where applications can be made, such as inspections, meetings, etc.
- Streamlining engineering reviews (i.e. final engineering submitted with Type I PST's).

- Grading Permit process improvements for early grading permits. Try to figure out how to make the approval quicker.
- Accessory dwelling units in rural zones. Snell said this is a policy item that needs to be worked with Comp plan update. It may move to monitoring items.
- Reviewing the need for road modifications that are almost, if not always, approved. Road mod review has been simplified; there are some areas that still need improving, like driveway spacing, arterial access etc.
- Archaeological review process/timelines. Archaeological process is reviewed by the State agents. There is a timing issue, but County cannot control.
- Review options for extending Site Plan and Plat approvals. Howsley stated that extending the plat and site plan dropped down to 7 years, then 5 years in County after the recessing. It helped a lot for economic reasons.

**DEAB 2016/2017 Monitoring items:**

Fee Holiday waiver was discussed by the DEAB. Some questions were raised, like what was accomplished since fee holiday, what data has been collected, what other possibilities the County may have. New BOCC is watching the program.

Howsley recommended the County staff has done a good job, reduced the waiting time. Permit Center added more staff, the appointments work well. The DEAB will continue to monitor staff.

Wriston commented the accomplishments the DEAB has done in 2015. For examples, HOC changes, final plat identified and worked on, Code changes, and more deliberate service. The DEAB created small group committees, brain storming, and task forces to work on some special projects. Snell echoed Wriston's comments for small groups committee, targeted for specific topics, worked together with staff. It is the best way to work together.

McCauley supported and thanked the DEAB for the work. The DEAB will schedule the work session with BOCC soon.

**Corner Lots/Driveway Location and Sight distance**

Safayi talked to the DEAB about the intersection sight distance and corner lot driveway code language and requirements. There were some questions and concerns raised by the DEAB. Realizing the importance of the safety issues of transportation (corner lots/driveway location and sight distance) and following the county code by the builders were brought up. The DEAB thought it will help and benefit the builders to follow the county code if inviting them to participate and learn the rules at the discussion. The DEAB suggested to establish a small subcommittee to discuss Intersection sight distance and corner lot driveway standards. The group will invite some DEAB members, Builders, and County staff (Safayi and transportation staff). They will work together to look at the issues, look for options, and find solutions. The DEAB members who are willing to be involved with the work group are Ott Gaither, Eric Golemo, Terry Wollam, and Jeff Wriston. Ott Gaither will be the lead. County staff will schedule the work sessions soon.

**Public Comment**

There was no public comment.

Meeting adjourned at 4:20 p.m.

Meeting minutes prepared by: Rosie Hsiao

Reviewed by: Greg Shafer

Potential changes to 40.320.010, setbacks for  
retaining walls and fences

2/5/16

Note: highlighted text reflects main changes and additions from  
December 2015 review

F. Establishing Setback Standards for Retaining Walls and Fences.

1. Construction of private retaining walls or fences within public rights-of-way is prohibited. Exceptions to this prohibition shall require approval of the Public Works director. The Public Works Director may apply the exceptions to height and setbacks for walls and fences in 40.320.010.F 3.a through h as applicable.

2. ~~The construction of retaining walls four (4) feet or less in height and Fences six (6) seven (7) feet or less in height may be constructed within public easements. Exceptions to these height limits may be granted when written approval has been obtained from the easement holder. Construction of retaining walls four feet or less may be allowed within public easements when written approval has been obtained from the easement holder.~~

3. The construction of retaining walls in excess of four (4) feet in height and fences in excess of ~~six (6)~~ seven (7) feet in height shall meet the setback requirements of the underlying zone. The height of a fence on top of retaining walls shall be measured to the grade at the bottom of the wall. Exceptions to this provision are as follows:

a. ~~When an exception under subsection (F)(1) of this section has been granted;~~

a. Retaining walls taller than four feet may be placed within setbacks by using a series of retaining walls four feet high or less that are separated a minimum of four feet, provided the area between walls is maintained in ground cover or shrubs. The total height of a series of walls within the building setback shall not exceed eight (8) feet. Landscaping shall be maintained consistent with CCC40.320.010.G.6. Fences are allowed on top of such walls consistent with Section 40.320.010.F.3.h;

b. The exposed faces of retaining walls over four (4) feet in height are directed toward the interior of the lot;

1 c. The retaining walls and / or fences are constructed as part of the site  
2 improvements prior to a final plat, and located between lots within the  
3 development. Retaining walls on the perimeter of the plat may not use  
4 this exception, except as allowed under subsection (F)(3)(d) of this  
5 section;

6 d. Retaining walls and / or fences abutting a road right-of-way or road  
7 easement; ~~provided~~, subject to the following:

8 (1) the wall or fence does not block required sight distance;

9 (2) walls over 12 feet in height will be reviewed for potential shading  
10 and visual impacts beyond the right of way or easement. The  
11 Community Development Director may impose conditions on the  
12 design and setbacks of such walls if needed to mitigate impacts;

13 e. The retaining wall and / or fence is constructed between lots under the  
14 same ownership;

15 f. Permission to exceed the height limits within the setback is granted in  
16 writing from the abutting property owner;

17 g. The retaining wall and / or fence is abutting legally permitted non-  
18 residential uses;

19 h. Non-sight-obscuring fences such as chain link or wrought iron seven (7)  
20 feet high or less, and sight-obscuring fences forty-two (42) inches high  
21 on top of retaining walls no greater than four feet tall are allowed within  
22 setbacks;

23 4. The planning director may approve variations to the provisions in  
24 40.320.010.F.3 for unusual circumstances clearly not anticipated under that  
25 code section. The decision to approve or disapprove the requested variation  
26 shall be based on factors of topography, traffic visibility, visual impacts, and  
27 location and nature of adjoining public and private structures and uses.

28 4. 5. Building codes for retaining walls may require setbacks that are greater than  
29 those required by this section 40.320.010.F.3.

30 6. These provisions do not apply to fences required by state law to enclose public  
31 utilities, or to chain link fences enclosing school grounds or public recreation  
32 areas.