

Development and Engineering Advisory Board Meeting
June 7, 2012
2:30 to 4:30
Public Service Center

In attendance:

Board members – Mike Bomar, Helen Devery, Ott Gaither, Eric Golemo, Andrew Gunther, James Howsley, Mike Odren

DEAB Members not in attendance: Greg Jellison,

County staff – Jan Bazala, David Bottamini, Pete Capell, Susan Ellinger, Tom Grange, Travis Goddard, Mike Mabry, Diana Nutt, Marty Snell, Oliver Orjiako, Susan Rice, Ali Safayi, Sue Stepan, Axel Swanson, Ron Wierenga

Administrative Actions

Introduction of audience members

Review/Revise/Adopt Minutes: Minutes from May 3, 2012 DEAB meeting approved and adopted.

Review Upcoming Events: Coming up in June for Planning Commission; flood plain and shoreline updates. Stepan discussed the fact that there is an ongoing discussion regarding rural-ag land issues. Stepan mentioned that the Developers certification pilot process will be going to the BOCC hearing on July 17th. Stepan will be bringing materials for certification to the July DEAB meeting.

Correspondences:

- A copy of Steve Walls Resignation letter from DEAB
- Mike Bomar “Skype Inspection” email

The sub-group for the exploration of a 9-year plat approval process includes the following; Odren, Golemo, Bomar, Howsley, and Susan Ellinger. The sub-group will meet before the July DEAB meeting.

Floodplain Code Update

Tom Grange presented the 6/6/12 version as the most recent code language. Changes were noted including definitions added for substantially improved, development, flooding, elevation certificate, flood rate maps, special flood area, and start of construction. Discussion also included Page 5, (d) which notes that the applicant will have to demonstrate infiltration with calculations; Page 6 which references specific technical bulletins, and that wells will be prohibited in the floodway or where ponding occurs in the floodplain (though there is no definition of ponding); Page 11 includes a clarification of a variance procedure (though it is limited in scope).

Motion: DEAB formally moved to approve the code as drafted on 6/6/12 with an amendment in the definitions section to call out the datum issue between Clark County and FEMA, and a note that this action was not driven by staff or DEAB, but was in fact mandated by FEMA. The motion was passed unanimously.

Shoreline Program Update

Orjiako noted that DEAB had already seen the shoreline update but gave a quick background and overview of the project to date. He clarified that the plan will be codified as a section of Title 40 (with chapter 3 going into Chapter 13 of the Comprehensive Plan). He noted that Ecology decided not to hold a hearing and that the plan will go back to the Planning

Commission on June 21st then will go to the Board soon after that (to be determined), but noted that the program would be in effect 14 days after DOE's approval. Oliver stated that the documents would be available on-line soon. No motion was made because DEAB members would get documents on Monday June 11th. Sue Stepan noted that she would send an e-mail and request a recommendation after that.

Employment Zone (EZ) Task Force

Orjiako presented an overview of the efforts by the task force to streamline the industrial zoning code. He presented the 15-page streamlined code and also included a copy of the original code with all the strike-throughs. He noted that the Board of County Commissioners will have a work session June 22nd. The discussion included the desire to create a single "industrial" designation for the comprehensive plan as opposed to multiple zoning districts for the ML and MH comp plan designations. Landscaping standard changes were discussed. Noise standards would not be changed because they refer to state standards.

A general discussion followed about the movement away from NAICS codes and how the new code would allow all sub-sections of any use (to allow for maximum flexibility). Golemo noted that some of the sections appear to conflict with the EZ zone work and might cause problems. Devery noted that the CREDC has reviewed the work. Orjiako noted that they would be reaching out to the business community and would like a recommendation for the board before the work session.

Howsley voiced concern over the lack of clarity and how education is needed. He specifically noted that real estate professionals might find themselves in the position of selling a product only to find out later that they misrepresented it.

2012 Spring Bi-annuals – Sewer Waiver

Bazala presented the draft 2012 Spring Bi-annual report. He noted that there was a hearing on the bi-annuals next Tuesday. DEAB noted that they would have members attend and that they were not ok with the sewer waiver section because of the planning commission recommendations. Stepan noted that the motion from the last meeting was in the minutes but needed to be clarified. Bazala noted that multi-family residential was ok for a waiver (per DEAB), 300-feet should be reduced to 200-feet and that the measurement be to the property line and not the house footprint, and that it include "prohibitively expensive" wording as noted by staff. Staff urged DEAB to keep the changes small because some issues were too big for the bi-annual process and that the Planning Commission put the whole issue on the shelf because it was a big policy issue. Stepan asked for clear direction from DEAB.

Howsley noted that the minutes captured the motion well. Odren noted that the 200-foot change and the expense wording were both needed together, to work. He noted that some changes to Title 24 were needed but that it wasn't part of DEAB's mandate.

Motion: DEAB formally moved to approve the draft motion dated 5/3/12 with the removal of "re-placement" on line 37 of staff's translation and striking out amendments to changes in Title 24.17.080, beyond what was necessary for consistency within Title 40. The motion passed unanimously.

County Development Team

DEAB wants to work out a system to get involved in the county's review process to better influence processes and decisions. A generic update of activities and ideas followed.

Traffic Impact Fee Installment Plan Draft Contract Agreement

Mabry from Community Planning discussed the installation agreement that could be, a usable option. He noted it was not a lien and that penalties for delinquent fee payers would be avoided. There would be no administrative costs, so no fee was built in at this time because the form would be collected by the Treasurer's Office. Stepan noted there would need to be some negotiating with Public Works on costs. Snell noted that there hadn't been a fee collected for this in the past and the hope was they would be fast and cheap to process. Mabry noted the PA's office had reviewed and approved the form.

Golemo noted it was good stimulus. He noted that the proportionate share was to be paid upon lease, but stated this should be upon sale. Paying at lease may only trigger all the TIF at once instead of allowing for it to be spread out over time. This defeated the purpose of the change whereas outright sale would be a good trigger for outstanding TIFs. Staff indicated that they would need Chris Horne's opinion but that this document wouldn't be going back to the Board except as a heads-up by Axel Swanson.

The issue of "double the prime rate" being an adequate rate for late fees, was generally accepted by DEAB members.

Economic Development update

Howsley indicated he had drafted a letter with Devery setting a meeting with stakeholders on July 19th in the Hearing Room.

Lands for Jobs update

Devery noted that the report was completed and concluded that there was not enough land available within the 0-18 month ready jobs category and updated the actions that were under way. Howsley noted that a policy "new look" paper was routed for polices to be put forth; like building coalitions with other ports. Helen noted that the permitting group was not working yet but would be shortly.

No public comments were made

Next DEAB meeting July 12, 2012

Meeting Minutes Prepared by: Susan Rice

Reviewed by: Travis Goddard

DEAB Adopted: August 2, 2012