



proud past, promising future

**PUBLIC WORKS
DEVELOPMENT ENGINEERING PROGRAM**

**AGENDA
DEVELOPMENT and ENGINEERING ADVISORY BOARD**

Thursday, July 6, 2017

2:30 – 4:30 p.m.
Public Service Center
6th 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"> • Introductions • DEAB meeting is being recorded and the audio will be posted on the DEAB's website • Review/Adopt minutes • Review upcoming events • Fee Waiver Sunsetting Resolution Discussion • DEAB member announcements 	2:30	15 min	Wriston
2. Project Delivery Stakeholders Group/updates	2:45	30 min	Odren/Howsley/Gaither
3. Final Plat	3:15	30 min	Wriston
4. Permitting Timeframes/Response Initiatives	3:45	30 min	Ellinger/Muir
5. Public Comment	4:15	15 min	All

Next DEAB Meeting:

Thursday, August 3, 2017
2:30 – 4:30 p.m.
Public Service Center
6th Floor, Training Room

Agenda:
Building Drainage (Muir, Safdari)
Code Amendments (Bazala)



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**PUBLIC WORKS
DEVELOPMENT ENGINEERING PROGRAM**

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 – Community Framework Plan and Urban Holding – Wednesday, July 12, 9:00 a.m.

BOCC Work Session – Clark Conservation District – Wednesday, July 19, 9:30 a.m.

BOCC Work Session – Auditor's Office 2nd Quarter Report – Wednesday, July 26, 10:15 a.m.

BOCC Work Session – Innovative Housing and Highway 99 Subarea Plan Review – Wednesday, August 9, 9:00 a.m.

PC Work Sessions and Hearings

PC Hearing – 2017 Annual Plan Amendments amending the 20-Year Growth Management Comprehensive Plan Map and Zone Map: CPZ2017-00012 Wollam; CPZ2017-00008 Cueto and CPZ2017-00013 Tapani – Thursday, July 20, 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
June 1, 2017
2:30 p.m.-4:30 p.m.
Public Service Center

Board members in attendance: Steve Bacon, Eric Golemo, Andrew Gunther, Don Hardy, Mike Nieto, Mike Odren, Terry Wollam, Jeff Wriston

Board members not in attendance: James Howsley, Ott Gather

County staff: Jose Alvarez; Gordon Euler; Carolyn Heniges; Rosie Hsiao; Jim Muir; Dianna Nutt; Oliver Orjiako; Greg Shafer; Marty Snell

Public: Seth Halling, AKS; Steve Madsen, AHO Construction, Mark Damen

Administrative Actions

- Introductions
- DEAB meeting is being recorded and the audio will be posted on the DEAB's website, we are using the microphones today to improve quality of recording.
- Review/Adopt minutes: Minutes were approved with minor changes by Mike Odren.
- Review upcoming events
 - BOCC Hearing – Regional Transportation Council meeting – Tuesday, June 6, 4:00 p.m.
 - BOCC Work Session – Fee Waiver Pipeline Projects; 2016 Comp Plan Remand – Wednesday, June 7, 9:00 a.m.
 - BOCC Hearing – Franchise Agreement w/WA State re: Installation of Pipe in State ROW – Tuesday, June 13, 10:00 a.m.
 - BOCC Hearing – 2016 Comp Plan Update Remand & Interim Ordinance on Land Divisions on Rural & Resource Lands – Tuesday, June 20, 10:00 a.m.
 - PC Work Session – Annual Reviews & Dockets– Thursday, June 1, 5:30 p.m.
 - PC Hearing – CPZ2017-00019 Wiard; A proposal to amend the comprehensive plan and zoning map from a designation of Mixed Use (MX) to Industrial (IL) on the following parcel: 200105000; CPZ2017-00020 Mill Plain Commercial: A proposal to amend the comprehensive plan and zoning map from a designation of Urban Low (R1-6) to Commercial (C-3) on the following parcel: 200124000; and CPZ2017-00022 Riverview Asset Mgmt. & Trust: A proposal to amend the comprehensive plan and zoning map from a designation of Industrial (Business Park) to Urban Low with R1-6 zoning and one acre of Commercial with Neighborhood Commercial zoning on the following parcel(s): 200305000; 200326000 and 200355000 – Thursday, June 15, 6:30 p.m.
- DEAB member announcements
 - None

Comp Plan/Updates on Appeals and Amendments

Orjiako provided the background of the comp plan that was adopted by the Board of County Councilors (BOCC) on June 2016. The plan was appealed to the Growth Management Hearings Board (GMHB) by Futurewise and the Friends of Clark County and by Clark County Citizens United. The GMHB issued its final decision and order on March 23, 2017. The FDO found that the County had violated the Growth Management Act. There are 25 issues decided and Clark County prevailed on 18 issues. There was 30 days appeal period to April 24, 2017. By the appeal deadline of April 24, 2017, Clark County, La Center, Ridgefield, the owners of property taken into those cities, and Clark County Citizens United had all appealed the FDO to Clark County Superior Court. GMHB will have compliance hearing on November 7, 2017. All information is on the County website.

Euler added the County has 180 days until September 19 to come into compliance with the FDO. He used PowerPoint to present the comp plan update and what the County is appealing and what the County is proposing for compliance. He said the proposed changes will be to the comp plan map and text and to CCC Title 40. County adopted a moratorium on April 25, 2017 on the acceptance of land division applications for resource and rural lands and the effective date is June 30, 2017. Anyone can appeal to the hearing examiner anytime.

Following are the discussions by DEAB.

- Golemo asked if the board moratorium affected the vested or contingently vested applications or pre-app. Euler said all applications applied before April 25, 2017 are not affected if contingently vested .
- Wriston questioned de-designations of Agriculture. It used to be handled parcel by parcel. Now de-designations of Agriculture go to the whole county. It might need more work if doing any expansions. Orjiako said it is not clear for the definition now. It is WAC. Because adding to UGA is challenging, some interpretation may go to Supreme Court, some will be processed legislation. Like City of Battle Ground and Washougal, annex from the County to Cities affects UGA. It may be treated differently because of that. Applying tools are different, too.
- Hardy asked why there are issues of expansion for Ridgefield and La Center. Orjiako said the County has no issue. The issue is the rule giving the population and plans which are County chosen to the city that has no room to expand and it does not need to affect UGA.

Orjiako asked to wait for the upcoming decision.

Jose updated DEAB on some comp plan annual reviews and provided the background and review status.

Fee Waiver/Resolution

Snell gave the presentation for Fee waiver program update. He said the goal for the County is to establish an endpoint for the fee waiver program initiated in 2010. Because the economy has improved, County needs to be fair and equal to all developers, all fee waiver projects need to be moved forward. There are 105 projects, estimated \$6.6 million fees for pre-app, prelim and \$16 million for traffic impact fee waiver. On June 6, there is a BOCC work session. Snell will give the recommendation to the Councilors. The recommendation includes allowing 1 year normal timeframe for pre-application, 18 months to complete preliminary and final engineering review, and to secure building permits within 6 months after final engineering approval.

Snell encourages DEAB to attend the work session on June 6 because the work session will generate the timeframe of flexibility for all county plan reviews. He is waiting for the direction of the councilors on the timeframe and resolution

Following are the concerns by DEAB.

- Jeff wondered about the building permitting timeframe.

- Odren raised the changing ownership issue. The project is the same, but the owner changed after the final reviews.
- Golemo questioned the commercial building permits completed in 6 months for many lots.
- Hardy asked about budget and staffing.

Snell explained the permitting timeline . He would raise the issues for changing the ownership at the meeting. There is information for workload, staffing fund balance that staff addressed that he will use for the work plan format.

Following are the updates the County has done and are working on.

1. Reestablish the master plan for developers and builders to free some time
2. Contract out for third party to review the residential buildings
3. Reemphasizes Lean program, submit the correct documents
4. Recruit for a new permit manager
5. Teamwork for Stormwater review
6. Lean program issues and improvement. Work on efficiency eg. appointment and reviews.
7. Train and educate people
8. Recruit new people for positions

Public Comments

Madsen brought up the park impact fees. He said the council revisited the park impact fees and will increase the fees soon. Golemo said the project is on hold.

Madsen also mentioned to intern with high schools, train the young students and get permit techs for the future. Heniges said that the County has an Intern program for college students.

Damen introduced himself as an engineer at large, and available for work.

Shafer mentioned the next month agenda is still open. Send the topics and items to him.

Meeting adjourned: 4:30pm

Meeting minutes prepared by: Rosie Hsiao

Reviewed by: Greg Shafer

1 RESOLUTION NO. 2017-__-_____

2 A RESOLUTION modifying the fee waiver program and imposing
3 deadlines for eligible projects to achieve approval and construction of
4 developments under Resolution 2013-06-06 as later modified and limited.

5
6 WHEREAS, RCW 82.02.020 authorizes counties to charge an applicant reasonable fees to
7 cover the cost of processing applications, inspections, and plan and SEPA review;

8
9 WHEREAS, RCW 82.02.050 authorizes counties to charge traffic impact fees to cover a
10 proportionate share of the cost of providing road improvements listed in the Capital Facilities
11 Plan; and

12
13 WHEREAS, in accordance with RCW 82.02.050-82.02.070 and Clark County policy, the
14 Board has adopted a traffic impact fee program, as set forth in Title 40.610 of the CCC; and

15
16 WHEREAS, Section 8 of the Resolution 2013-06-06 contains provisions that temporarily
17 established the limited fee waiver program and the provisions for its eventual review and repeal; and

18
19 WHEREAS, the board has provided notice to the development community and the public
20 generally at a public meeting that Resolution 2013-06-06 may be modified or terminated after
21 December 31st 2016; and

22
23 WHEREAS, the local economy has greatly improved and the marginal costs of a continued
24 fee waiver exceed the marginal benefit; and

25
26
27 WHEREAS, the Clark County Council terminated Resolution 2013-06-06 as amended by
28 Resolution 2015-12-03 and Resolution 2016-12-08; and

29
30 Several persons/entities applied for preapplication or preliminary approval without applying
31 for their next levels of review; and

32
33 WHEREAS, the board is considering this matter at a duly-advertised public
34 hearing and concludes that adoption of this Resolution will further the public health and
35 welfare; now, therefore

36 BE IT ORDERED, RESOLVED AND DECREED BY THE COUNTY
37 COUNCILORS OF CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

38 **Section 1. Findings.** The attached table shows the list of projects eligible for fee
39 waivers and their respective states of completion. Council finds that the purposes of the
40 fee waiver resolution are not furthered unless property owners and/or project proponents
41 diligently pursue completion of their development projects. Council further finds that
42 those property owners and/or project proponents who are not diligently seeking final
43 permit approval and construction should be eliminated from the fee waiver program. To
44 induce diligence on behalf of property owners, County Council establishes the timelines
45 set out below.

46 **Section 2. Deadlines for achieving permit approval/Completion of**
47 **construction.**

- 48 (a) Property owners and/or project proponents, who have received a
49 determination of contingent vesting, must file a fully complete application for
50 either preliminary subdivision or site plan approval as applicable within three
51 hundred sixty-five (365) days after the pre-application report is issued.
- 52 (b) To maintain eligibility property owners and/or project proponents who have
53 filed fully complete applications for preliminary subdivision or site plan
54 approval, must obtain preliminary approval within eighteen (18) months.
- 55 (c) Following preliminary approval date, property owners and/or project proponents are
56 required to obtain final engineering approval within one hundred eighty (180) days.
- 57 (d) As the final stage, property owners and/or project proponents must obtain building
58 permits within six (6) months of final engineering.
- 59 (e) The Director may waive a deadline if he finds that a property owner and/or project
60 proponent was acting diligently to complete the development and the delay was due
61 to extraordinary circumstances beyond their control (e.g., a timely and complete
62 application for a federal or state permit that is delayed by that agency).

63
64 **Section 3. Effect on Vesting.** The deadlines set out above neither shorten nor extend
65 the vesting periods established under state law and/or county code.

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67 **Section 4. Effective Date.** This resolution will be effective immediately.

68
69 ADOPTED on this _____ day of _____, 2017.

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BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

Attest:

Clerk of the Board

Marc Boldt, Chair

Approved as to Form Only:
ANTHONY GOLIK
Prosecuting Attorney

Jeanne E. Stewart, Councilor

By: _____
Christopher Horne,
Deputy Prosecuting Attorney

Julie Olson, Councilor

John Blom, Councilor

Eileen Quiring, Councilor