



Clark County Planning Commission

Karl Johnson, Chair
Ron Barca, Vice Chair
Bryant Enge
Steve Morasch
Bryan Halbert
Matt Swindell

CLARK COUNTY PLANNING COMMISSION REMOTE HEARING

**THURSDAY, NOVEMBER 19, 2020
6:30 p.m.**

CALL TO ORDER

JOHNSON: Okay. I would like to call this public online meeting to order for Thursday, November 16th, 2020. First off, can everybody hear me?

SIDOROV: Yes, we can hear you.

MORASCH: Yeah, I can hear you.

JOHNSON: Okay. Because I'm way up here and if I slide out, we'll just deal with it. Due to the COVID -- excuse me. My name is Karl Johnson and I'm the Chair of the Clark County Planning Commission.

Planning Commission Rules of Procedure

JOHNSON: Due to the COVID-19 Coronavirus pandemic, regular meetings and public hearings of the Clark County Planning Commission will be held in a virtual meeting room, this will allow for safe participation by commission members, the staff and the public.

The role of the Planning Commission is to review and analyze comprehensive amendments, zoning changes and other land use related issues. We follow a public process including holding hearings which the public has an opportunity to provide additional perspectives and information. In legislative matters, the role of the Planning Commission is advisory. The County Council will hold separate hearings, consider our recommendations and make a final determination.

The Planning Commission -- excuse me -- the procedures are as follows: The Planning Commission will conduct a public hearing tonight and take testimony regarding the matter being considered. All public comments received by mail or e-mail before the beginning of the hearing will be entered into the record.

The staff will go first tonight, and they will present the information about the application to the Planning Commission. The Commissioners then may ask questions of the staff. Next, we will invite the applicant to speak. Then members of the public who wish to provide comment will be called in turn.

When we get to the public comment, we will provide more detailed information. Please keep your remarks brief and to the point. You will have three minutes to speak. Remarks should be directed to the Planning Commission as a body, not to the audience, staff or the applicant, this is not an appropriate time to question staff or the applicant. Please do not repeat testimony that has already been provided.

At the conclusion of public testimony, the applicant may take up to three minutes to respond after which the public portion of the hearing will be closed. Staff may then respond to the testimony from the applicant and the public. The Commission will then deliberate and make a recommendation to the Council.

Before we begin the hearing, Planning Commission members and staff, please ensure that your microphones are turned off or muted unless you are speaking. Planning Commission members, please remember to turn your video camera on throughout tonight's meeting, a little caveat there, if mine goes it is just because of the Internet and I'm still listening.

Audience members, you are all muted. You are only to be unmuted if you wish to speak during the public comment period. Please show respect for the people testifying tonight whether you agree or disagree with their comments.

Conflicts of interest, this is a question to the PC members, would anyone on the Planning Commission like to disclose any conflicts of interest? Hearing none, I'd like to start a roll call of the PC members who are present for this meeting. Please say I'm here after Sonja calls your name. Sonja, roll call.

ROLL CALL

BARCA: Late
ENGE: HERE
HALBERT: HERE
MORASCH: HERE
SWINDELL: HERE
JOHNSON: HERE

GENERAL & NEW BUSINESS

A. Approval of Agenda for November 19, 2020

JOHNSON: So, we will move on to general and new business. Can I have a motion for the approval of the agenda for November 19th, 2020.

HALBERT: So **moved**.

SWINDELL: I'll **second** it.

JOHNSON: Motion has been moved and seconded. Sonja, do we need a roll call for that? I'm just kidding. Yeah. We've heard the motion and it's been seconded; do we need to take a roll call for the motion? All those in favor?

EVERYBODY: AYE

JOHNSON: Opposed? Hearing no opposition, the motion passes.

B. Approval of Minutes for October 15, 2020

JOHNSON: Approval of the minutes for October 15th, 2020. Can I get a motion -- can I get a motion for those approvals and a second.

SWINDELL: So **moved**.

HALBERT: I'll **second**. Bryan.

JOHNSON: There's been a motion and seconded. Bryan seconded. All those in favor?

EVERYBODY: AYE

JOHNSON: Any opposed? Hearing no opposition then we'll -- I muted myself.

C. Communications from the Public

JOHNSON: We are now going to take communications from the public. This is for communications from the public for those items that are not on our public agenda meeting tonight. Sonja, do you want to go over that part of it?

SIDOROV: Sorry. Say that again.

JOHNSON: There's a section that Sonja's supposed to talk to the people attendees using their computer on WebEx if you would like to speak.

Remote Meeting Details & How to Testify

SIDOROV: Yes. For attendees using their computer for WebEx application if you would like to speak, please utilize the raised hand icon. I will show it to you here. You can do this by opening the participant window and selecting the hand icon in the lower right-hand portion of the screen. Staff will only acknowledge those attendees during the public comment period who has raised their hand by selecting the hand icon.

When you are acknowledged, you will be unmuted. If you wish to retain the ability to be a part of the record on this matter or to challenge or defend any decision made on this matter, please state and spell your name and provide your address for the record.

For attendees using the telephone audio only option, you need to press 3 on your phone numbers panel to raise your hand. You will hear a message that says you have raised your hand to ask a question, please wait to speak until the host calls on you.

When you are acknowledged, you will be unmuted, and you will hear a message that says you have been unmuted. When you have finished your comment, press 3 to lower your hand, you will hear a message that says you have lowered your hand. Please note public comment is limited to three minutes per person in order to accommodate all speakers.

JOHNSON: So, seeing that I don't have any comments I'm assuming we will move on. I will now close the public comment portion of the hearing.

JOHNSON: So, tonight's public hearing items, we have one item I believe and that would be CPZ2020-00008, the Comprehensive Plan Text Amendments, Countywide Planning Policies and Land Use Element Policy. Mike, is it Mike Sallis that's going to present this, Mike are you ready?

PUBLIC HEARING ITEM

- A. CPZ2020-00008 Clark County Community Planning is requesting to amend the countywide planning polices and add one county policy in the Comprehensive Growth Management Plan 2015-2035 Land Use Element. A summary of the text amendments are as follows:
 - Recognize the Cowlitz Indian Tribe as a federally recognized tribe in the Comprehensive Plan to ensure that the Tribe is part of the project coordination process under the Growth Management Act.

- Establish a density target of 4 units per net residential acre for the portion of the City of Woodland within Clark County and provide a policy regarding the Woodland Urban Growth Area (UGA).

The Washington Administrative Code (WAC) 365-196-305 defines “the primary purpose of CWPP is to ensure consistency between comprehensive plans of counties and cities sharing a common border or related regional issues. Another purpose of the CWPP is to facilitate the transformation of local governance in the urban growth areas, typically through annexation to or incorporation of a city, so that urban governmental services are primarily provided by cities and rural and regional services are provided by counties.”

Staff Contact: Michael Sallis, michael.sallis@clark.wa.gov (564) 397-4558

ORJIAKO: I will. Good evening. Good evening, Planning Commission members. This is Oliver, I will just open it up and then turn it over to Mike and thank you for indulging us in this visual meeting, greatly appreciate it.

You have actually two items that are kind of related. It is the Countywide Planning Policies Amendment and it is a countywide planning policy, I look at it as a regional policy and it's required by the Growth Management Act that counties and cities establish countywide planning policies to address regional issues that are significant, and the two items before you qualifies for that.

One, as you are aware, the Cowlitz Indian Tribe land was taken into trust recognized by the federal government and the Growth Management Act requires counties and cities by attestation to coordinate regional issues or planning issues with the tribe.

Now, this doesn't necessarily mean that we will have any jurisdiction over the area recognized by the federal government or taken into trust by for the Tribe; however, there are some areas where coordination and cooperation is required.

I believe -- I don't, I don't believe that the matter came before you or maybe it did or maybe it didn't, at one point there was an issue relating, a transportation issue relating to access for some of the property owners that live north of the Tribe facility and we coordinated with the Tribe in a manner that provided access for those property owners, those are some of the issues that from time to time will come up. We don't have land use jurisdiction, and neither will the Tribe have any land use jurisdiction areas, in areas outside their federally recognized land.

The second Countywide Planning Policy Amendment relates to the City of Woodland. The City of Woodland chose to plan under the Growth Management Act and as such there's also some portion of Clark County that is within the City of Woodland, the area known as the Horseshoe Lake area.

So, because they chose to plan under the Growth Management Act, they are binded by, they are

included in all the cities that we plan for, so there are about seven or eight including the Town of Yacolt, so Woodland is one. So, they are requesting that we amend the county planning policy just as we have with, that we include them such as we have with all the other seven cities, the Town of Yacolt, Camas, Washougal, Ridgefield and Battle Ground.

So, the policy that they're recommending, which I can go through with you and let you know that each of the UGAs has a similar density requirement. So, in this case their request is to amend countywide planning policy to include Woodland requiring them to meet all development in a manner that grants them at least four units to an acre and this will be very similar to the City of La Center. They're under their city or share of housing their city is four. For all the other smaller cities or medium cities, it's six units to an acre with the exception of Vancouver where their requirement is, or their share is eight units to an acre.

So those are the two issues before you tonight for you to make a recommendation. We don't typically amend the countywide planning policies but when the request is made, this is the process we go through to make an amendment, this is a Type IV legislative process and that's why we are here.

With that, I will turn it over to Mike Sallis unless you have a question of me, and I am here as well as our legal counsel to answer any questions that you may have. I think this is straightforward, you will agree, but it's up to you to make a recommendation one way or the other. So, with that, Mike, if you want to go into details, take it away.

SALLIS: Sure. Good evening everyone. Just to let you know this is just reiterating what Oliver had mentioned, but part of it is just because we've been working with the Tribe for the last two years through the City/County Coordination Committee and so this is just part of that as well and it also being required under RCW 36.70A.210(4) and it basically states what Oliver had mentioned with regards to federal agencies and Indian Tribes may participate in a coordinated -- or sorry -- and coordinate with the countywide planning policy adoption process. So that's just, that kind of solidifies where we were going with regards to the requirement under RCW -- under the Growth Management Act.

The second one for Woodland. Again, we've been working with Woodland on this the last couple of years as well and things are now to the point where we can move this forward and have it part of the comprehensive plan and also our countywide planning policy. So, with that said, based on the information we presented, not only here, but also during the work session, staff recommends that the Planning Commission forward a recommendation of approval to Clark County Council. But before you guys, before we go to that point, do you guys have any questions for me?

JOHNSON: So, what I'm going to do, Mike, if you don't mind, I'm going to walk through each member just so they can hear. Bryant Enge, do you have any comment?

ENGE: No. I want to ask, and I think you spoke to this, Mike, the last time, but the -- again this is just a coordinating, well, it's just coordination, the Tribes will not be, the Cowlitz Tribe, will not be required to do anything that the GMA otherwise would require a typical government agency?

SALLIS: That's correct.

ENGE: Okay. That's it.

JOHNSON: Okay. Thank you. Bryan Halbert, do you have any questions or comments for staff?

HALBERT: Yeah. No questions. I think this is a good recommendation to recognize the Tribe formally for Clark County and continue relationships that should be good for both the Tribe and the County and the landowners around the Tribe's property. So, yes, I'm all for it.

JOHNSON: Thank you. Steve Morasch, do you have any comments or questions?

MORASCH: No. I think everything makes sense to me.

JOHNSON: Great. Thank you. Matt Swindell, comments or questions for staff?

SWINDELL: No. I would -- I would just agree with everything Bryan had to say. I think it's, they're our neighbors and I think it's great that we're coordinating with them, and even though we've been doing it the last couple of years, I think to solidify that is a good idea, so I agree.

JOHNSON: Great. I have no comments or questions. So, moving on. Do we have anybody in the queue at all for the public --

BARCA: Hey --

JOHNSON: -- for the hearing?

SIDOROV: No, we do not.

BARCA: I did make it, I'm here. This is Ron Barca.

JOHNSON: Who are you, Ron? I'm kidding. Ron, did you have any questions or comments regarding this before we move on to public testimony? I know you were at the work session is why I can say that.

BARCA: And I would just like to reiterate I think for the record the comments that I brought up earlier was with concerns of the City of Woodland that since they are being brought in in this amendment I just want to make sure that they are up-to-speed on all of the transactions and changes that Clark County is doing in relationship to housing and how it's changing.

I know that when Oliver prefaced it, he did include the thought process that they are indeed going to have a specific density attributed to their small portion that's in Clark County right now, but there's a lot of changes that are afoot and I'm just wanting to make sure that the City of Woodland is aware that things are continuing to move and change, so that's just something to put out to staff to get on the record, please.

JOHNSON: So noted, Ron. Thank you.

ORJIAKO: So noted. So noted, Planning Commission Member, Ron. We will continue to engage the City of Woodland, as Mike mentioned, we meet with all the city planning partners on the comp plan update, we meet monthly, and when we are not engaged in the plan update we meet quarterly, so they are at the table and they are aware of this.

My only issue, not an issue per se, but they choose to plan under the GMA, so all the, all the requirement is going to fall on them to comply. The only thing that I cannot say at this point, but that will come before you, in the next plan update when the Council chooses a population target to plan for, Woodland is going to be included to contribute their own share of that growth and then they will make a decision on how to accommodate that growth, it could mean expansion of their UGA into Cowlitz or into Clark County. If they do into Clark County, that's going to come before you and they have to show justification for that and your recommendation will then go up to our Council, but they are now kind of like we have to treat them as the other cities.

BARCA: Thank you so much, Oliver.

ORJIAKO: You're welcome, sir.

JOHNSON: Okay. We'll now --

ORJIAKO: Mr. Chair, finally from me, what is not before you, and I just want to put it into the record, what is not before you is the map of the federally recognized area for the Tribe and at some point, the reason I'm bringing that up is that at some point staff will work with the Tribe to make sure that that area is no longer showing on the County land use map as agriculture because that's what it was designated before the property was recognized by the federal government or taken into trust for the Tribe, so we no longer need to carry that ag designation in any of our land use map because technically it is not ag, I just want you to be aware of that, but we will work with the Tribe to get there. Thank you, sir.

JOHNSON: Okay. We will now open the hearing for public testimony. Once, again, do we have anybody in the queue from the public, Sonja?

Public Testimony

SIDOROV: We do not.

JOHNSON: Okay. So, we are going to forego the written testimony explanation or the audio, whatever the public says, so we're now going to close the public testimony portion of the hearing.

Return to Planning Commission

JOHNSON: Staff, I don't think there's any testimony, I think we're clear on where we're going. If you'd like to deliberate or I would take a motion, either way.

SWINDELL: Karl, I make a **motion** that we accept CPZ2020-00008 as presented.

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

JOHNSON: Okay. We have a motion and a second on the table. Sonja, could we get a roll call.

ROLL CALL VOTE

BARCA: AYE
ENGE: AYE
HALBERT: AYE
MORASCH: AYE
SWINDELL: AYE
JOHNSON: AYE

JOHNSON: So the motion carries --

WISER: 6/0.

JOHNSON: -- 6/0 and it passes. So that's the end of our agenda.

OLD BUSINESS

JOHNSON: Is there any old business that needs to be recognized, please raise your hand if you think there is? Okay.

NEW BUSINESS

A. Election of Chair & Vice Chair

JOHNSON: We have some new business tonight. We have the election of the chair and vice chair for next year go-around. Are there any comments or discussion before we accept motions for chair or vice chair?

SWINDELL: Can I make one quick comment, Karl?

JOHNSON: Yeah.

SWINDELL: Steve is rocking one heck of a good-looking beard there. Sorry.

(EVERYBODY TALKING.)

JOHNSON: Old business. Okay. Ron, do you have anything to say or of interest?

BARCA: I'm trying to understand whether Matt was nominating Steve for something or not.

SWINDELL: His beard looks good.

BARCA: All right. I'm going to stand for either position if it helps move the agenda along.

JOHNSON: Bryan, do you have anything to say?

HALBERT: No, I don't.

JOHNSON: Bryan Halbert. Excuse me, that's all right, Bryan, my fault. Bryant Enge, do you have anything to say?

ENGE: No, I don't Karl.

JOHNSON: Okay. I'm sorry about that. Steve, do you have anything to say?

MORASCH: No, I'm just glad that I don't have to do the chair job with all this technology and everything. You're doing a good job for having to deal with all the Zoom and all that, I mean it's got to be hard with dealing with COVID and trying to run these meetings.

JOHNSON: Yeah. Thank you. I appreciate it. Matt Swindell.

SWINDELL: I would just like to say that I like it the way that it is, you guys are doing a hell of a

good job and, yeah, you're taking care of business during COVID, so that's all I got to say.

JOHNSON: Thank you.

HALBERT: If I could jump in --

JOHNSON: I would -- I would stand -- oh, sorry, go ahead, Bryan.

HALBERT: I was going to say, you know, last meeting Ron really jumped in too and ran that meeting well when you couldn't do it, Karl so, yeah, thankful for both of you guys.

JOHNSON: Thank you, Bryan, very kind of you. I'm like Ron, you know, it's a great team we have and I always said it's good leadership practice for all of us, it's just staying organized and this is also kudos to Sonja and staff, Oliver, for keeping me straight, you know, and it's nice to have all the pieces of paper in front of me that makes you look good, but I am willing to stand for another year if needed or vice-a-versa either way, so I like it that Ron can step in for me, I will just say that, that's just like the Internet up here and things like that.

JOHNSON: So with that said, Sonja, how do I do this, we're going to take roll call? Wait a minute.

SWINDELL: I think we need to do make the nomination, don't we? We nominate you, Karl, as our chair and Ron as our vice chair.

HALBERT: I'd **second** that nomination.

JOHNSON: Okay. We have a -- we have a nomination and a second. Roll call, please.

ROLL CALL VOTE

ENGE: AYE

HALBERT: AYE

MORASCH: AYE

SWINDELL: AYE

BARCA: AYE

JOHNSON: AYE

JOHNSON: So, the motion passes 6/0, and thank you, thank you for your support. man, it's greatly appreciated. With that said, I think that's it.

COMENTS FROM MEMBERS OF THE PLANNING COMMISSION

JOHNSON: Any comments from the Planning Commission?

HALBERT: I have a comment, Karl. Bryan here. Disappointed to see Rick Torres' resignation and he'll be missed and just when we had a full panel. Rick had to step down, so he'll be missed and maybe it was said before but hopefully everything's okay and thanks to him.

JOHNSON: Bryan, that's really something important, you know, sometimes life hits us square in the face and I was not only sad to see him leave but also that we couldn't recognize him because it's always nice to have people that are, you know, there's people made for this job and, you know, we got a good choice of people, so I was sad to see him go also without our acknowledgment, so...

I've always said Sonja send him a piece of paper or something that says we like him, but, yeah, he had to go, you know, that's always tough when you have to. We've had a few that that's happened, Bryan, where they just they got to go and it was like, oh, man, you know, and so, so hopefully we get another one soon, who knows.

HALBERT: I saw the notice was published.

JOHNSON: What's that?

HALBERT: The notice was published. I saw a notice being published.

JOHNSON: Yeah, that's a good sign. We would encourage people to apply for that too. Okay. With that said, Sonja, anything?

ORJIAKO: Mr. Chair?

JOHNSON: Yes. Yes, Oliver.

ORJIAKO: This is Oliver. I cannot promise but I can assure you that, you know, when we, whenever we get back to normal where we can meet in person I will try to see if we can, usually we have a get-together where we toast someone who have volunteered to serve the community, so when that opportunity present and if we can do it I will certainly do so, so thank you all for your continue to serve and we will do our best to recognize those that left.

Rick had to leave, and I had a conversation with him. The reason he left was just not personal but his business and his work, he couldn't continue to volunteer and his work takes him out of the state and makes it then very difficult for him to commit to the time, so I appreciate his service and we will do our best to recognize him for his service. Thank you.

JOHNSON: Thank you for saying that, Oliver.

SWINDELL: Karl.

JOHNSON: Yes.

SWINDELL: I'd like to just make a quick comment as well that I know staff has been working hard to figure out how to run these WebEx meetings and get the technology down and this meeting went really smooth, everything seemed to work really well and I just want to thank staff, all staff for all their hard work in learning this technology and we can do these meetings, so I just want to say thank you to them.

JOHNSON: Yeah, I've said it once, but I'll say it again for all year too just the fact that we're always squared away, you know, and lined up and, anyways. All right. Fellows, staff, ladies, you have a good evening and I'd like to adjourn this meeting.

SIDOROV: Chris, it looks like you have your hand raised.

JOHNSON: Oh, sorry. Sorry, Christine.

COOK: That's okay, Karl. I do not recall whether this event has come and gone, Oliver, perhaps you know, but Department of Commerce was offering a short course on land use and that is a good knowledge base for those of you who are among the newer members of the Planning Commission and have not taken that short course yet. As I say I don't recall the date, but, Oliver, if you could let people know when that's happening or if I've missed it and it's already happened, I suggest that those who have not done the course do it.

JOHNSON: Christine, is that virtual?

COOK: Yes.

ENGE: Yes. So, I signed up for it, it's on, and I'm looking at my calendar as we speak, it's on December the 3rd.

COOK: Excellent. Thank you.

JOHNSON: Awesome. Thanks, Bryant.

ORJIAKO: Thank you, Chris. When we get the notice from Commerce, we typically will send that information out to all the Planning Commission members and they can be able to take it, participate. Sometimes we host the short course here in our building and sometimes we rotate

it and take it to Vancouver, there's been one in Camas and Battle Ground, so when it comes to southwest we try to do our best to bring it closer home. So, thank you for those that are signed up and those that have taken it.

As we get the notice, we will communicate that to Planning Commission members. It's never enough because there are always new things and new release that come out that are shared with members of the Planning Commission, so we'll continue to send you that information as we receive it. Hopefully when the COVID is over we can do it in person and likely host it here in our building or I will volunteer to host it next time it comes to our shop, so thank you.

JOHNSON: Thank you, Oliver. And are there any other more comments? I'm sorry, I just can't see everybody at one time on my screen. Okay.

BARCA: Just a shout out, just a shout out to staff just like everybody else. Larisa, great job. Colete, thanks for the organization, it went really well tonight I thought and now I'm done.

ADJOURNMENT

JOHNSON: Okay. We are out, gentlemen, you have a good evening, staff have a great evening and happy Thanksgiving.

The record of tonight's hearing, as well as the supporting documents and presentations can be viewed on the Clark County Web Page at:

<https://www.clark.wa.gov/community-planning/planning-commission-hearings-and-meeting-notes>

Television proceedings can be viewed on CTVTV on the following web page link:

<http://www.cvtv.org/>

*Minutes Transcribed by: Cindy Holley, Court Reporter/Rider & Associates, Inc.
Sonja Wiser, Program Assistant, Clark County Community Planning*