



## **Clark County Planning Commission**

Karl Johnson, Chair  
Matt Swindell, Vice Chair  
Bryant Enge  
Steve Morasch  
Bryan Halbert  
Eldon Wogen  
Jack Harroun

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### **CLARK COUNTY PLANNING COMMISSION THURSDAY, JUNE 15, 2023 MINUTES OF PUBLIC HEARING**

Public Service Center  
Council Hearing Room, 6<sup>th</sup> Floor  
1300 Franklin Street  
Vancouver, WA\6:30 p.m.

#### **CALL TO ORDER**

#### **Planning Commission Rules of Procedure**

WISER: We are ready to begin the hearing.

JOHNSON: Good evening, Planning Commissioners, members of the public and staff members. I would like to call this hybrid public hearing to order for Thursday, June 15th, 2023. My name is Karl Johnson and I'm the Chairman of the Clark County Planning Commission.

The role of the Planning Commission is to review and analyze comprehensive plan 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 will conduct a public hearing tonight and take testimony. If any public comments were received before tonight's hearing, they have been sent to the PC members and entered into the public record.

County staff will present first and then the Planning Commission can ask questions. Next, we will invite the applicant to speak, if there is one, then the members of the public who wish to provide testimony.

When we get to the public comment portions of our agenda, we will provide more information on how to participate both virtually and in person. However, if you are in person tonight and wish to provide comment on a hearing agenda item, please sign up via the sign-up sheets in the back of the room.

During public testimony you will have three minutes to speak, remarks should be directed to the Planning Commission only. Please do not repeat testimony that has already been provided.

At the conclusion of the public testimony, staff and the applicant may respond to comments, then the public portion of the hearing will then be closed. The Planning Commission will then deliberate and make recommendations to the County Council.

For both virtual and in-person members of the Planning Commission and staff, please ensure that your microphones are muted unless you are speaking. Planning Commission members, when you make a motion and/or a second motion, please state your name for the court reporter.

Conflicts of interest. Do any of the members of the Planning Commission have any conflicts of interest? Seeing none, we will move on and look for roll call and any introductions of guest. Sonja.

### **ROLL CALL VOTE**

ENGE: HERE  
HALBERT: HERE  
MORASCH: ABSENT  
WOGEN: HERE  
SWINDELL: HERE  
HARROUN: HERE  
JOHNSON: HERE

Staff Present: Oliver Orjiako, Community Planning Director; Christine Cook, Senior Deputy Prosecuting Attorney; Susan Ellinger, Planner III; Jose Alvarez, Planner III; Bryan Mattson, Planner III, Community Development; Sonja Wiser, Program Assistant; and Larisa Sidorov, Office Assistant.

Other: Elizabeth Decker, Jet Planning; Steve Faust, 3-J Consulting, and Cindy Holley, Court Reporter.

### **GENERAL & NEW BUSINESS**

#### **A. Approval of Agenda for June 15, 2023**

JOHNSON: Next we will go on to general and new business. I will look for a motion and a second for approval of the agenda for June 15th, 2023. Do I have a motion?

HALBERT: Karl, Bryan Halbert here, and I make a **motion** that we approve the agenda for June 15th, 2023.

JOHNSON: Do we have a second?

SWINDELL: This is Matt Swindell. I'll **second** it.

JOHNSON: Sonja, can you provide a roll call if needed.

**ROLL CALL VOTE**

ENGE: AYE  
HALBERT: AYE  
WOGEN: AYE  
SWINDELL: AYE  
HARROUN: AYE  
JOHNSON: AYE

JOHNSON: Motion passes.

**B. Approval of Minutes for May 18, 2023**

JOHNSON: Moving on next to the approval of the minutes from May 18th, 2023. May I have a motion for approval.

SWINDELL: This is Matt Swindell. I make a **motion** that we approve the minutes from May 18th, 2023.

JOHNSON: May I have a second, please.

ENGE: This is Bryant Enge. I **second** that motion.

JOHNSON: We have a motion and a second. Sonja, can we please have a roll call.

**ROLL CALL VOTE**

ENGE: AYE  
HALBERT: AYE  
WOGEN: AYE  
SWINDELL: AYE  
HARROUN: AYE  
JOHNSON: AYE

**C. Communications from the Public**

JOHNSON: At this time I'll take any communications from the public for items that are not listed on our agenda, once again, items not listed on our agenda, if there's anybody from the public either virtually or in person. Sonja, I'm not seeing or hearing none.

WISER: Do you have any members?

SIDOROV: No.

WISER: Okay. No.

JOHNSON: Okay. So just reminders to the public, if you are providing public testimony, please sign up on the sign-up sheet so I'll know that you'll, they'll bring it up to me in a minute here. If joining remotely, instructions will be provided at the appropriate time by staff.

### **PUBLIC HEARING ITEMS**

- 1. Housing code amendments and comprehensive plan text and policy amendments related to middle housing and smaller single-family homes:** Proposal to amend Clark County Code sections: 40.100.070-Definitions; 40.220.010-Urban Residential Districts; and 40.340.010-Parking, Loading and Circulation; and Clark County Code Chapters 40.260-Special Uses and Standards; and 40.520-Permits and Reviews. The proposal also includes amendments to text and policy in the 2015-2035 Clark County Comprehensive Plan's Land Use and Housing Element chapters. These proposed code and comprehensive plan amendments address short-term implementation strategies detailed in the adopted Housing Options Study and Action Plan (HOSAP) for smaller single-family detached homes and middle housing, including ADUs, duplexes, triplexes, quadplexes, townhouses and cottages in the existing low-density residential zones within the unincorporated Vancouver Urban Growth Area.

**Staff Contact: Oliver Orjiako, [Oliver.Orjiako@clark.wa.gov](mailto:Oliver.Orjiako@clark.wa.gov) or (564) 397-4112**

JOHNSON: With that said, we are now moving on to the hearing item of the night and that would be Housing Code Amendments, Comp Plan Text and Policy Amendments. Is it Susan or Oliver? Is it Susan?

ORJIAKO: Good evening, Planning Commission members and Chair, for the record Oliver Orjiako, Community Planning Director. The presentation of the staff report this evening will be given first by me and then our consultant, Elizabeth Decker, will be going over the code sections, so this will be a joint presentation. So I will start first and then at some point I will turn it over to our consultant.

So this evening you have before you a proposal to amend certain sections of our Comprehensive Plan which is the Land Use chapter and the Housing Element as it pertains to the Housing Option Study and Action Plan that the Planning Commission reviewed, made a recommendation to Council for their own review and approval, which the Council adopted in May and directed staff to begin implementation of the short-term strategies, so that is what is before you this evening. Next slide, please.

So this is the AGENDA for our discussion. Our presentation will provide you a very brief Project Background, Proposed Comprehensive Plan Amendment, then we'll get into the Proposed Middle Housing & Smaller Single Family Code Updates followed by Findings & Recommendation. Next slide. So let me start with the PROJECT BACKGROUND. Next slide.

Planning Commissioners, when we came before you we did indicate that the purpose of the Housing Option Study and Action Plan is to understand local housing challenges, particularly in the Vancouver unincorporated area.

So, the map to the right is the, highlighted in the gray area, is the project study area, is the

unincorporated portion of the Vancouver UGA where it's predominantly developing as urban and the County has the land use jurisdiction within that unincorporated area.

And, secondly, the Housing Action Plan is to really encourage creation of housing affordable to low and moderate income households by removing regulatory barriers and consider other strategies. Similarly, the goal was to provide access to affordable, quality, and flexible housing for future, for current and future generations. Next slide.

As I mentioned, the Council did adopt your recommendation to approve the Housing Study and Action Plan on May 2022, and the plan had five housing objectives, and if I may just quickly go through those.

One, is to encourage housing development that meets the need of middle-income household who are not being served in the current housing market. Second, to develop strategies to support the development of housing that is affordable to low, very low, and extremely low-income household. Three, to encourage diversity in housing types and tenure both rental and ownership including expanding middle housing options and increasing multi-family feasibility.

Four, encourage the creation of a broad range of housing size to match the needs of all types of household including families, those that are single, students, older adults, disabled and other unique population groups with a focus on one to two persons household that not being served in the current housing market.

And, finally, to guide the development of diverse housing options to areas with less or with access to transportation corridors and transit including commercial services, schools and parks, and conversely support development of those same amenities in areas where more housing is needed. Those were the five housing objective outlined in the study.

In terms of implementation strategies, the focus was on four topical areas primarily housing options, affordable housing, programs and techniques or partnership, and finally, advocacy. There are also three time frames in the recommendation that was made by our consultant and the Project Advisory Group. The three main time frames are structured in what strategies can be implemented in the short-term, in the midterm and then longer term.

So direction to staff was to begin, from the Council, was to begin implementation of the short-term code based strategies upon the adoption of the plan. So we are really in Phase 1 focusing on middle housing and smaller single-family code updates. Phase 2 which will focus on multi-family and affordable housing code update is beginning now and will conclude sometime in fall of 2023. Next slide.

What you see here is the Implementation Approach. We started out with Code Concept beginning in fall of 2022. We engaged the Project Advisory Group engaged forum participants. We are now in the Code Amendment, and I will go into details about the participant that were engaged and the public open houses that were held.

We had, in terms of the Adoption Process, we have Planning Commission work session and hearing

today. Your work session was two weeks ago. And our Council work session and hearing is yet to be scheduled. Next slide.

As I mentioned, this project started with a significant public or project engagement starting with Technical Housing Code Forum Series, that included participants from the Development Engineering Advisory Board, there were some members of our Planning Commission that participated, we had the Project Advisory Group.

There was four meetings from November through February of this year that was followed up by Public Review and Draft Code Amendment. We had an open house March 23rd of 2023. We gave a presentation to DEAB which is the Development Engineering Advisory Board, May 4th. We are now in the Legislative Process for Adoption.

The Planning Commission work session, we had two, one in April just to bring up-to-date where we are and then we had a work session on June 1st and we are here today with your hearing and we will respond to some of the questions that the Planning Commission asked at the work session. As I indicated, work session with Council and hearing is yet to be scheduled. Next slide.

I'm not going to go in-depth in terms of the proposed plan text amendment, but I will just quickly summarize or highlight the area in question. We are only amending Chapter 1 which is the Land Use chapter of the current comp plan document and that is Exhibit B in the package and the staff report provided to the Planning Commission members.

If I may quickly, in Chapter 1, which is the Land Use, if you, which I know you have reviewed Page 2 and the way that that is structured, we structured it in a manner that we write code.

So there are lines, you can see Line 2, or, no, Page 2, Line 31, we added middle housing which I will define as I proceed. Page 11, Line 3, we added again middle housing and in addition to that we did mention what that entails on Page 21, Line 36, 35 to 36, we just indicated that in the Vancouver UGA where we are seeing more than eight units to an acre, we just amended that to say at least eight or more units.

When you get to the Housing Chapter on Page 20, we under the Accessory Dwelling Units Line 8 we just identified or changed the size from 900 to 1,000-square foot and that was done to be consistent with the recent House Bill I think is 3737, I may be citing that wrong, but we made that change as a result of the new recent bill dealing with accessory dwelling units.

On Page 26, Line 18, the only thing we proposed there was to include provision to address and present so that when we are looking and talking about flexibility and other options, we should be addressing future in a manner that doesn't cause future displacement, if you will.

Page 20 -- no, I think it's 26, Line 29, we added a provision dealing with again supporting multi-family and addressing the same issue in terms of density because we are beginning to see the smaller cities exceeding the six units to an acre, so we just amended that to say at least six or more units for Battle

Ground, Camas, Ridgefield and Washougal. Similarly, we made the same change to the Vancouver UGA section saying eight or more units to an acre in the Housing Element.

And as I indicated, in the Glossary section we added a definition of middle housing which means duplexes, triplexes, quadplex and single-family attached dwelling including townhouses, those were the minor, what I may call a minor housekeeping and it was done in a sense to be -- make sure that the changes we are proposing for the code is consistent with the changes that we've made in those two chapters I mentioned, land use and also in housing, so that there is some consistency.

In summary, again in the Land Use chapter we made reference to the middle housing with low density residential zone. We deleted density ranges that are no longer relevant. We clarified minimum density reference to be more relevant and consistent with the proposed code changes.

And in the case of housing, the only text amendment is just to reflect recent State legislature as it relates to ADU and middle housing, again to be consistent with the proposed code changes that is before you.

And before I turn this over to our consultant, I really want to thank them, from the beginning of this project and as well as Jacqui Kamp who was the project lead who just recently resigned because of family reasons to be with her family on the East Coast, I give her credit for the work that she did on this.

And with that, I will turn it over to Elizabeth Decker who will go over the proposed code and then I will come back on our recommendation and ask of the Planning Commission. If you have questions for me on the plan amendment and the text changes, I will take that before we turn it over to Elizabeth Decker, if not, I will just ask her to proceed.

JOHNSON: With that said, is there any Planning Commissioner that has any questions for Oliver? Okay. Seeing none, we will push on with, is it Susan who is --

ORJIAKO: No, it's Elizabeth.

JOHNSON: Elizabeth. Sorry, Elizabeth, go ahead.

DECKER: Yes. Good evening Planning Commission, members and Chair. Elizabeth Decker with JET Planning. And as Oliver said, I have been part of the consultant team working on originally the Housing Option Study and Action Plan and now on the zoning code implementation piece since about this time in 2020.

So it's a pleasure to be here with you this evening to go over the proposed code changes that are going to help to implement the adopted plan. If you'd be so kind as to adopt or advance, I think we're on about Slide 12 or 13. Oliver took care of all of those. Yeah. And one more. Perfect.

So the scope of the code updates as Oliver said were really focused on the smaller single-family and

middle housing options and so most of these changes affect what's permitted in the County's existing single-family residential districts and with this additional, with these additional housing types, we're proposing to call those the low density residential districts now, you might also know those as the R1 zones, there's five of them in the Vancouver urban growth area, and within that area looking to enhance the feasibility of smaller single-family detached homes and middle housing types.

This is a, you heard Oliver list them all off, but we're looking at ADUs, duplexes, triplexes, quadplexes, we also worked on cottage housing, compact lots and townhouses, so all those housing types are under consideration. And if we could to the next slide.

Just giving you a bit of a map in terms of, you know, since this is the public hearing and we are proposing changes to be considered, these all map to the County's, to the County Code. So first off, the changes affect the Definitions chapter. And one point there, we had talked about when we're talking about these duplexes, triplexes and quadplexes there was a question last time about how those are defined in terms of how whether that's a single structure or if it could be more than one structure each with individual dwelling units.

As the definitions are proposed in Chapter 40.100.070 those duplex, triplex and quadplexes are proposed as a single structure with the two, three or four units in that same structure, so an attached configuration.

If there is interest from Planning Commission to talk about what a detached option would look like where you could have two duplexes on a single lot being a quadplex or three small, detached structures that meet the definition of a triplex, we're happy to answer questions, but to clarify, that's not in the current definitions.

Additional changes affect, of course, the single-family residential district zone I just mentioned. There's also significant changes in Chapter 40.260, that's where the Special Uses and Standards that affect things like ADUs, cottage housing, compact lots, narrow lots are what applies to townhouses, so all those chapters are affected.

The Parking and Loading chapter and then the Permits and Review chapter in 40.520 are affected with, are part of this proposed code package, but rather than talk through all the code references tonight, all those changes map to six concepts that we've gone over in our work sessions, and rather than read this list here, we're going to talk through each of them, but that is -- or to give you an overview of how we're going to talk about it tonight and then we can reference back to any specific chapters if you have questions there. So next slide, please.

So the first concept is looking at how to use land, the existing land more efficiently. You know, oldest joke in the land use planning system or in the land use planning book is, you know, they're not making any more land so we got to make the best use of what we've got.

You saw the map of the Vancouver urban growth area, that's what we're focusing on and creating the most opportunity for housing to meet the population needs that were identified in the Housing Option



Plan.

So the strategies around there for the code look at decreasing the minimum lot sizes for those existing zones and that allows for more single-family homes to be built in the same amount of area. Those decreases are about 10 to 20 percent is the range that we looked at, and in order to make those feasible to actually build, we made corresponding adjustments to some of the lot dimensions, the lot coverage and the maximum densities.

So if you could advance, please.

So what that looks like is across these R1 zones, again it's that 10 to 20 percent reduction. Most notable is probably the, in the R1-7.5 and R1-6, those are both very common zones within the urban growth area.

And the R1-5 zone we propose to go from 5,000 down to 4,000. There's some talk about whether to stop at 4500 or 4,000, but our forum participants urged us to make the recommendation to you of moving to a 4,000-square foot minimum in that zone.

And when we were designing these 10 to 20 percent decreases, what we -- one of the things we were trying to do is to not decrease the minimum lot size so much that it became the existing minimum lot size in the next denser zone.

So you can see in the R1-7.5 zone for example, we didn't want to go from 7500 all the way down to 6,000 which would, you know, by de facto turn it into the R1-6 zone, instead we propose this 6500 so that it stayed within the existing range of the R1-7.5 zone. You could see some modest changes to the minimum lot widths, some small decreases and the depths as well to correspond to those new minimum lot sizes.

And we had significant conversation with our forum participants about how to adjust the maximum lot coverage, looking with these slightly smaller lots particularly in the R1-6 and the R1-5 zones how to get best use out of those slightly smaller lots, and so some modest increases are proposed in that lot coverage to try to keep the building footprints pretty similar to what's already permitted.

And then we'll talk later on about using additional lot coverage to incentivize additional units on those lots, but these are the changes proposed that would apply to single-family detached. Next, please.

So the next concept, this is probably the heart of these zoning code amendments, is looking at more housing variety and more neighborhoods to allow duplexes, townhouses and cottage housing in all zones. They're already permitted in parts of these, parts of this urban growth area but not all.

And then to introduce triplexes and quadplexes in some of these zones. And then introduce compact lot development in all of the zones. We're going to -- these amendments continue to permit ADUs in all zones with some refinements that we'll talk about here. Next, please.

So in terms of expanding housing types, again this is just the heart of these amendments. So you can

see in yellow are all the places we're expanding, we're proposing additional housing types in more zones.

So duplexes were currently not permitted in the R1-20, 10 or 7.5 zones, those are proposed to be permitted and they were previously restricted to corner lots only in the R1-6 and the R1-5, so those are proposed to be permitted outright.

We talked a lot with our forum participants about triplexes and quadplexes and the recommendation that was developed, the feedback we got was that those would be most appropriate in terms of scale for the R1-7.5 to the R1-5 zone, so that's the proposed code.

And townhouses we proposed to similarly scale so that the least dense zones, the R1-20 and the R1-10, there's a limit there of only two attached units, that essentially allows parity with the duplexes but allows a lot line between those two units so that they can be sold fee simple individually if that is a development type that is of interest can create, you know, two homeownership opportunities rather than one and up to four units for those townhouses in the other zones, we felt that that was consistent with the scale of development.

A compact lot is a tool analogous to the cottage housing in terms of scale and number of units, we'll talk about the differences between those in the next concept, but you can see that's proposed in all zones along with the cottage housing is proposed to be expanded to the two zones where it's not currently permitted. Next, please.

And so part of this work ADUs are already permitted. As Oliver mentioned there has been new State legislation, HB 1337. In the three years that I've gotten to work with the County on this project we've had multiple State legislative changes so we're working to keep up with that, and this one is fresh off the books from Olympia when we saw this opportunity to, we are already 90 percent of the way with our draft code to meet this new legislation and so we were able to make just a few small additional changes. So depending on your direction and the County Council direction, Clark County could be one of the first jurisdictions to comply.

The proposed changes to get there is to look at permitting two ADUs per lot and those could be any configuration, either attached or detached units, they could be two attached units and one structure in the backyard, it could be a unit over a garage and then it could be one basement unit and one detached unit, any combination of those would be permitted.

Each ADU is permitted up to 1,000-square feet and that excludes any garage space, that was specifically called out in the State language and we incorporated it into the proposed code. So, you know, again that just offers that clarification if anyone's coming in with an ADU over a garage, none of that garage space would count towards the 1,000-square feet which is pretty consistent with current practice, but just offers additional clarity.

And one difference here is that that 1,000-square feet, the current code has scales, the amount of square footage based on the size of the primary dwelling and this change has the 1,000-square foot

limit regardless of the size of the primary dwelling, so it really creates parity between different dwelling types across the area.

And then we also added, this was in response to County specifics, County development patterns not driven by the State legislation, but we heard about really deep lots where homes were setback 40, 50 feet, and the most feasible location for the ADU was in front of the main dwelling.

We heard concerns that the current code requires those ADUs, especially in detached structures, to be to the side or rear, so we drafted some additional standards that would allow an ADU to be placed between the main dwelling and the existing front setback line, whatever that minimum is in the zone, to provide some additional space and flexibility about how those lots are used. Next, please.

And in introducing all of these new housing types, what we heard from our forum as well as, you know, earlier participation in the Housing Options and Study Action Plan, was the importance of making these housing types fit within existing neighborhoods. So the first piece there was setting compatible lot sizes for these new housing types that could fit into neighborhoods.

We also proposed to use in the draft code the tiered approach to lot coverage, so additionally, each additional unit that's proposed, there's additional lot coverage that is permitted to both incentivize those units and, you know, just to make them more feasible to build, to give you some more space on that lot to fit those additional units.

And we also took a look at what design standards do or don't exist in the existing code and saw an opportunity for a very narrow recommendation for design standards around main entrances and the balance of garage and dwelling frontage specific to just a few of the new middle housing types proposed, so just for compact lots, triplexes and quadplexes. And I can share a little more detail on the next slide, please.

So when we look at the lot sizes that are proposed for middle housing, again we're looking at, you know, it could be a mixed context, it could be a new neighborhood, a new subdivision where someone's building all middle housing, but we wanted to have analogous lot sizes.

So the key, one of the big pieces here is that the duplex lot sizes are proposed to be the same as single-family homes and that allows a lot more flexibility in terms of making more lots eligible for a duplex.

If a duplex has to be 10, 20 percent larger, it's hard to find a lot that size or you have to custom create it during the subdivision process. By allowing it to be the same size, there's flexibility to the side down the road either as an individual in-fill lot or as a subdivision that's getting built out whether it gets built as a single-family or a duplex.

And then the townhouse sizes on the bottom row I'd call your attention to because we really used multiples of those to help inform what the triplex and quadplex sizes were going to be, so looking for some parity there.

And I'd just to one other piece of the Housing Option Study and Action Plan that is coming forward as part of these lot sizes was we did some site feasibility analysis with our economic sub-consultant and 2,000-square feet was the size that they recommended as a townhouse minimum to really increase the financial feasibility. So where that seemed appropriate in several of those zones, it's the proposed minimum lot size.

We heard from our forum participants that that was too small for some of our less dense zones, the R1-20 and the R1-10, so those minimums are slightly larger. Oh, one back, just about right. Perfect. And then this is the lot coverage system that I was mentioning that is included in the proposed code -- almost there. Yeah. Perfect. Oh, yes. Okay.

So the idea here is again just for each additional unit -- well, first of all, for the single-family homes, there's a small modest increase proposed for the R1-6 and the R1-5 to maintain similar building footprints with the adjusted lot sizes.

And then for each additional housing unit for duplexes and triplexes and then similarly for townhouses, slightly additional lot coverage in order to provide more room on the lot for those units.

And we had a chance to speak with development engineering about any impacts to stormwater or concerns about that and they assured us that, you know, this is able to be designed on a community basis to address any stormwater runoff related to additional lot coverage, so they had no concerns with these proposed coverage numbers. Next, please.

And then the last piece here to talk about is how we treated design standards, and so just a little context. When we think about middle housing as communities across, you know, really up and down the West Coast have experimented with middle housing, their -- some communities have really leaned into detailed design standards as a way to try to maintain neighborhood compatibility and others have had more limited design standards.

And as we approached this topic and in talking with the forum participants about what would be appropriate to balance these new housing types, what we really heard was that there is not a strong tradition or existing regulatory requirement for design standards, and so to tread carefully here.

We didn't want to really tip the scales and overburden middle housing with so many design standards that were out of sync with how existing housing types are regulated out of concern that that would make it unfeasible to develop which is, you know, the entire intention of these code amendments is to offer reasonable development opportunities.

So what we saw and what you see reflected in the proposed code is that we're proposing to maintain the existing approach for single-family detached homes, duplexes and townhouses, those currently have no design standards in terms of architecture or site design, different elements like everything from what size porch it might -- what size porch might have to be or what siding materials or what percentage of windows, none of those standards are covered in the County Code for those housing

types and we didn't think that this was the time to introduce them.

We did see opportunities to reduce the current design standards for ADUs and cottages. There was some very stylistic and architectural standards that did not appear to be necessary given the additional standards and sort of the overall tenure of the County Code with approach to those issues.

And then the one place where we are, where the proposed code includes new proposed design standards is for these new housing types, the compact lots, the triplexes and quadplexes. Because these are some of the smallest scale home with the smallest lots, the concerns that came up and what we saw in other communities and from talking with forum participants is potential concern that those lots could easily get dominated by garages and driveways across the entire front facade creating whole neighborhoods where there's no front yards, there's simply, you know, driveways and garages up and down the street.

And that not only makes it difficult to get to know your neighbors, but it also creates conflicts for pedestrians, a lot of cars coming in and out of those driveways, crossing the sidewalk makes it a more difficult place to walk or use any other different forms of transportation.

And so we saw an opportunity to build on some standards in peer jurisdictions looking at two key standards, creating a main entrance requirement, that there's a main entrance facing or within a certain degree of the street and connected to the sidewalk and also limiting garages and driveways to 50 percent of the front facade for street facing, that doesn't rule out any rear facing or alley loaded or side loaded garages, but for any garages facing the street, the proposal was to limit those to 50 percent of the lot. Next, please.

A key part of the recommendation I mentioned is the County has a multi-decade history of cottage housing and what we've seen and what we heard during the housing options plan development and from our forum participants and from examining some recently submitted plans that there's really two paths that, or two directions that folks are wanting to use these cottage housing options.

And so we saw with these amendments the opportunity rather than try to force everything down one path, that there was really a need to create two separate paths, so two options rather than one that developers could choose depending on what fits their site.

And so those, they're both focused on creating smaller scale single-family detached homes that can come along with ownership options, but that there can be the cottage housing path, there are proposed revisions, they also help to address some concerns we've heard from recent hearings officer decisions to focus on more clustered development around shared common open space.

And then also to introduce what's termed a compact lot option which is a similar scale of homes and lots but it's a more street oriented development. And also a third opportunity related to that we saw an opportunity in case someone wants to do something different than those two, currently PUDs are limited to six acres and up and we saw the opportunity to reduce that to three acres in case some of these smaller sites want to do something even more creative than these two tracts. So next slide,

please to give you an idea of what these look like.

So just trying to illustrate really that these two paths and the sets of standards what we're trying to address. So on the left of the screen is more of the traditional cottage cluster where you see the individual homes around the shared green space.

In this case the parking is off to the side and then a shared lot, those could still be individual garages but not between the homes and the common open space. So we're strengthening the cottage standards for more cluster development like that, adding more clarity around the open space and the clustering requirements.

And then on the right you see what we've termed the compact lots. Because this is new, no one has done it yet, but this just gives you an idea of what it could look like or what we're trying to address is more of these small lots individually focused and oriented towards the streets. So similar number of dwellings per acre potentially as the cottages but just a really different alignment. Next, please.

So a little bit more side-by-side comparison of those standards. I think one key is the compact lots. We were able to do some mapping analysis, and because the compact lot option offers up to two times the density of the underlying zone, we didn't want the proposed standards to allow it to be used everywhere because that would effectively be a stealth rezoning of nearly every property in the county.

So based on the mapping what we heard the concern was really targeting this to more in-fill sites, you know, up to three net acres is what the proposed code reads, that it perhaps had been skipped over for development because they were difficult to connect or had unusual site geometry that made it difficult to get a traditional subdivision or even a cottage in.

So we wanted to keep the eligibility on that focused to those types of smaller in-fill sites in order to utilize these additional bonuses and flexibility rather than making it too broadly applicable. But otherwise the standards are similar in terms of the number of units that can be permitted, the dimensional standards for the unit size and the height, there are no restrictions on those relative to the base zone for the compact lots.

However, the cottage lots do have a maximum size of 1600-square feet, and that's gross floor area, that includes all enclosed spaces, that's been the County's definition, and a 25-foot height limit to make them more compatible in those cluster orientations. So some differences in terms of open space and orientation as you saw in that graphic. Next, please.

And another key in making all these middle housing changes work is to prioritize room for housing by reducing the parking minimum, that doesn't change of course how much parking could be provided if developers saw the opportunity or the need to exceed, but as you know codes set minimums in this case.

And so for those sites where it really comes down to can you fit the cars, can you fit the housing, there

are some proposed reductions here in the package of code updates starting with the cottage parking is proposed to be reduced from 1.5 to 1 space per unit.

We're introducing new standards for duplexes, triplexes and quadplexes as those are new housing types, we needed to come up with a parking requirement, so the minimum there is proposed at 1 space per unit.

And then we have a lot of discussion around townhouses where the requirement is currently 2.5 spaces per unit, and we heard about the balance of folks parking in their garages or maybe getting their garages full of things and therefore parking in their driveways.

And because of all of the driveways and the limited on-street parking that when folks had parties or had other people visiting, that the parking, there wasn't room for guests to park or there was, you know, potential concerns about guests being squeezed into neighboring properties or out of, you know, beyond the property where they're visiting.

And so the proposed change is to decrease the on-site slightly, decrease how much parking is required per townhouse for, you know, essentially for those, for the homeowners themselves, but to create a guest parking requirement that really helps address the party parking problem as some folks called it in our discussions and there's some options there.

I know there's some concerns raised about, you know, this is going to require off-street parking lots, and to clarify that, the shared parking for guests can be any on-street parking can be counted towards that, so that helps encourage creation of more on-street parking, and it could be located in off-street parking lots if that makes sense for a particular site. So next slide, please.

So just to compare that side-by-side, you can see where all the changes, what it looks like. And then the one other I'll just call attention to is the compact lot is proposed at 1 space per unit similar to the cottages, but given that street facing lot orientation also proposed to use the same guest parking requirement as townhouses for that.

And then the ADUs in this table you can see is more of a clarification than anything. There are currently a number of ADU parking exemptions based on availability of on-street parking or proximity to transit which meant the vast majority of sites were already eligible to have 0 parking spaces, and just to make it clear and, you know, particularly for, you know, those individual homeowners that might be exploring an ADU making the code really clear that the requirement is 0, so that's proposed to be added into the code but is a really not much of a policy change. Next, please. All right.

And then our last concept is, you know, we've talked about all these great new housing types and the new standards that are proposed, and in order to make that possible, there is a land use building and engineering permitting process, so we heard about opportunities to streamline that process.

So first and foremost with all of these new standards, the proposal, the approach we took was developing very clear standards and review types that could be applied, that was part of the thinking

about not adding a lot of discretionary design standards to this, maintain the clarity in more numerical standards that are easier to demonstrate that you've met.

And with this project we're proposing to maintain the building permit level review for single-family homes but to expand that building permit level so that new ADUs, duplexes and individual townhouses once the subdivision has been completed, those individual units will be able to be reviewed strictly at the building permit level.

We're also proposing with this Type I review to use a site plan for triplexes and quadplexes and that's a reduction from the Type II site plan review. And then the projects that have more of a, you know, larger site, more moving pieces, things that need to be reviewed can create some infrastructure impacts.

We want to make sure that we give our engineering colleagues ample time to review those pieces as well, so cottages, compact lots and townhouse developments, those all are proposed to remain as a Type II site plan review.

And I know we had some questions at our work session about, you know, what is streamlining, you know, can we quantify streamlining and so Susan Ellinger and some of our colleagues in Community Development were able to help us quantify this.

So, for example, for the triplexes and quadplexes, moving those from a Type II to a Type I review will help applicants save about \$4500 in permit fees and up to 57 days in review time. And moving those ADUs, duplexes and townhouses from a Type I to a building permit will help applicants save about \$5,000 in application fees and 21 days in review time. So hoping that all those pieces can help add up and support new housing.

So if you would next please, I believe that concludes the overview of the code. So I'll hand it back to Oliver, but I will continue to be on-call for any questions that you may have. Thank you.

ORJIAKO: Thank you, Elizabeth. And, again, Oliver Orjiako, Community Planning Director. Planning Commission members, what I can say is that in terms of our staff report, the code as proposed, we found that the proposed changes to the two chapters that I indicated, both the Land Use and the Housing, those amendment appears to be with -- appear to be consistent with the GMA Goals on housing and land use, our current Community Framework Plan Policies related, plan policies applicable, and applicable capital facilities element as outlined in our staff report and the changes we made to the two chapters.

Based on that, we also believe that the proposed plan amendment will make the plan consistent with the proposed Housing Code Amendment. We also believe that this proposal, even though we are in Phase 1, we are making progress to be consistent with the House Bill 1220 which is now codified as RCW 36.70A.070(2)(b) of the Growth Management Act.

As Elizabeth mentioned before, as we were working on this, not the strategies but in addition to that,



we were really ahead of where we think the legislature will be, but we have incorporated the changes that was made and the recent bill passed on ADU to be consistent with those changes.

So with that, I'm asking the Planning Commission based on our staff report, the changes that we made, the proposed code changes and the flexibility provided, we are asking that you make a recommendation of approval to the Clark County Council. Thank you.

### **Questions of Planning Commission**

JOHNSON: A lot of information. Thank you, Oliver. With that said, I'd like to go down through each of you and just make sure that you don't have any questions, especially for Ms. Decker that there was a lot of stuff there, so...

Bryant Enge, do you have any questions for either Oliver or Mrs. Decker?

ENGE: Ms. Decker, I appreciate you bringing clarity to the garage in which there were quite a few questions about the garage and also the design standards. But the next thing line of thought, I have a question, what is the parking requirements for the multi-family two bedroom?

DECKER: Yes. Commissioner, thanks for that question. Right now we are in fact working on those changes to multi-family but I believe the requirement is 1.5 spaces per multi-family dwelling of any size.

ENGE: Okay. So this was, so reducing the duplex, triplex from two to one is actually reducing it less than the current multi-family. Okay. Thank you.

DECKER: Yeah. If I could just offer one clarification. As you saw at the very beginning of this long presentation, we are working on a part two of code amendments that are more targeted to multi-family and so there will be some more targeted reductions to those minimum parking requirements for multi-family that will come out of that, but compared to the current multi-family, you're correct.

ENGE: Okay. Thank you.

DECKER: Thanks.

JOHNSON: Thank you, Bryant. Bryan Halbert, do you have any questions?

HALBERT: No questions.

JOHNSON: Thank you. Matt Swindell.

SWINDELL: Yeah, I have just maybe some clarifying questions here. On a -- we're reducing the lot size down from a 50 foot to a 40 foot, are the setbacks, are they five feet on that or are the setbacks at four

feet? They're five feet.

So we've got a 40-foot lot, let me make sure I've got this right, 40-foot lot and then we're going to have a 30-foot wide house, the maximum, the maximum width for the garage can be no more than 50 percent of the front of the garage, is that correct, or front of the house?

DECKER: Yes. So thank you for that clarifying question. These standards would only -- would not apply to any single-family detached homes permitted outright on these new minimum lot sizes. They would only apply if someone proposed a compact lot development which would allow further reduction to the lot sizes. And so that --

SWINDELL: Okay.

DECKER: Yeah. And those sections are, so those are different minimum lot sizes that's in 40.260.072 I believe. So, yes, that's where those come in.

SWINDELL: Okay. So to -- so I misunderstood what we were doing there, so... Okay. So for the single-family homes it's still you'd still have a 25-foot wide garage on the front of the house?

DECKER: Correct, we're not proposing to change that.

SWINDELL: I wanted to make sure that that was -- I was misunderstanding what that was going, what was going on there. I was over here designing new houses for different type of garage, so...

JOHNSON: That's good.

SWINDELL: I was trying to figure out how to handle that.

DECKER: I mean by all means share that, but, no, we spent a lot of time considering that or, you know, understanding the concerns around that and so that design standard is only specific to a new housing type to address specific concerns around what might happen, you know, what a whole neighborhood of that could look like.

SWINDELL: Okay. That's great. Okay. I did want to ask also the clarifying, I noticed in DEAB's response here they have, they were making a statement that the presentation that we're seeing here with the cottage housing is more of a condo association situation rather than a cottage housing.

Can we bring that slide back up that shows those two different cottage housing things there. I mean, I think they look great. I just I'm not, I guess I'm not quite catching the difference here between a cottage and a condo association so I just want to look at that with you and say is this, this is for cottage, so you're individually, you're going to own the home, if I'm understanding on the cottage, you own the home but you don't own the land, is that a condo or how does that work?

DECKER: Well, there are different opportunities. So under the current cottage code the County does

allow for a subdivision of those lots and sale of fee simple lots with each cottage, not every site development is going to be as conducive to creating those individual lots as others.

So certainly in the County's past two decades of cottage housing experience there have been many projects that have come forward, and I believe Susan Ellinger ran through some numbers, but I think found that only 2 out of the past 20 projects, something like that, came forward as a site plan which is to say either they were all rentals or later became condos and the vast majority of projects that have been proposed under cottages have created the individual lots and chosen to sell them off.

So the image on the left, there's flexibility for how that, that comes in, it's up to the discretion of the developer whether to create the lots or not. And then with a compact lot, that is intended as an all subdivision, not a site review or a site plan that could be either held under single ownership for rental or turned into condos, so that's not anticipated for the compact lots.

SWINDELL: Okay. I really like the cottage housing idea, I really think it does give you a sense of community, especially the one there that you all kind of have that same common area and whatnot, I think it's neat for especially for older people that are downsizing and really do, you know, want to do some gardening and whatnot, I really like that stuff, so...

I did want to also ask, and it, you know, I have it on the ADUs that we're talking about where we can propose to put two more, has anybody -- has the -- I'm thinking, I know that I'm probably the wrong guy to be saying this, but has anybody talked to the fire department about all this with all these?

I mean, that seems to be like a huge concern for the fire department that we're going to have all these teeny tiny little houses everywhere. I'm just, you know, maybe, are they involved in any of this process where they're saying, hey, we don't have enough water to supply if this little thing catches on fire and it's going to catch, you know what I mean, and these setbacks and, are they involved in this at all?

DECKER: We have not spoken to them specifically. I would say that in terms of fire separation and building code, all those standards continue to apply. So if there are more specific concerns that you'd like us to relay or work through with the fire marshal, fire chief's office.

SWINDELL: Well, I guess I'm just looking at it from a standpoint of that we're just cramming so many people into tiny little lots and it just seems to me that it could be an issue there especially with everybody parking on the streets.

We're not requiring any parking for off-site, so now we're going to have all this parking where you'd be crowding the streets and making it harder for fire trucks to get through, ambulances to get through. I'm just concerned for our people living in the neighborhoods having to deal with that type of situation, that's all.

And I know you can't address every situation but I'm just concerned about that. And really that's really all my questions, so thank you very much, and fantastic presentation, so thank you.

DECKER: Great. Thanks.

JOHNSON: Thank you, Matt. Eldon.

WOGEN: Yes, I had a couple of questions. I did bring up last time about the quantifying the streamlining the process and I was so glad to hear some numbers on that, thank you very much, but I didn't find that in writing anywhere. I mean, I read through all the papers, is that in writing somewhere?

DECKER: We'd be happy to send you that follow-up, those were notes that we prepared with our colleagues at Community Development today just to be ready to share in the presentation, but we haven't yet put it in the packet.

WOGEN: And the reason I'm asking is let's say three or four years from now County Commissioners want an overview to see how effective this action was, it would be nice to say, well, we estimated this and we got this and -- but that's not going to happen unless it's written down somewhere as part in the agreement to do that, that's the reason I'm bringing that up.

DECKER: Yeah, I think --

WOGEN: And then I'm just, I'm just kind of curious when it comes to design standards. We want to introduce standards for compact lots, triplexes and quadplexes to require main entrances and capped garages and driveways and 50 percent of front facade, why do we want to do that when we don't have design standards for single-family detached duplexes or townhouses?

It seems the market's going to decide that. If I'm a builder I'm not going to build something that somebody's going to just come back and aesthetically say, ooh, I don't want to buy that, I don't want to live there. I think the market should be driving that. So why does the County think that they have to introduce the design standards for these?

DECKER: Yeah. Well, I would say first of all this is proposed code and it's been developed through consultation, you know, Oliver walked through all the different groups that we've consulted with as part of this process.

So we've gotten some feedback throughout this process that helped shape that recommendation and the idea of introducing those design standards specific to the compact lots, the triplexes and quadplexes were out of potential concerns that, that those housing types, as the question just came up trying to do the math, like, well, these are fairly skinny lots, if the homes are, you know, taking up most of the lot width or built setback to setback and we've only got say 20 feet of building frontage or even less potentially, but if the entire front facade is dominated, you know, dominated by a double car garage, double car driveway, that, you know, the entirety of front yards gets turned into driveways and concrete, difficult to make connections between the homes, the individual entrances and the sidewalks for owners to use as well as for neighbors to see what's happening and maintain the eyes on the street creating, you know, appealing streetscapes and pedestrian environments.

And the idea is that, yes, existing single-family homes and other development types don't have those standards but they have larger lots, more flexibility to work with.

And just specifically with the introduction of these new housing types, it's an additional development potential and with that comes some additional asks that they're designed really well to integrate into the neighborhood and not put undue pressure on the streetscapes and to maintain more of that neighborhood connection, so that's why that proposal was written to target specifically those housing types.

WOGEN: So I understand that, but I still feel the market's going to drive that. People aren't going to buy these units if they're not meeting a certain look that they want, so that's my comment.

DECKER: Yeah. Thanks.

JOHNSON: Thank you, Eldon. Jack Harroun.

COOK: Mr. Chair --

JOHNSON: Yes.

COOK: -- can I interject, please.

JOHNSON: Yep.

COOK: Thanks. This isn't about facades; this is about the record of this hearing. So this is going to be available on an audiotape on CVTV and also there are being, minutes are being taken that are verbatim minutes, is that not correct? So there is a written record or will be both a written and a recorded record of what is said in the hearing.

WOGEN: So are you referring to the quantitative stuff that I mentioned on the --

COOK: Absolutely.

WOGEN: I just want to make sure that, you know, if I'm still on the committee three or four years from now, I want Oliver to come by and say, look, we proposed this and we achieved this, kudos, so that's what I'm hoping for.

ORJIAKO: There will be opportunity for - this is Oliver again speaking - there will be opportunity to monitor over time how successful we are because part of the new bills requirement is every five years or so to report how well local communities are meeting the intent of the bill passed.

And the only other thing I will add is that, you know, there's so many terms used here, so there will be, with the help of our consultant, additional clarification for our Community Development staff and

future staff that will come depending on how long this code stays in place that will provide clarity in terms of interpretation and understanding of what this all means, that is going to be our goal, that there will be some addendum to that. Just like you do on definitions, provide clarity for interpretation, that is one of the things I will make sure we have as we move forward.

WOGEN: This is Eldon. Thank you, Oliver.

JOHNSON: Jack Harroun.

HARROUN: Okay. I have a few questions here. So I'll kind of start in reverse a little bit. Why the Type I review for triplexes and quadplexes instead of just making it a building level permit review?

I mean, it was extraordinarily, it seemed extreme to be a Type II to begin with. So what would be the justification for having a triplex being treated differently than a duplex from a building standpoint?

DECKER: Thank you for that question. We had a lot of discussion about that exact point and considered whether it could go to a building permit. The feedback that we got from our peers at or from County staff in the Development Engineering Office is that triplexes and quadplexes can trigger frontage improvements and that's different than single-family and duplexes which don't according to the current code.

And so as long as that is the distinction in the Engineering Code for considering those types of frontage improvements, that the Type I site plan was the path that offered the development engineering team an opportunity to review those triplexes and quadplexes.

HARROUN: Okay. So it's something, it's triggering something else in code. So is that something that needs to be looked at just from a, when we're talking about affordability, trying to create affordability and, you know, you go to a Type I and it becomes much more expensive and much more time consuming.

So a \$5,000 difference isn't \$5,000 to the developer, it's \$15,000 by the time it gets through the process and so I would like to see if there's a process where we can look at either fixing that portion of the code for the street frontage improvements because it is significant.

On the cottage section, was the garage square footage, or am I understanding, the garage square footage is included in that 1600-square feet?

DECKER: Correct.

HARROUN: Okay. So if you have a -- so that really reduces the size of that structure. I know last week I talked about being at 1800-square feet. Is that -- why are we including that square footage?

I know there's been a discussion with the DEAB comments, you know, structure because whatever we're, you know, we're trying to provide parking or covered parking and then that's being removed

from the living square footage, the 16 starts to get pretty small to make some of these projects feasible because now we're at, you know, like 1200-square feet or something like that.

So I guess my question is, what is the -- why are we including that in that square footage?

DECKER: I think that's a two decade long answer in part. So, you know, part of it comes from, again conveniently we're on this slide, you know, if you look at the idea of this cottage cluster, right, as these small, they were always meant to be smaller homes, and so getting that scale right, you know, regardless of whether it's living space or garage space, an additional, you know, floor area is floor area in terms of the buildings bulk.

And so I think that it was about controlling the size of those units and 1600 was a number that has been settled on over the past couple of decades, different communities. Most communities in Washington have a smaller number, some as low as 1,000 or 1200-square feet. I think I, the most I've ever seen is 1800-square feet.

And I think the other reason that the definition was set as floor area, and I haven't been here for the whole two decades, but also just remember that cottages have options for where parking can be. It can be in a shared off-street area, it can be detached garages, it can -- and this idea of having parking in individual garages that are attached to the individual cottages is only one configuration that's possible.

And so, you know, I don't know if this is the original intent or just the way that it plays out now is that it, you know, forces some questions about is it worth it to use that square footage for that use or is a different parking configuration more conducive to the type of cottage cluster that you want to build.

And just since we happen to be on this slide I'd just point that that square footage limitation is not proposed for the compact lots in part because we heard these particular concerns and didn't feel that that size limitation was necessary in the compact lot configuration, but particularly as the cottage housing code is proposed to get narrowed down to more of that clustered scale feeling that the proposal was to retain the existing 1600-square foot limit.

HARROUN: So as long as the garage is detached, you can still, you could get the full living square footage?

DECKER: Correct.

HARROUN: So if I put ten foot, if I put ten-foot separation between my garage and the house, then I can do, I could build the 1600-square feet?

DECKER: Correct.

HARROUN: Okay. Sounds good. The next question, the building height seems pretty low, so it makes for basically a single story, perhaps a two story if you're doing some stuff in the roof line. And I wanted to talk a little bit, I'll jump ship a little bit. On our current building height we're setting at 35 feet --

DECKER: Correct.

HARROUN: -- for most structures? Under the new building codes it becomes really difficult to build our current houses with a 35 foot because -- and we're looking at an R-60 insulation requirement in the ceiling which is a two-foot insulation requirement plus you need your additional venting and then our duct work is having to go within the floor system which goes from like a foot to a two foot open web truss design typically. So we're looking at needing an additional three feet in height instead of like 35, so I would recommend probably looking at going to 38 foot.

And I would look at the same thing in the cottage housing, if you wanted to do the narrow tall houses, more East Coast design, I would really consider doing something in that realm.

So on the building height specifically, is there any, has there been any thought into raising the building height to meet the new energy codes?

DECKER: That was not a discussion that we had to date, those sound like really important technical details, so glad to hear it now and would be interested to hear direction. If it makes any difference to the conversation, I did just double-check that the, you know, the height is measured as at the average of the roof peak, it's not the tallest point on the structure if that makes any difference.

HARROUN: Yeah, I'm aware of that, but it just changes the metrics, so...

DECKER: Okay. Great. So and it's different in different jurisdictions, so I don't know if that helps any Planning Commissioners.

HARROUN: Yep. In the R1-20 and R-10 zone, does that comply with not allowing triplexes and four-plexes, does that comply with the new State law? Because if those are within, you know, a park, you know, a half mile of a park or bus stop or something, isn't that outright allowed now under State law?

DECKER: Are you speaking about the new middle housing bill, what is that, HB 1110?

HARROUN: Correct.

DECKER: Thanks. Yeah, there's so many new State bills, it's an exciting time to be in planning, also head spinning, but... So one answer is that bill does not apply to Clark County because it only applies to cities.

So technically speaking the County's not required to do triplexes and quadplexes. In terms of if the County wanted to, you know, revise the amendment, the proposed code as if they were fully complying with HB 1110, we could take another look.

I am not -- I don't have all the details at my fingertips about whether the County or a city is required of



the size is required to do triplexes and quadplexes.

HARROUN: Right. Yeah, I just know -- so what would be -- what would be the prohibition on those larger lots, what was the justification then of not allowing that on the larger lots, which almost makes almost more sense to be on a bigger lot?

DECKER: Yeah, thanks, that's exactly the conversation we had about the back and forth is like, well, wait, but aren't these exactly the lots where it makes sense. I think the concern was that right now there are almost no middle housing types permitted in the R1-10 and R1-20 zones, not duplexes, not townhouses, and certainly not triplexes or quadplexes, not even cottage homes are permitted in those zones.

And so the idea was that every zone would have an increment of additional development permitted. And so the additional increment for R1-10 and R1-20 was to introduce the cottages, the compact lots, the duplexes and up to two attached townhouses, and so that felt like a significant change for those zones.

And that further change to triplexes and quadplexes sort of the balance of comments from some of the forum participants and the open house was that might be an increment too far in this code package.

HARROUN: Okay. On the --

DECKER: But we're open to further discussion.

HARROUN: All right. In the R1-5 zone there's a minimum lot width of 40 feet, is there any provision that allows, if you're doing an alley load, to reduce that minimum lot width to like a 30 foot?

DECKER: I'm trying to think through off the top of my head. I do not believe that there is an outright allowance for that. Even with the alley load, I think there are some other incentives in terms of where structures can be in the rear, but, no, I'm not aware of an outright allowance for that.

HARROUN: On infiltration systems, things like infiltration systems you had said you spoke with engineering and they allow that, you know, if it's under, you know, their whole engineered thing.

Is there something in the code that we can get it outright allowed versus sometimes staff changes and their view of the code changes and so if we could get that put in place where if we do anything like two houses, you know, next to each other, that you're allowed to have a shared infiltration system or, you know, especially when you get into some of the in-fill developments where some of those things become challenging, it would be nice to see that actually written in code and defined a little better, so...

The -- using the requirement, I think at the beginning of the presentation we were talking about only attached multi-family housing versus detached multi-family housing --

DECKER: Oh, for the plexes?

HARROUN: -- in this code. For the plexes, yeah. Yeah. Is it possible to add that in at this point, the being allowed to do detached multi-family?

DECKER: It would take only two words in terms of the code updates at Planning Commissions direction. We would just change the definition. Right now it says any, you know, three units in an attached structure and we'd just write it attached or detached.

HARROUN: Okay. And was there any reason for it, it was just how it's written but there's not a specific pushback against having a detached duplex versus an attached duplex?

DECKER: Correct.

HARROUN: Okay. The one of the things that I was reading, and this kind of real ticky-tacky, but we have a sight line triangles now, what was written in the code about the corner developments, and there's a sight line triangle and we've had an issue on some of our developments where the eave of the house went into the sight line triangle, but yet it was, you know, 15 feet above, you know, the actual sight line and then they're having to adjust the footprints of the house.

I didn't know if there was -- so that we get it in the code that actually clarifies than just the need for the actual sight line and not -- and that it can be, you know, aerially encroached as long as it doesn't affect the visual transportation reason for the sight line.

It seems ticky-tacky but it's been a huge deal on some of our developments of creating some issues there, even having stop signs in the sight line triangle which was kind of an issue, they said it blocked too much vision.

As far as the maximum lot coverage, is 50 percent pretty typical or is it kind of middle of the road, is there something that we could, like, is there any other jurisdiction that we're looking at and they do a higher lot coverage?

DECKER: Yeah. There's several parts to it, right, some jurisdictions regulate just building lot coverage and some regulate all impervious surfaces. And so the lot coverage in Clark County is regulated for structures, so essentially the buildings, it wouldn't include things like driveways.

And so the 50 percent, you know, maybe sounds low, some other jurisdictions have a higher number for total impervious surface, but I would say 50 percent for structures is well within the range.

Right now the County has 50 percent lot coverage for all residential zones, so even multi-family is currently subject to that, which we're taking a look at as part of the amendments, that the second package of code that is still in development, but, you know, there's flexibility.

HARROUN: Okay. Now, does that just include the foundation footprint or does it include the eaves?

DECKER: I am not sure, but I do believe that we have some Community Development folks on the line that might be able to clarify. Susan, is that something you or --

ORJIAKO: Elizabeth, we have Bryan Mattson here, so hold on.

MATTSON: Excuse me. Bryan Mattson, I'm a Review Planner for Clark County Land Use. Currently the definition of lot coverage does not include the eaves, it's only the footprint.

HARROUN: Okay. Thank you. That can be a huge, I mean especially on, as we get denser and smaller that those two feet actually add, you know, a tremendous amount of things. So thank you so much.

I knew I was going to rapid fire a whole lot of ticky-tacky stuff, but it matters from a building industry standpoint and thanks so much for the work on this, I know it's a lot.

DECKER: Great. No, thanks for those clarifying questions.

JOHNSON: Okay. Thank you. That was a great job, Elizabeth, thank you again for all your hard work and we appreciate it, there was a lot of questions at you. So with that said, I am assuming we're the applicant. Go ahead. Oh, sorry about that. I forgot. Bryant, or, no, yeah, I asked Bryant.

HALBERT: Bryant started.

JOHNSON: Bryant started. I'm sorry it's been a while ago. All right. I'm assuming we got our questions. We are now going to open the hearing for public testimony. Sonja, can you please or make sure we're going to limit these to three minutes on these, right. Okay.

### **Public Testimony**

WISER: Good evening members of the public. To be a party of record you must submit written testimony before, during, or prior to the close of tonight's hearing, or provide oral testimony at the public hearing, or request to be a party of record in writing.

If written comments were received prior to June 15th, 2023, they were submitted to the Planning Commission members and posted on the Planning Commission website. Tonight's hearing is being transcribed by a court reporter, so please spell your last name and speak slowly, your first and last name. Public comment is limited to three minutes.

So we'll start with the Webex and the phone callers first. We'll start with those participants that have joined remotely on the computer or telephone. Please raise your virtual hand or press star 3 on your phone to let us know you would like to provide comment. Larisa, are there any people wishing to speak?

SIDOROV: It looks like I have an Andrew on here. I'm going to go ahead and unmute you now.

JOHNSON: Andrew, can you please state your name for the record and spell it.

CECKA: Yeah. Okay. It's spelled C-e-c-k-a.

JOHNSON: Thank you. Go ahead, sir.

CECKA: I am the president of the Four Creeks Neighborhood Association and I just wanted to say I have a written statement I'll read.

So concurrency is incorporated in the Growth Management Act and also in County Code 40.350.020, Transportation Concurrency Management System. This policy implements requirements in RCW 36.70A.070 which first of all establishes levels-of-service standards for arterial and transit routes, and, secondly, ensures that such standards are met or reasonably funded before new development is approved.

From my perspective, from our perspective, number one, the County has not taken any action to establish service standards in our area that would align with the requirements associated with urban levels of development much less increased density that would be created by this middle housing code change.

Number two, in 2019, the estimate for road improvements was 62 million, this spring Councilor Medvigy said the estimate was 128 million which the County does not have. The County has yet to tell us the cost and where County and developer costs come into play. I am particularly concerned about the lack of planning around public transportation and law enforcement.

We've not seen any plan from the City of Vancouver or annexation and the County does not have the budget to cover the level of growth they're allowing in the urban growth area of unincorporated Clark County. We cannot handle any more development without a plan. That's what I wanted to say on behalf of Four Creeks.

Also just personally, I would like to, you know, we're talking about making lot sizes even smaller. If we go back to 2019 when we lifted the urban growth boundary, we took an R-10 lot and made it an R1-10 lot for example, just for folks paying attention, that means 43 new, 43 houses now fit on that same, on that lot versus the one that used to be on that lot.

So by making these lots, minimum lot sizes even smaller, we're going to take it, you know, especially if you do it by 20 percent up to 51, so it's a 1 to 51 ratio that we're talking about that we're experiencing in a rural area in less than four years, that's the increase in density that we're talking about, and so we are opposed to that massive increase in density and entire change of our way of living. And that is my comments.

JOHNSON: Thank you, sir, appreciate it. Is there anybody else on there, Larisa?

SIDOROV: I do not see anyone else's hand raised.

JOHNSON: Okay. We'll check that maybe at the end just to make sure. Coming back now, we will talk to the people that have asked to speak. Is it Houston?

SIDOROV: Wait, one sec.

JOHNSON: Oh, we got one.

SIDOROV: There is one, yeah. Call-in User 7, I'm going to go ahead and unmute you now.

JOHNSON: Caller, can you please state your full name and spell it for the recorder.

MCKENNA: Hello. Can you hear me?

JOHNSON: Yes, we can hear you. Can you please state your name and spell it for the recorder.

MCKENNA: Yeah. My name is Maureen McKenna. M-a-u-r-e-e-n. McKenna, M-c capital K-e-n-n-a.

JOHNSON: Thank you. Go ahead.

MCKENNA: First of all, I want to thank staff for their work on this and also the consultant. I do want to mention that when Oliver talked about their process I noticed that there was multiple mentions to the Development and Engineering Advisory Board being request, their request for feedback.

Also apparently there was foreign advisors and an advisory board but I did not hear that residents of the urban growth areas were engaged in this process. This is a consistent pattern where residents are not engaged.

Secondly, I just want to mention that the urban growth area is diverse and we do not have the level-of-service in the Four Creeks neighborhood in order to support this level of development. We have no public transportation. We have no grocery store. So by making this change you are essentially creating, you're exacerbating an existing food desert and you're creating density in an area with no access to services.

I am a strong proponent of middle housing, I think it's a great solution, but we are a diverse in this UGA and to just blanket say this is approved in the UGA is completely irresponsible.

Next, I wanted to address the Planning Commission and the conflict of interest concern that I have. Many of you stand to benefit professionally from making this change, and tonight I heard a lot of commentary about streamlining processes and projects that you've been on and I am sick of it.

We expect the Planning Commission to represent the residents of unincorporated Clark County and to represent the residents of the UGA. If you stand to benefit professionally from this code change, you

need to recuse yourself.

JOHNSON: Thank you, ma'am, for your comments. Any more, Larisa?

SIDOROV: I have Bryan Snodgrass on here. I'm going to go ahead and unmute you now.

JOHNSON: Bryan, will you please spell your name for the court or the commissioned reporter.

SNODGRASS: Hello. Can you hear me?

JOHNSON: Yes, I can hear you. Can you please spell your name for the commissioned reporter.

SNODGRASS: Sure. Certainly. Bryan Snodgrass, S-n-o-d-g-r-a-s-s, with the City of Vancouver testifying in support of the proposed changes to the VUGA and other urban areas. We believe these are an excellent first step as part of this process. We hope that in reviewing them you can be aggressive in facilitating housing and particularly smaller and lower cost housing.

As our letter indicates, we wanted to provide a bit more context. GMA requires not just planning for more housing in the abstract, but for better or worse gives us collectively all within Clark County a very difficult target of accommodating 115,000 new housing units and so a good portion of those will have to be affordable.

Given current County modeling that the unincorporated areas will have to accommodate the bulk of those, we're hoping that modeling can be brought more accurate so the cities can take a bigger burden, but I think under any circumstances all of our jurisdictions will be faced with some big changes because of the new laws.

And so the more aggressive you can be with some of these standards, the less rezoning of the map that will need to occur, I think, and we're going to need to do both in all of our jurisdictions. We do think that if you are even being aggressive with those standards doesn't mean not concerning how they would fit in.

And so we do propose the changes for instances that would require development using these new small house options to have a front entrance which itself state safety by allowing residents to see front areas.

Similarly, garage widths are not necessarily a design feature in our view but also one that better addresses street front function by allowing and facilitating on-street parking which by definition is shared. It's not clear to us how a larger garage width for a smaller home would facilitate affordability.

We do understand some consumers do want larger garages, and that's appropriate and there's many, many options for them both through existing homes for sale and also for new homes to be created going forward that aren't necessarily using these specialty standards.

One area just in closing, again full support for this process. One area you might consider being more aggressive with is within parking. Some of the new compact and narrow lot development standards appear to have the same base parking requirements as a conventional single-family home.

And so perhaps a modest reduction recognizing that these smaller homes will have, they'll still need parking, but they won't need it in quite the same level as a conventional larger single-family house. So thank you again for the opportunity to testify. Let me know if there's any questions.

JOHNSON: Thank you, sir, for your comments. Larisa.

SIDOROV: I do not see anyone else's hand raised.

JOHNSON: Are you sure?

SIDOROV: Yes.

JOHNSON: I'm kidding. Okay. With that said, if we do get someone else we can come back to them too. Okay. So we're going to open up the -- for the people that are in the audience. Is it Houston? Houston Aho. Would you please come up and again will you spell your name, speak slowly for our lady that's recording. Thank you.

AHO: How about now? There we go. Houston Aho, spelled just like the city, H-o-u-s-t-o-n. Last name is Aho spelled A-h-o. I am here on behalf of Aho Construction.

I think many of the proposed amendments are a step in the right direction. I would caution these amendments by themselves are not a standalone fix to the housing affordability issue without further action to the available land supply. An amendment, these amendments themselves could increase home prices, traditionally detached homes would most likely be adversely impacted.

I do have some concerns about the County not changing the name of the zones in particular. With the zones going up with densities anywhere from 10 to 25 percent it's essentially an upzone, and we've already heard enough comments from the public that they're concerned about density.

Without changing the zones, you could have a number of upset public I would think at the hearings, land use hearings is probably the number one comment we get is these lot sizes are too small, too small.

Now, if you have a zone that's R1-7.5 and now you can fit 15 percent more lots in it, the neighbors are going to instinctively say we weren't notified. I'll get, you know, yelled at for the developer, not my issue. I really think it's a cumbersome process but I'll move on from that.

I've reviewed the DEAB comments. Generally in favor. I mean, I think they hit most of the comments. I'm also not opposed to any of the density provisions that are being added. What I am opposed to is all of the parking and design restrictions. They're going to limit affordability of housing, neighborhood

lifestyle and design, they're going to be drastically affected by it.

You're going to be putting more cars on the street, traffic through, kids riding bikes, it's going to be a little bit of a mess, you know, we could solve this by allowing the two cars.

What didn't get mentioned was the narrow lot standard is being altered here to only allow one car garages. Now, the narrow lot standard currently allows two cars and that's kind of being blown over right now.

So the narrow lot standard would even be affected in zones like R1-12, PUDs, stuff like that where your lots are slightly less than 40 feet, they might be at 38 feet. 28-foot wide house is a very common house with a two car, you can put, you know, 18, 2,000-square feet on it, that's a product that's going to get quite hit hard. I'm trying to think. My time is up. So I would, you know, highly suggest that that be left to the market as far as design elements.

The same thing with driveways in the narrow lot standards. The way they're, there's verbiage in there in how they're positioned, it doesn't take into effect any topography on a lot. Okay. So now if you have quite a bit of topography, we typically stack driveways on the high side on all the way through up a street and stack them so you can get straight driveways, that's not really allowed in there.

With that, I think there needs to be more financial analysis on the housing types, on the building costs. We've built everything and the building cost is relatively the same for a structure.

JOHNSON: Thank you, sir. Appreciate your comments. Next up is it Daniel Wisner? Is it Wisner? Sorry. Wisner? Yes.

PUBLIC: Is it possible for them to speak into the microphone.

JOHNSON: Yeah, we can do that. The other thing is I know you guys kind of come up with your stuff, but just a little slower because she's typing on that thing. And can you spell your name, sir. Thank you.

WISNER: Am I on? Okay. Wisner is W-i-s-n-e-r. I'm here representing DEAB. I was also on the Housing Option Study panel. I think that Matt had a question or he had a comment around the cottage condo, so if you want to pull that slide up, I can go through that real fast for you guys.

So the cottage that's being proposed here or shown here would most likely be a condominium and condominiums in the State of Washington right now are pretty much a builder liability, we don't want to build them. My first multi-family project was a condo but we won't build them now because of the loss.

So the difference between a subdivision or a condo is significant. And when you get into a -- so there's also the plexes, and plexes are really an investor product, so I just want to make that clear to you guys.

The -- really the DEAB agrees with the vast majority of what the Housing Option Study came up with,



and if we're going to bullet point that, the big changes that we would request you guys look at would be to drop the word "gross" in the square footage requirement of cottages as Jack pointed out and also in ADUs, that's a left over definition from how fire code is interpreted.

And then eliminate the design standards, which Oliver talked about. Oliver brought up when he first started that the flexibility was one of the key objectives the Council had requested for this project and we believe that limiting garage widths limits the flexibility. It's not a big, it's not a big burden but it can do that and I've seen it happen many times as Bryan can attest, Bryan Mattson can attest.

I'm not real smart, I've probably spent well over \$100,000 proposing different ideas to the County to get shot down based upon my interpretation of the code when it's restrictive and their interpretation of the code and we all know that their interpretation of the code, you're not going to fight it.

And then as Austin -- as Houston talked about the compact lots, those narrow lots, we build a lot of, we build a lot of 28-foot wide houses. I've built a lot of stuff on in-fill and the design restriction of the garages would be very affected. I spend a lot of time developing my townhouse projects to be able to handle two, two car garages. We put together a plan that we call the uncommon wall to where no living area touches and one of the ways that we can do that is by actually having a 16-foot garage, so... If there's any questions about DEAB, I'm here to answer them.

JOHNSON: Thank you. Appreciate your time. Okay. Robert, I can't pronounce your last name, can you just come up and say it and spell it, sir. Is it Heiberg?

HEIBERG: Yes.

JOHNSON: Okay. Thank you.

HEIBERG: My name is Robert Heiberg. I live at 4701 N.E. 178th and I'm the transportation chair for the Four Creeks Community Association. If I looked at the map, are you telling me that you're going to change the five-acre lot size east of 50th to these new designations which is basically east of 50th Avenue is now designated rural, five-acre lot size, are you changing those?

ORJIAKO: Sir, I think your comment will be addressed to the Planning Commission. We are not proposing to bring any area into the urban growth boundary as part of these proposed changes.

HEIBERG: So the answer's no.

ORJIAKO: So that will be my response, sir.

HEIBERG: Okay. The answer's no. Well, that's good. We live, the development across from us is Ramble Creek, they have proposed 95 skinny houses starting at \$400,000. And so are you telling me that these affordable houses are all going to cost 400,000? Because if you are, that's really kind of a joke.

The other thing is transportation share, watching what's happening. We do not have the infrastructure

for checked growth. And it's until you can find the funds to expand 50th Avenue and until the State sees its way clear to extend 179th Street interchange, you're just not going to get it done. We went down 179th this evening, waited three traffic signals to get through to turn left onto I-5 and that's just the start of it.

I mean, you've got the two multistory units that they're developing. When they're fully developed, it's just an example of the problems you're going to have. Another thing is that there isn't much demand for the \$400,000 skinny home.

I'm looking and they have sold signs on practically all of the larger units, but very few on the skinny lots and they've only built a couple of them. So as far as I'm concerned you can have skinny, all the skinny lots you want, but if people don't buy them, they're of no use.

So those are my comments. And the main thing is that we need to develop infrastructure, roadway infrastructure before we start thinking about mass, it's just got to be that way. Thank you.

JOHNSON: Thank you, sir, for your comment. Is it Paula, you're not, are you talking? Are you going to speak?

PUBLIC: Yeah, but I don't want to talk.

JOHNSON: Okay. Thank you. And finally of course Teresa, come on up here and tell us what you think. Thank you. Make sure, Teresa, you spell your name for our court reporter.

HARDY: My name is Teresa Hardy, H-a-r-d-y. And often I show up for Friends of Clark County where I just show up as an individual representing the public, tonight I'm showing up as an individual representing the public with some thoughts and questions in probably four to five areas, one is parking, the other is transportation, affordability, land use and public engagement.

I think I'll start with public engagement since one of the callers Ms. McKenna talked about public engagement. And, yes, a lot of work has been put into this, but from the public perspective the tech forum is made up of DEAB, Planning Commission or developers.

And she raised the fact that many of you are related to development and in some ways that's really an asset because you come with a lot of background knowledge as well as DEAB, but then from the public perspective it looks like it's a lot of development behind the decision-making. So if there was really more public engagement in the whole process of this, not from the beginning, not from just March 23rd and especially involving our neighborhoods, so that's that.

Then the transportation piece, and we continue to hear about this, this is the concurrency piece. So as we're creating more density, do we have the infrastructure and the transportation? And oftentimes in multi-family housing when you reduce parking spaces, then what you're saying is you're connecting it to existing public transportation. But I don't think any of this is really, that much is going to be connected to our public transportation, our bus system. And of course people always talk about biking

but we know that not that many people are going to ride their bikes, but there is that transportation and concurrency piece.

And then there's the affordability, and if you reduce cost which is good by streamlining permitting and then you reduce the time to build, that's really good too, but the key question here is will it really be affordable because we often see, even in downtown Vancouver when they gave eight to ten-year multi-family tax exemptions, how much of that downtown is really affordable. It isn't affordable and they put it under the guides of being affordable. So I think we really have to question what are we really doing to really create that affordability and are we really going to provide that to the public.

Then the last thing is parking and I think parking is also tied into the transportation piece and we've heard two sides of the coin here. We've heard let's reduce our parking to one unit in all of these and then that's going to create on-street parking, and Commissioner Swindell raised some good questions about what is that really going to look like for the people that are actually living there, what kind of public services can we get in there. So how do we really address the parking so we don't create one unit after another after another with a lot of on-street parking.

And then that creates the question of land use, recreation, landscaping, what are we doing about that? What kind of recreation are we providing when we increase all this density especially for our multi-family housing?

And then the other piece of this, which I don't really know how that relates, is with land use, wetlands, critical areas, retaining any of our existing mature trees, what is the overall big concept of this or are we really narrow visioned here because there's a lot of factors to consider in all of this if you're looking at it from the public perspective. Thank you.

JOHNSON: Thank you, ma'am, for your comments. Is there anybody else in the audience that did not get a chance that didn't sign up? Hearing none, Larisa, is there anybody else with their virtual thumb up?

SIDOROV: I do not see anyone else's hand raised.

### **Return to the Planning Commission**

JOHNSON: Okay. Seeing none, I am going to close the public testimony part of our hearing and now I'm going to bring it back to the Planning Commission for deliberation. With that said, Bryant Enge, your thoughts, sir, if you have any.

ENGE: I'd like to respond to the public engagement. I have a couple of comments in general as it being as thoughtful or as long as it should have been. I just want to remind folks that this process goes back to 2020 and that there were several opportunities for people to participate, there were groups formed too to participate to give public input.

And so I believe that the County did a very good job in terms of for both giving the opportunities to provide input prior to the development of the housing action plan. The housing action plan was

basically an outgrowth or the conclusion of a very comprehensive, well thought out, planning process. And that's all I have to say right now.

JOHNSON: Thank you, sir, appreciate it. Bryan Halbert.

HALBERT: Sure. Thanks. But, yeah, I was just looking back at some of the public comments that we've received and I'm seeing them as early or some of them in December of last year, so it's been more than six months at least that we started seeing public comments coming in.

So I think there's been that opportunity to comment on this during the process and so, and I do believe that the County does a great job of notifying what is coming down.

I like the single-family detached proposed lot adjustments on this. I like the housing types and they're allowed with the ADUs, what they've allowed there. I think the lot sizes for the middle housing is great. I like the definition of middle housing; I think all of that hits the mark.

You know, concerned about parking, I'm concerned about street parking. I've seen in neighborhoods that don't have adequate parking that they just park on sidewalks and it really makes it difficult to walk in those neighborhoods because there's so many cars parked on the sidewalks.

And I understand it could be dealt with through enforcement or through stricter HOAs if that was a part of a neighborhood, but probably my only concern is just the on-street parking and how it's utilized, roads are narrower, cars are parked randomly through a neighborhood. But other than that, I really like what is being proposed and I'd like to support it.

JOHNSON: Thank you, sir. Matt Swindell.

SWINDELL: Well, I too have concerns about parking and what we're proposing to do to Clark County. I know this probably goes against what a lot of a lot of people that have been working on this for the last couple of years, I think everybody's put a lot of work into this and a lot of thinking behind how can we put more housing into, you know, the land that we currently have and we have to do that, and I understand we have to do that.

I think we've gotten; I see it as like 85 percent of the way there and I think what we're doing now is we've got these last 15 percent of people are kind of coming together and saying, hey, what about this and what about that and did we think about that and why did we make that decision.

We're all really right there at that same point trying to get this thing past the goal line, I just feel there's just too many things out there still that we need to address that aren't, that just aren't addressed yet. I'm not trying to say that I'm against all of this. I just see that there's a lot of concerns.

And I understand from the public standpoint. So I'm not a developer, I'm not a builder, used to be but not anymore, not in that game, don't want to be. And I understand there's a perception that, okay, we've got a couple of guys up here that are in that industry and whatnot and I guess potentially they could benefit from this, but the value of the questions that were asked tonight I was blown away.

And thank you for all those questions because I think the public from a what type of home are we going to build, what can we build for the public in the future, how does this restrict and ruin the design of a home that was totally unintended, that nobody meant to do but just because of the way we kind of pushed it through at the last minute and we really didn't think it all the way through and we missed these little things that can really affect the cost of a home, what the development looks like, whether or not we're going to have --

I see these ADUs as a huge issue, that's the one thing I don't really like to be honest with you. I'm really concerned about those when we start adding one or two on a lot and now we've got, you know, zero parking taken into consideration for them and now, oh, we can have a family of three living there that all drive and all have vehicles that are all parked down on the street somewhere, we don't know where, magically they're just going to park somewhere, that to me really diminishes the value of someone's home that's already living in the neighborhood that bought their 8,000-square foot lot that thought -- they thought that neighborhood was going to look like that and their park was going to be used by the certain amount of people that live in that neighborhood, but now we've just tripled it.

So now their quality of life has just diminished and what are they going to do, they're going to sell, and who are they going to sell to, they're going to sell to a developer who's going to go, ooh, I can put two more units on that and I can rent them out, now we're going to build the future rentals of tomorrow, you know what I mean, which is fine, we have to have rentals but I just I'm concerned, very, very concerned for people that already live in the neighborhood that have an expectation of the home that they bought and now we're just arbitrarily blanketing we can do anything we want.

Having said that, I do realize that we need affordable housing. I have children and -- but I'm preparing my children to make more money. I've told my children, homes are expensive. Do you want to own your own home? You better do something, you better get a better job, you better start doing better in life because you're not going to be able to afford to live here in Clark County if you don't get a better job.

I think we're all trying to lower things to the lowest common denominator of the lowest of everything and we need to challenge people, we need to push the envelope. We need to tell people, hey, let's push harder, let's go out and do something more with Clark County like create better jobs, create more opportunities for our children to live here, work here and play here. I just see us only concentrating on one thing.

And that isn't meant to anybody who's working on this project because we've been given a task and we need to do it; I mean that to our County Council. Hey, let's start looking more towards creating better jobs for people so we can afford to buy these \$400,000 homes that are sitting there which are beautiful homes, those are \$400,000 which is what, a \$3,000 a month house payment.

So, you know, I'm just I'm very concerned. I don't want my Clark County that I leave to my grandchildren, which I already have a bunch of them, to just have all these little, teeny tiny homes.

My son the other day - last thing and I'll shut up - came home, he's in college, he's going to be a teacher, he's going to be okay, he's going to be a teacher, okay, and he's freaking out and he's starting to look at these little, teeny tiny homes and he's telling his fiancée who is getting married next month, this is all we can afford, this is all we're ever going to be able to afford. We can only afford a 900-square foot house, this is it, this is it, that's all we can do. I was like, son, simmer down, you're going to make more money, you know, you're going to -- you're going to progress in life, it's going to be okay.

And I think sometimes we just need to help people to elevate and do more. So having said that, thank you very much for all your hard work and this is a very nice presentation. Thank you.

JOHNSON: Thank you, Matt. Moving on to Eldon.

WOGEN: I don't know how to top that. Don't know, seriously, all the things that the County is proposing I'm generally in favor of, but I also share some concerns that were brought up by a couple in the audience about is it really going to be affordable. I don't know. It's going to be anybody's guess at that point.

I think that we have to do some things to lower land, you know, make more land available and reduce the cost of permitting. I mean, there's things that we have to pull triggers on to try to reduce cost. Will that be enough, I don't know, hopefully because I do want to see this area grow and have good neighborhoods.

So in general I like all the proposals, but I do not like the proposed design standards. I don't think that they have any place in this, they're restrictive and I think we need to let the market decide how the builders or people are going to build these units.

JOHNSON: Thank you, Eldon. Jack Harroun.

HARROUN: Thank you, Chair. One of the, well, one of the first things I want to address is how residents were engaged. It's clear by our public comments that it was certainly out there because we got comments back, but I would encourage the County staff if there's any other ways or even the public has some ideas about how they could better be informed that personally I'm all ears because the more notice, the better.

And a lot of times as this stuff is being work shopped and you get an e-mail or notice you don't understand what it's meaning until you get down to the meat of 1,000 pages of documents gets dropped two weeks ago and -- and then you're like, wait, what's that mean.

And so I think there's, it's really important because I've heard this over the years, you know, through lots of public processes and that it's like they were noticed but they weren't really informed because they didn't get a full understanding.

So if I tell somebody something, I'll oftentimes I'll use very technical jargon and then I'll have to stop

and go, what this means is. So always looking for an opportunity for that because I really appreciate the public input because that's who we represent here.

I think as a whole I really like where we're at. I think we're almost there. I would like to continue this and go back through and tweak some of this stuff. I am a self-proclaimed design aficionado. I think great buildings and great design makes for great communities. I think it matters what we build.

I think there's some great examples in our community and there's some that we point to and go we don't want more of that. And oftentimes design standards they're not designed for, the rules are designed for most people, they're designed for this percentage that we didn't want to do that and given too much flexibility, that's where those things wind up.

That being said, I think there's a happy median from where we're at currently within this current proposed code. And when I look at the garage thing, I mean I love alley load but it effects affordability.

You know, I've built houses, single car garages, but when I start thinking of like off-street parking and additional shared parking, but then I look at our State mandates when we're looking at electric vehicles, I'm like and then, well, how are we going to get those charged if everybody has to park, you know, 200 feet down the street.

There's many things that kind of need to be, you know, counterbalanced and thought through that if we're just doing single car garages, you have, you're going to have two car households, how are we getting those vehicles fueled up, and so there's things like that.

But yet I was at a subdivision today and I was taking pictures of what we would call in the industry like, I want to call them a snout nosed house where they basically built a house and put a two car garage fully in front of it and they built it 100 times and I think that's, the community doesn't like that, but I think there's a happy median in there because I went down one more block and there was a development that wouldn't fit these, the design standards, and I thought it was fantastic how they did it.

And so my personal preference is I would like to get this tweaked a little more, take some additional input from the vested members of the community and look at what, yeah, what we do. It's important to get this right just from a very technical standpoint that we can have the code with the goals, but if the code doesn't align with the market realities of what actually it takes to build these products, and I think about like building heights, the insulation requirements, because there's a, I mean we're currently in 120-day delay of the new energy code cycle where we're required to go up to an R-60 insulation and we're required to do all these things and all of these have actually affect in, within the code, so...

And it's a long, big process and we're almost there but I think we need to pause for a second, get some of these tweaks done and then continue to move forward, but I think it's been a fantastic work and it is, I mean clearly by the documents it's a big haul, so hats off to our consultants and to staff because it is a tremendous amount of work, so...

JOHNSON: Thank you, Jack. So we're trying to do a lot of things here. You're always bashing up against affordable housing versus, you know, applicable land use and how these buildings look and we know that. So we can go back and forth on the specifics of it, and I understand some of this is good, you know, I look at the parking, I'm the same way, I really respect you what you're saying, Houston, where, you know.

But then again I look at some of these design things like the house, the one we saw, and then I in my head I look at one like you're thinking of, you know, and I can see both ways. Look, we're trying to fulfill the State bill requirements, we're trying to do that in an efficient manner, this is coming and so we're doing the best we can. I think it's good. I think it's fine. I'm in support of it.

A couple of things. One of -- engagement's a funny thing. We've -- I've been here not as long as Oliver, but I've been here for a bit and, man, and we beg, staff is constantly doing creative things to get people here. The fact is people don't want to come out here and talk about this and that is the reality of it.

And there's a little bit of admonition here as the Chairman of the Clark County Planning Commission to members of the County, look, we want your input, we are not afraid, our job is to take what you said, bring it into our heads, we don't make the decision, the Councilors do, but we -- they're listening, hopefully they listen to me a little bit, sometimes they don't, but the fact that that's the process.

And so I really struggle with a couple of things, I do not like people on phones, and I understand what we have here, but they need to be here. And then it goes to one thing, when I was handed the gavel, which I've never used, I'll set it down quietly, I kind of felt like I was the protector of the Planning Commission.

I am a school teacher. I teach 8th Grade wood shop. I have no conflict of interest with this. Nobody does here. In the beginning, Number 2 on my little fancy notes here says are there any members here. I have a Prosecuting Attorney right there that trust me will call me on if I even do an e-mail that says I'm going to come here and cc everybody. We can't even have a conversation.

There's so many things that the law says and for somebody to get on that phone, and this is where I protect the integrity of the Planning Commission, and try to say that we have a conflict, it's ridiculous. Okay. It is -- we're trying to figure it out.

You may not agree or disagree, it's okay, but we're taking all of this, we're bringing it into here, and we're saying, okay, we have experts, we have people that over here that have never lied to me once. I'm not saying I agree with them all the time, but what I'm saying is for someone to talk about integrity.

I wrote down at the bottom here it reminds me of one of my 8th Grade students, this is going to be harsh, but it reminds me of one of my 8th Grade students on social media. It's cowardly. You come here and you sit right there and tell me that there's not one person.

Jack Harroun, he's right, Jack asked some pretty cool questions. He asked Ron Barca type questions. Usually Ron we were like, well, never thought of that, he was in the weeds, he got me to understand it



a little bit better.

Whether I agree with Jack or not, and I'll get off this soapbox, but I struggle when somebody does an attack like that. And I'm sorry if I offended anybody because I'm not trying to, but I know that Christine is really good about keeping us straight, and we don't mean to, we don't even if we're like, oops, you know, we just don't.

So I'm back to the bill, or not the bill, the bills that the State, I think it's great. I think we're going down the right path. I think we're trying to find unique ways to make housing affordable. You know, I understand \$400,000 homes, but here's what it really is, my home value went from here to here and I live above La Center and it was like, well, how did that happen.

And so it's not just, those pressures are not just this, those pressures are the economy, those pressures are things that we just as simple people, you know, we don't have complete control over, so... I appreciate all your work and I appreciate Oliver kind of keeping us straight in this. So with that, I would look for a motion or a something cool.

HARROUN: Chair, I'm not sure how to make this **motion**, but I would move that we **delay** decision on this until we have an opportunity to rework some of the concerns that were brought up with the DEAB and some of the other Planning Commissioners and see if we can come up to just a little bit better document.

SWINDELL: I was just going to say, I believe what our choices are tonight is to recommend this to the County Council or to not recommend it to the County Council or to recommend it with if we wanted to make some adjustments to it.

JOHNSON: We can amend it.

SWINDELL: We can amend it. I'm sorry, I was looking for the word amendment. We wanted to amend it. We can make a **motion** to amend what we're doing and then send it. And I correct on that, Christine?

COOK: Yes.

SWINDELL: Basically those are kind of our choices.

JOHNSON: So with that said, do we have a **motion to accept or deny** staff's recommendations for --

ENGE: So this is Bryant Enge I'm going to recommend --

JOHNSON: Hold on just, Bryant, can you just, we're just getting some clarity here. Can we just hold on for one second. Go ahead.

HARROUN: Okay. So I just want to understand this. So we are not allowed to put a pause on this and

get some things that we, some of our concerns corrected and then brought back to us for a recommendation or we're required to because I don't believe that's correct from my understanding of how --

JOHNSON: We can put an amendment. Yeah, we can, Christine can you give us some clarification.

COOK: Ah, there we go. Yeah. The choices I believe were as Commissioner Swindell summarized them. This is not an opportunity to send it back for different work.

JOHNSON: Our way of sending it back is saying, no, as a body if we did that; correct?

COOK: Right. Or to amend provisions, you know, including possibly taking them out and that might inspire further work or not. But, no, this is not an opportunity to tell staff you didn't do enough.

JOHNSON: So with that said, I'm looking for a **motion**. Bryant, I'm sorry to interrupt you, but we were trying to do that.

ENGE: This is Bryant Enge. I'm going to **recommend implementation** of the Housing Option Study and Action Plan related to middle housing and small single-family code changes.

SWINDELL: This is Matt Swindell. I'll **second** that.

JOHNSON: So we have a **motion and a second**. Sonja, could we get a roll call, please.

WOGEN: I would like to interrupt though.

JOHNSON: Oh, sorry. Go ahead.

WOGEN: I'd like to have an **amendment to that motion**, if it's possible.

JOHNSON: Well, we have a motion on the floor and a second on the floor right now.

COOK: Well, you need a motion and a second before you can have an amendment so this is --

JOHNSON: We have that.

COOK: -- an appropriate time.

JOHNSON: Yeah. Go ahead.

WOGEN: I would like the committee to propose or to think about accepting the, this as-is except to take out the design standards that have been mentioned, everything else will be okay.

JOHNSON: Do we have someone else that **seconds that amendment**? Hearing none, we're back to

our **original motion with a second**. Sonja, could we take a roll call.

### **ROLL CALL VOTE**

ENGE: This has been in the works since 2020. I appreciate all the great work that's been done by staff, by the community, by experts working on this. I understand this is not the perfect codes or changes, but I believe that this is significant work that will move the, and advance the affordable housing agenda. I say AYE.

HALBERT: I agree with Bryant's comments. Thank you, Bryant. And I also vote AYE.

WOGEN: AYE

SWINDELL: NO

HARROUN: I appreciate all the work that's been done here. I think we need to do a little bit more before it goes to Council so I will vote NO.

JOHNSON: AYE

WISER: Okay. 4 to 2.

JOHNSON: Motion **passes 4 to 2**. And, Cindy, just to make sure, the **motion** was Bryant Enge and the **second** was Matt Swindell. With that said, we have the hearing concluded for this part of the hearing.

### **OLD BUSINESS**

JOHNSON: Is there any old business? None.

### **NEW BUSINESS**

JOHNSON: Thank you. Any new business or comments from the Planning Commission. None.

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

ORJIAKO: No. I listened to the Planning Commission members just like I said tell my staff. We'll give you July break. So if you're going on vacation, have a good vacation and we'll come back with you in August.

SWINDELL: Other than I'll be on vacation in August but that's okay.

JOHNSON: All right. Make sure we have a quorum. With that said, ladies and gentlemen, thank you to the lady doing the hard work. Staff, you did a good job. And our people online, I miss you guys that are online, show up, it's good stuff. And with that said, we're adjourned.

## **ADJOURNMENT**

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://clark.wa.gov/community-planning/planning-commission-hearings-and-meeting-notes>***

Television proceedings can be viewed on CVTV on the following Web Page at:

***<https://www.cvtv.org/program/clark-county-planning-commission>***

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