

Development and Engineering Advisory Board Meeting
July 6, 2023
2:30pm – 4:30pm
Public Service Center
Meeting held by Microsoft Teams

Board members in attendance: Sherrie Jones, Mike Odren, Ryan Wilson, Seth Halling, Eric Golemo, Andrew Gunther, Dan Wisner

Board members not in attendance: Nick Flagg, Jeff Wriston, Terry Wollam, James Howsley

County Staff: Megan Fletcher, Nichole Piesik, Max Booth, Glen Yung, April Furth, Jennifer Reynolds, Oliver Orjiako, Brent Davis, Dianna Nutt, Maureen Patronaggio, Rod Swanson, Shannon Nashif

Public: Houston Aho, Justin Wood, Noelle Lovern, Teresa Hardy, Jackie Lane

Call to Order: 2:30 pm

- **Administrative Actions:**
- Introductions
- DEAB meeting is being recorded and the audio will be posted on the DEAB website.
- Review/adopt last month's minutes (adopted)
- Review upcoming events:
 - Public Hearings:
 - COUNTY COUNCIL Work Sessions:
 - July 12th @ 9:00am – Baker Tilly compensation study and employment projection comp plan
 - July 19th @ 9:00am – Draft of Vancouver Lake management plan
 - July 26th @ 8:30am – Transfer Stations
 - August 2nd @ 9:00am – Transportation system plan environmental public fee schedule
 - COUNTY COUNCIL Meetings:
 - July 18th @ 6:00pm – CPZ Projects
 - July 25th @ 10:00am – Housing code amendments
 - PLANNING COMMISSION Work Sessions:
 - DEAB MEETING:
 - August 3 @ 2:30pm
- DEAB member announcements:
 - Mr. Wisner attended the Planning Commission (PC) hearing, and notes that the 3-minute time allotted for speaking was not an adequate length of time.
 - The PC felt that around 85% of the work was complete, but there was still more to be done.
 - They were informed by the staff attorney that they were unable to make any requests for modification, it was either approve and move it forward or kick it back.
 - The PC moved to approve it and push it to Council.
 - Transportation System plan Council work session in August:

- If DEAB requests that Community Planning (CP) presents this plan, they will oblige.
- This plan combines all the transportation opportunities and puts different Public Works programs together under one system plan.
- CP will ask Council to continue the work and fold it in as part of the cottage code plan update.
- City of Vancouver has a transportation system plan, and this plan will mirror theirs.
- Question: How does this differ from the TIP? (Traffic Improvement Plan)
 - Answer: It will incorporate the TIP in terms of projects (the 6-year project) and the process that Public Works (PW) go through in identifying projects that will be on the TIP. Other PW programs will be a part of it as well. We will have an integrated system where everyone is following up on whatever the comprehensive plan policy is, set by Council, as it relates to transportation and delivery. We want all the different programs to be looked at holistically as they relate to growth in Clark County and the necessary infrastructure being placed, with a system plan that everyone is focusing on and following.
 - Mr. Orjiako will share the PowerPoint presentation that CP has prepared for the Council with DEAB, for their information and review.
- Question: Did the PC have time to review the comments DEAB provided regarding the housing options study?
 - Answer: Yes, they were very appreciative of the letter. Houston Aho made a great comment about the unintended consequences of the housing options study. It becomes very difficult for lower density developers to compete in purchasing land against apartment developers. This will force developers to be as dense as allowed.
- Changing to rental product becomes less affordable over time as rent prices go up, as opposed to a fixed mortgage.
- DEAB's recommendation letter has been provided to Council.
 - Perhaps DEAB and staff could make recommendations together after finding common ground, addressing items to Council as a united front.
- The design standard changes will have significant impacts, creating a code no one will want to build to.
 - They will yield less desirable product at a higher cost.
- There is not a state deadline for this code, but there is a hearing scheduled for July 25th.
- Mr. Wisner and Mr. Golemo participated on that committee and these issues were raised to staff.
- Question: Mr. Orjiako, what is the staff perspective on the purpose of the design standards? When you restrict what is available to be built from a visual aesthetic, that increases cost. These design standards limit the flexibility in building, and the lower the flexibility the higher the cost. What is staff's end goal with the changes in design standard? It may be having the opposite impact of what was intended from an affordability standpoint.
 - Answer: When you are building different housing types or product, there will be some variation in types of building layout. It is just the street treatment, frontage, etc. We are not recommending that your roof or windows or any of that has to be different. When you have a compact

development where the lot sizes are different from a regular single-family home, if you want aesthetics and appeal, those are some of the things we are suggesting. Staff is not pushing this to get in front of Council more quickly. I recommend that DEAB reads the new legislation 1220, and you will agree that most of the items that staff, and the consultant are recommending is very consistent with the House Bill 1220.

- Home buyers want houses to be unique, and when design standards are imposed, they end up looking too similar because builders don't have the flexibility.
 - When neighborhoods lack character, because the housing all looks too similar, property value drops.
- DEAB would like to go over their comments on the design standards with staff or the consultant.
- Mr. Orjiako welcomes all comment and dialogue from DEAB.
 - He wants to emphasize that they are not proposing that developers start building condominiums. This is limited to the compact subdivision and cottage housing section. It is not universal in everything in the code.

Application for Public Sector Seat – Bryan Kast and Les MacDonald

Presenter: Fletcher

- DEAB will meet (outside of this forum through email), discuss the applicants, and write a letter of recommendation for Mrs. Fletcher to provide to Mrs. Otto's group for Council.

House Bills: 1042-Existing commercial to residential, 1337-Gross floor interiors 800-1000 sq ft., 5491-Five story with single exit

Presenter: Booth

- There is not much to report based on research and discussion between Mr. Booth and Mr. Wilson.
 - 1042 is provisions for taking existing spaces (primarily aimed at commercial spaces) which do not contain dwelling units and putting in dwelling units. It offers a path forward to do that, with some provisions.
 - This is required for cities and counties were omitted; it is optional for counties to implement.
 - Mr. Booth has forwarded that information to Mr. Orjiako's group to see how it could fit within the comprehensive plan discussion.
 - The time frame for the cities was within 6 months of the next regularly scheduled comp plan amendment or update.
 - 1337 is aimed at making ADUs easier and encouraging their development.
 - The majority of the 1337 information will be covered and included in the housing options study as it comes through.

- Clark County is already in compliance with much of this bill, with things like ensuring that impact fees do not get too high for an ADU compared to a primary residence.
 - There are provisions for requiring that you could have a detached or attached ADU, which does qualify since it is within the urban growth boundary and doesn't seem to extend beyond the boundary.
 - In the bill language, there is a section about allowing 2 ADUs on properties where they fit: one attached and one detached.
 - This bill has been passed and signed into law.
 - A couple of items were in the bill and are not included in the housing study:
 - You can't limit ADUs to being less than 1000 sq ft.
 - Currently they are limited to 800 sq ft. or less, and this would increase that maximum square footage.
 - 5491 was initially proposed as becoming law, and after much discussion with many groups, the legislators decided the items they wanted in the bill would be directed towards a committee at the WA State Building Code Council to make recommendations for at their next building code cycle.
 - The idea of the bill is to provide 5 story buildings with one exit.
 - One legislator working on this was an architect before being elected and aimed to be able to take existing 5+ story buildings in downtown and fill them with dwelling units, with a single stairway.
 - This is not achievable with the new building code in a new building.
 - Most of the opposition was towards there being a lot of technical building code language in the legislation, which they generally try to avoid.
 - The legislation usually points people towards the requirement and then the State Building Code Council writes the language for how to meet that requirement.
 - For example: You never see the energy code in the legislation but will see it in the work coming from the Building Code Council.
 - They will assemble a group to discuss this issue at the State Building Code Council, bring the recommendations back to legislature, and hope to adopt them (or a version of them) in the next building code update in 2024.
 - There are two very distinct codes, the IVC and IRC and this bridges the gap between them.
- Question: Is there some dovetailing of House Bill 1042 and House Bill 5491?

- Answer: 1042 is incorporation of dwelling units into existing commercial buildings. 5491 is concerning new construction. There could be a building that both of those codes apply to as it rolls out.
- 5 story with a single leg is allowed in Seattle. It's an infill development goal for small lots and allows a lot of density in a very small amount of land area.
- Question: What does the number of exits depend on? Square footage, height of building, units per floor?
 - Answer: It must be a small building with only 4 units per floor. The stairway can only serve 4 units and there are requirements in terms of fire response times. It must be equipped with a sprinkler system. Must be type 5A construction or better.
- The bulk of 1042 is about land use requirements.
- As of Monday, Mr. Booth was appointed Chief Building Official and is Deputy Director. He will take over the building safety portion and Mrs. Furth will take land use, development engineering, and wetland.
- Mr. Booth recommends for DEAB to read through 1042.
- Mr. Orjiako has an update:
 - The 1042 bill is being looked at by Community Planning (CP); they have not come to any conclusions there.
 - The 1337 bill has been covered in the housing code updates.
 - Legislature passed climate action bill 1181, which CP had a work session with Council about, on 6/28.
 - It is now mandated that Clark County and all cities within (except La Center and Yacolt because their populations are too low) implement climate action plans or elements.
 - The bill is a long list of items required, to reduce greenhouse emissions and vehicle travel.
 - There is another bill that requires that cities adopt county Critical Area Ordinances.
 - Last week, Clark County gave direction to CP to work with the fire districts to have fire impact fees.
 - CP is communicating with the fire districts to see what the fire impact fee formula will be.
 - Once CP is at the point of amending their current impact fee code, Mr. Orjiako will come to DEAB and share what that will entail and how it will be implemented.
 - Scott Bailey at the Employment Department of Security provided the employment projections for the 2025 plan update this morning.
 - Mr. Orjiako will have a work session with Council on July 12th.
 - It can be accessed on the Council grid, and a hearing has not yet been scheduled.

- The Council has a hearing, then can adopt the memo from Mr. Bailey. That is who they rely on; the Growth Management Act doesn't provide the employment forecast.
- That must be generated that locally based on the population numbers that Council has chosen. That was the basis for the employment projection Mr. Bailey provided.
- The hearing will most likely be scheduled in August.
- CP will have a work session on August 30th.
 - There will be an opportunity to share the current 2023 vacant buildable lands model with DEAB.
 - CP will provide to Council an overview of how we use the model in our planning processes.
 - They will not rehash the assumptions or decisions that the Council have made before.
- Question: Will CP share that at the next DEAB meeting, August 3rd or after the work session?
 - Answer: CP can bring to the next DEAB meeting, the overview of the vacant buildable lands model and share any presentation material they may have. About the hearing on the employment forecast, Mr. Orjiako will let them know prior to August 3rd. There is not enough time to share that now. Council wants material for the work session on July 12th, and he is a day late.

Bi-Annual Code written comment for April Furth

Presenters: DEAB board

- Reminder to DEAB to get their recommendations in to Mrs. Furth.

Public Comment

- Noelle Lovern, BIA of Clark County
 - Permitting legislation that passed this last session had provisions stating if a jurisdiction couldn't maintain a 120-day window for permitting, that there were several mitigating measures they could take.
 - One measure has to do with engineering stamps.
 - The 3 legislators Mrs. Lovern is speaking with are interested in exploring what an expansion of that idea could be for the next legislative session.
 - Specifically, they're looking at compulsory items:
 - One item is single-family storm water, the other is solar.
 - If that legislation was written in a way that said 'this list of compulsory items is stamped by a licensed and insured

engineer with WA state, that it would be more of a filing process rather than a review process with the jurisdiction.

- This legislation opens the door for more conversation about it.
- Mrs. Lovern is seeking for input from DEAB regarding items that could be added to that list, to make the list as comprehensive as possible.
- Mr. Odren, upon rereading Mrs. Lovern's email, notes 2 things:
 - 1.The state is reinforcing the 120-day review timeline that is currently in place, which Clark County does meet.
 - 2.They're discussing setting up a series of mitigations in case that window is unmet. The engineer's stamp would preempt jurisdictional review, like the self-certification process discussed years ago.
- Point number 2 from Mr. Odren is in the current legislation that did pass.
 - They have a list of choices that they can determine.
- DEAB is comfortable with the types and level of review that staff is providing in Clark County.
- The idea of the legislation is to push it back to the jurisdictions and make them determine exactly how they're going to handle the 120-day timeline, like choosing other ways to mitigate.
- This legislation is being tested out for actual regulation. There was a conversation in an industry collaboration at the state level about who would be able to stamp it and how the jurisdictions would ensure that its reputable.
- If the state came up with standards that jurisdictions could apply to determine engineers that could stamp, that would be a possible way to go.
- This legislation needs clearly defined terms, to distinguish between building permits and land use processes for example.
- It is difficult to take to legislators because they assume it is start-to-finish when they hear 'permitting'.
- Mr. Golemo recalls this being done in Clark County is the past, where if there was an engineering stamp, they didn't need a county review.
 - DEAB reviewed it closely with staff and were not completely on board with it.
 - It was not the best thing for the public nor the building industry.
 - The county meets the 120-day timeline. Sometimes complex projects are put on-hold.

- Legislators are not permit technicians, engineers, or planners and they don't understand the process.
- Mrs. Jones sees this as a unique opportunity for Clark County and DEAB to influence the state's decision; if they don't weigh in, others will.
 - In Olympia, Seattle has dominated and what they decide will affect everyone else.
 - This is a great opportunity for us to compile something more formal together that Mrs. Jones or Mrs. Lovern can take to the industry groups to influence their direction.
- Mrs. Lovern has a first conversation scheduled next week.
- Mr. Odren is interested in hearing what other jurisdictions come up with on this topic.
- Permitting update:
 - DEAB would like consistent updates on permitting times and e-permitting efficiency from manager Maureen Patronaggio.
 - Mr. Booth: The online permitting system is working well. We are continuing to work through minor kinks here and there.
 - Some have had struggles on the submittal side but are few and far between.
 - Some elements seem more cumbersome than before, such as large commercial plan sets with single page uploading, etc.
 - Timelines for new permit submittals have been steady on the building side. They've increased a bit, but the longest one is about three weeks out to submit a new house. Everything else is less than that.
 - The fastest, quickest, easiest way to roll out e-plans was to do it unintegrated. Project Dox is here to stay. There could be integration with LMS in the future but could also go in a new direction.
 - From an IT and cost standpoint, putting the two systems side by side with no integration was quick and relatively inexpensive. It was done in 12 weeks and is fully customized.
 - We are discussing potential integrations and ways to make it into a more seamless experience.
 - Mr. Halling heard a comment regarding payment:
 - With the City of Vancouver, when you submit your application and make the payment, it automatically sends you the upload link.
 - The extra step with the county, is needing to send an email and notify someone to create the upload link and send it

along. It is a different person to email depending on whether it is a pre-app versus land use versus building permit.

- This is a product of the system not being integrated and is good feedback for Mr. Booth to look into. Each group is responsible for their own applications.

- Teresa Hardy, Friends of Clark County

- Regarding public engagement around the PC and the housing options:

- It was a 4-2 vote.
 - It was Matt Swindell and Jack Haroon who voted not to move it forward.
 - During the PC there were questions and concerns from Mr. Swindell on the ADUs, one of which was about the lack of a parking space requirement.
 - Carl Johnson acknowledged Mr. Haroon for details he had brought up regarding design standards, and it would be interesting to go back and review his comments. He then voted no.
 - Eldon Walgreen made a motion against any design standards, and it was not seconded.
 - Mr. Golemo has raised concern about the parking space requirements before.
 - It seems that staff is really in favor of just one parking space.
 - Brian Snodgrass called in during that meeting, from the city, and was in favor of limiting the parking space to 1 space. Moving forward, the public wants to know how parking will look.

Meeting adjourned: 4:30 pm

Meeting minutes prepared by: Diana Schotanus

Reviewed by: Megan Fletcher