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Clark County Planning Commission

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CLARK COUNTY PLANNING COMMISSION MINUTES OF PUBLIC HEARING THURSDAY, JULY 18, 2019

Public Service Center
Council Hearing Room
1300 Franklin Street, 6th Floor
Vancouver, Washington

6:30 p.m.

CALL TO ORDER & ROLL CALL

MORASCH: All right. Well, good evening and welcome to the July 18, 2019, Planning Commission public hearing. I will call the hearing to order. Can we get a roll call, please.

JOHNSON: HERE
GRIMWADE: HERE
SWINDELL: HERE
TORRES: HERE
BARCA: HERE
MORASCH: HERE

GENERAL & NEW BUSINESS

A. Approval of Agenda for July 18, 2019

MORASCH: All right. Thank you. The next item on the agenda is approval of the agenda and I'm going to see if we can amend the agenda to move, we have the item last on our agenda is election of chair and vice chair and I apologize to everyone who's here but this has been on our agenda for about six months we've been trying to get it done and we haven't had a full Planning Commission and I have to leave for the last two items because I'm recusing myself from those, so I would ask if there would be a motion to amend the agenda to move that to the first item on the agenda.

JOHNSON: I'll make a motion to amend the agenda to move that to the front.

MORASCH: All right. It's been moved and seconded?

SWINDELL: Second it.

MORASCH: All in favor?

EVERYBODY: AYE

B. Approval of Minutes for June 6, 2019

MORASCH: Opposed? All right. So we will deal with that right before the public hearing items. The next item is approval of the minutes. Has everyone had a chance to review the minutes from the June 6?

JOHNSON: I make a **MOTION** to approve minutes for July 18th and, oh, we did, excuse me, approve the minutes for June 6, 2019.

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

MORASCH: Been moved and seconded. All in favor aye?

EVERYBODY: AYE

MORASCH: Opposed? All right. Minutes have been approved.

C. Communications from the Public

MORASCH: Now we get to communications from the public. This is the time for anyone in the audience that wants to speak to the Planning Commission on a matter not on our printed agenda. Is there anyone who wishes to speak on a matter not on the printed agenda, please come forward now? All right.

D. Election of Chair & Vice Chair (Moved from Old Business)

MORASCH: We will move on to the first item on the agenda which has been amended and that is election of chair and vice chair. I will open the nominations for chair and vice chair and I will begin by nominating Karl to replace me as chair and I'll nominate Ron to continue as vice chair. Are there any other nominations?

JOHNSON: Robin says no.

MORASCH: No, no other nominations? All right. Then I will close the nominations. Since there's only two on the nominations we will just go ahead and have a up or down vote on the nominations. All in favor of approving and electing the nominations.

EVERYBODY: AYE

MORASCH: Opposed? All right. Congratulations to our new chair and vice chair or continuing vice chair. All right.

Planning Commission Opening Statement

MORASCH: With that, we will move on to our public hearing items and I've got an opening statement for the public hearing items and this will apply to all of the public hearing items on the agenda. First I will ask, is there anyone on the Planning Commission who would like to disclose any conflicts of interest on any of the public hearing items?

BARCA: Besides yourself?

MORASCH: Besides myself and I'll do mine last. No one else? All right. I have a potential conflict of interest with Items G and H due to people with interests in that items being clients of my law firm and so I'm going to recuse myself from Items G and H, and when we get to that point in the agenda, I will hand it over to Ron whose, Karl, I'll let these two decide which one of them is going to take over the hearing for me when we get to that point, but I will be stepping out of the room, I will not be participating in those items. All right. Continuing on.

The procedures that we will be following for all of our public hearing items is that we will begin each hearing with the staff report and the Planning Commission members will ask staff questions, if they have any questions at that point.

Once the staff has completed their staff report and the Planning Commission has had a chance to ask and have their questions answered, I will open the hearing for public testimony or Ron or Karl will for Items G and H.

Members of the audience who wish to testify on any hearing item should find the sheet at the back of the room, and then the chair will call up the people who wish to testify one-by-one based on the sign-in sheet. At the end I'll give anyone an opportunity who didn't sign in a chance to speak before closing the public hearing.

For each of the public hearing items, the chair has the discretion to limit the matter to three minutes per person. Your testimony, if you give testimony should relate to the applicable standards for the hearing item. The relevant standards are set forth in the staff report, copies of which should be available in the back of the room.

If you have any exhibits or other written documents you'd like us to consider such as a copy of your testimony, photographs, petitions or other documents or physical evidence, please hand it to staff preferably before the hearing starts or right when the hearing starts and then they can

circulate it to us and the information will be included in the record for the hearing item.

When you testify, you must testify at the front table in front of the microphone so the court reporter can hear your testimony, try not to speak too fast so that she can transcribe it all. State your name and spell your last name for the record. Be relevant and concise and please don't repeat yourself or others while testifying because I think we'd all like to go home at a reasonable hour.

The Planning Commission will deliberate and ask staff to answer questions or make rebuttals and then the Planning Commission will take a vote on the hearing item. As the Planning Commission we don't make any decisions, we merely make recommendations. Our recommendations will be forwarded to the Board of County Councilors who has the final decision-making authority on all items and I would encourage all interested persons to find out when the Board of County Councilors hearing will be scheduled and attend that hearing as well if you'd like to offer further testimony to the Board of County Councilors.

PUBLIC HEARING ITEMS

A. CPZ2019-00010 School Public Facility Zoning Amendments: A proposal to 1) repeal the Public Facility (PF) designation on the comprehensive plan and zoning maps for public school-owned properties, 2) establish the previous zoning designations, 3) update comprehensive plan designations to align with the zoning, and 4) revise development code for consistency with the map changes.

Staff Contact: Jenna Kay (564) 397-4968

MORASCH: All right. With that, we will open the first public hearing item, CPZ2019-00010, School Public Facility Zoning Amendments, and I will ask the staff to go ahead and give the staff report.

ORJIAKO: Good evening, Planning Commission members, for the record, Oliver Orjiako, Community Planning Director, and with me is Kay, Jenna Kay, who is the project manager for the first items before you.

You have a full agenda this evening. We will do our best to summarize the criteria for our review and our recommendation and not only for the Planning Commission but for those in the audience and those that are watching.

The first item is the public, school public facility zoning. We've had a work session with the Planning Commission on this matter and you asked us questions which I believe we've tried to answer at your work session. I'm sure you're going to have additional questions this evening, but with that let me turn it over to Jenna.

KAY: Good evening. As mentioned this is regarding CPZ2019-00010, regarding Public Facility Zoning Amendment, and the proposed action is to amend the comprehensive plan and zoning designations for 61 public school owned properties from public facility or PF designation, and those properties are shown on the map on the screen.

All properties are proposed to revert back to their previous zoning designations that were in place immediately prior to the adoption of the 2016 Clark County Comprehensive Growth Management Plan. In addition, this action would update comprehensive plan designations to align with those zoning changes and amend Chapters 40.210, 40.220, 40.230 and 40.250 in Clark County Code to remove school public facilities related text.

A bit of background on this item is that when the comprehensive plan was adopted in 2016, a new public facility zone was created at that time as well as a code section to go along with that new zone. Prior to that update, there was a public facility comprehensive plan designation but no zoning designation. And the purpose of creating that public facilities zone was to create consistencies between the comprehensive plan and zoning and to recognize already developed public facilities.

The code section, which is 40.230.090, does not include a standalone set of development regulations for the public facility zone, instead it states that new uses and additions to uses on property that is already zoned public facilities shall conform to the standards of the zone applied to that property immediately prior to development.

In 2018, the Clark County School District submitted a letter requesting that the County amend that section of code to include development standards for public facilities. That letter also noted that if the County is not going to adopt regulations that implement the public facility zone that the school districts would like their properties returned to the zone designation prior to the 2016 comprehensive plan update.

In this way, it would address questions about what standards apply and remove the need in the future to track down the -- to track down what the current zone prior to development is, and a copy of that letter is attached as Exhibit D to the staff report.

Upon reviewing the school districts' request, it was determined that due to the complicated nature of adding development standards to that code section because of the wide range of public facilities in the county that an amendment of that nature wouldn't be feasible at this time and instead that's where we are proposing to reverse the public facility zoning on public school properties as well as amending the comprehensive plan map and amending code sections related to that public facility designation.

So in the staff report Exhibit A provides a summary table of all those proposed code changes, Exhibit B has the actual code amendments, Exhibit C has a spreadsheet that shows all 61

properties and what the current and proposed zoning and comprehensive plan designations are and Exhibit D is a copy of the letter from the school districts. Staff finds that the proposal meets the required consistency and map change criteria as outlined in the staff report and is recommending approval.

MORASCH: All right. Thank you. Any questions for staff? No questions? Well, with that, I will open it up for the public hearing and I've got only one person signed up for this matter, that's Marnie Allen.

ALLEN: Good evening, Chair, members of the Planning Commission. My name's Marnie Allen. My address is 2500 N.E. 65th Avenue in Vancouver, 98661. I'm here to testify in support of the proposal to remove and rezone school property that's zoned public facility back to the underlying zone for all of the reasons that staff outlined.

I just want to thank staff for bringing forward this request on behalf of the districts and of other representatives from some of the districts here if you want to hear from them, but just appreciate the support of County staff and ask the Planning Commission to recommend that the County Council adopt what's being proposed.

MORASCH: All right. Thank you. Any questions? Does anyone have questions for an individual school district representative? No? All right. Well, thank you very much for coming. Does anyone else in the audience wish to speak on this matter? All right. With that, I will close the public hearing and since there haven't been any questions, I will turn it over to the Planning Commission for deliberation or a motion.

SWINDELL: I would make a **MOTION** that we approve CPZ2019-00010 as presented.

GRIMWADE: **Second** it.

MORASCH: All right. It's been moved and seconded for approval. Any discussion on the motion? All right. No? Okay. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE

GRIMWADE: AYE

SWINDELL: AYE

TORRES: AYE

BARCA: AYE

MORASCH: AYE

MORASCH: All right. The motion passes unanimously. Thank you. With that, we will

begin our next public hearing item, Item CPZ2019-00011, La Center School District Capital Facilities Plan, and I will begin with the staff report.

PUBLIC HEARING ITEMS, continued

- B. CPZ2019-00011 La Center School District Capital Facilities Plan:** A proposal to adopt the La Center School District Capital Facilities plan and collect the recommended school impact fees.
Staff Contact: Jenna Kay (564) 397-4968

KAY: All right. Before I jump into that first or the item that you just mentioned, I just want to note that the next five docket items that will be discussed are related to school district capital facility plans and/or impact fee updates and each school district's proposal is considered a separate docket item that requires separate deliberation and voting, so we plan to follow the order in the agenda and will present each one at a time.

Regarding CPZ2019-00011, the La Center School District Capital Facilities Plan update, the La Center School District Board of Directors has modified its capital facilities plan and the district is requesting that Clark County formally adopt the plan by reference in its 20-year Clark County Comprehensive Growth Management Plan and collect the recommended school impact fees.

Chapter 36.70A of the Revised Code of Washington enables school districts to develop capital facility plans and impact fee programs for new residential developments in order to offset the impacts of growth on school facilities. It further requires these plans and programs be reviewed and approved as part of the county and city comprehensive plans in which the school district is located. The minimum requirements of a school district's capital facilities plan are defined in 36.70A and also in Clark County Code 40.620.030.

A school district requesting impact fees shall submit to the County an update at least every four years and a capital facilities plan that's adopted by the school board must include the following elements: That's a standard of service description; an inventory of existing facilities; a forecast of future needs; proposed locations and capacities of expanded or new facilities; a six-year financing plan; and application of the impact fee formula set out in Clark County Code 40.620.040.

School district capital facility plans typically include multiple funding sources, and depending on district eligibility, districts pay for a portion of the costs of capital facilities with funds provided by the State of Washington through the Common School Construction Fund, the remaining capital expenses must be raised locally through the passage of bond levies and/or impact fees.

The La Center School District Board of Directors adopted a modified capital facilities plan in March of this year and a copy of the resolution and updated plan is attached to the staff report and the School District Board of Directors recommends that Clark County formally adopt the plan and collect the following impact fees: for single family residences an amount of \$3,501;

and for multi-family residences an amount of \$3,104.

The La Center Planning Commission held a hearing last week and did recommend to -- is recommending to their city council to adopt the new plan and impact fee amounts.

As outlined in the staff report, staff is recommending approval of the modified capital facilities plan and recommended impact fees based on the proposal meeting the criteria consistency with GMA and the Clark County Comprehensive Plan as well as the school impact fee Code Section 40.620.030.

MORASCH: All right. Well, thank you very much. Any questions for staff?

BARCA: I have a question. Is there a quick explanation about why these go down?

KAY: Yeah. So the school district may be able to provide more context than I will be able to, but one of the reasons is that there is a higher tax credit amount being subtracted from the total and so that's part of the calculation in calculating the fees is tax credits get subtracted out of the amount for impact fees, so that's one piece.

And another sort of piece in the numbers changing has to do with where students are living right now and there are more kids in single family and fewer in multi-family residences than prior, so that explains some of the shifting as well between the two types of residences.

BARCA: So the taxes you're referring to are property taxes levied against the La Center citizens and that's the tax credit?

KAY: Yeah.

BARCA: All right. Thank you.

ORJIAKO: And we have Marnie Allen here, who I believe will shed more light as to why the reduction, but I think Jenna clarified that, but there may be more input from Marnie Allen.

BARCA: Thank you.

MORASCH: All right. Any other questions of staff? All right. With that, I will open the public hearing and the first name on the list is Marnie Allen.

ALLEN: Good evening, Chair, members of the Planning Commission. Again, for the record, Marnie Allen, 2500 N.E. 65th Avenue in Vancouver, 98661. I'm representative for the La Center School District, joining me here is the Superintendent, Dave Holmes, from the school district and we're here to testify in support of adoption of their updated plan.

The plan that you have before you shows in a nutshell growth of about 350 students in the district over the next six years. Most of that growth is forecast to occur at the middle and the elementary school. The La Center School District passed a bond and is in the process of building a new middle school and the plan identifies the need for that new middle school and then conversion of a portion of the existing K-8 campus that's used for middle school to add additional capacity at the elementary level, so those are the facility needs in the plan. The fees have been calculated using that updated information and the fees are dropping.

The reason the fees are dropping for single family is specifically because the formula itself says after you identify how much it costs to build new capacity for schools, new development can't pay all the cost under the law. So the formula says we're going to discount that impact amount by the amount the district is going to receive in taxes for bonds because bonds pay a huge majority of the cost.

When La Center passed its bond, the amount of taxes that they were collecting doubled, so the discount that's in the formula based on that doubled which then drops the fee. There's a bigger drop at multi-family because in 2015 when we updated these plans, there was a large increase in the number of kids living in apartments back in 2015 and over the last three years that has dropped off, so new apartments are having a little bit lighter impact on schools when they're built, that caused that fee to drop more than the single-family drop. I'm happy to answer any questions, appreciate support of the plan.

JOHNSON: Yeah, a different question. Does the State match portables? I notice we're putting more portables in La Center. Does the State match that or is it just on new construction?

ALLEN: The State provides -- ironically the State only provides construction assistance on brick and mortar buildings but you don't qualify for State construction assistance unless you have unhoused students. La Center's not getting any State assistance for the middle school they're building, they didn't qualify for enough. You have to have a certain number of kids in portables that the State doesn't help pay for just to qualify to get some State money.

TORRES: So just to clarify, you're getting no State assistance for construction?

HOLMES: No. We -- the situation with State assistance, there's a limited amount of funds and they prioritize those funds based on project, a percentage of unhoused students and then how recently you had accessed State funds for previous construction and matching funds.

So we built a new high school in 1993 and then we remodeled the K-8 campus and expanded the high school in 2004. So when we went through the process, we were so far down the list we chose to not take advantage of a very small portion that we would have received which

would have reset us completely to the bottom knowing that we're probably going to have to expand the high school in the near future and by then we will have risen farther up the list and we'll have a better share of that percentage.

JOHNSON: La Center has done it, you know, they built their stadium with community supports, there's a line out there, it's the La Center way, and being from that neck of the woods it's just amazing what's happened out there, but, yeah, we're portable city now, I'm like oh my goodness, so...

MORASCH: All right. Any other questions? All right. Well, Mr. Holmes, did you have any testimony or were you just here for questions?

HOLMES: I'm just here to support the process and I'd be happy to answer any questions. I would ask that you would approve, it's obviously very important to us as Karl had noted those portables are paid for by these impact fees and that is primarily what we've used them for over the past few years in order to withstand the growth that we've encountered while we get a new building built.

MORASCH: All right. Thank you. Any questions? All right. Well, thank you both. Is there anyone else in the audience who wishes to testify on this matter? Hearing no one, we will close the public hearing and I will turn it over to the Planning Commission for any follow-up questions of staff, deliberation or a motion.

JOHNSON: I make a **MOTION** that we approve the, let's see, this would be CPZ2019-00011, La Center School District Capital Facilities Plan.

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

MORASCH: It's been moved and seconded. Is there any discussion on the motion? All right. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE
GRIMWADE: AYE
SWINDELL: AYE
TORRES: AYE
BARCA: AYE
MORASCH: AYE

MORASCH: All right. Thank you. The motion passes unanimously which brings us to the next item, CPZ2019-00020, Evergreen School District Capital Facilities Plan, and I'll turn it over

to staff for the staff report.

PUBLIC HEARING ITEMS, continued

- C. CPZ2019-00020 Evergreen School District Capital Facilities Plan:** A proposal to adopt the Evergreen School District Capital Facilities plan and collect the recommended school impact fees.

Staff Contact: Jenna Kay (564) 397-4968

KAY: Thank you. So for this item, CPZ2019-00020, regarding the Evergreen School District Capital Facilities Plan, the School District Board of Directors has modified its capital facilities plan and the district is requesting that Clark County formally adopt the plan by reference in the 20-year Clark County Comprehensive Growth Management Plan and collect the recommended school impact fees.

The Board of Directors for the school district modified its plan in May of this year and a copy of the resolution and updated plan is attached to the staff report. The updated CFP outlines the school district's standards of service, provides an inventory of existing facilities, a forecast of future needs, proposed locations and capacities of expanded or new facilities, as well as a six-year financing plan and application of the impact fee formula set out in Clark County Code 40.620.040.

The School District Board of Directors recommends that Clark County formally adopt the plan and collect the impact fees as follows: for single family residences an amount of \$6,432; and for multi-family residences an amount of \$3,753. One comment was received regarding this item and is included in the hearing materials, and the Camas Planning Commission recently held a hearing and is recommending adoption of the CFP and impact fees.

Staff is recommending approval of the capital facilities plan and impact fees based on the proposal meeting criteria for consistency with the GMA and Clark County Comprehensive Plan as well as consistency with Code Section 40.620.030 regarding school impact fees.

MORASCH: All right. Any questions? No? Well, with that, I will open up the public hearing and again Marnie Allen is the first person to sign in.

ALLEN: You'll be tired of hearing this here pretty soon, but Marnie Allen for the record, 2500 N.E. 65th Avenue in Vancouver, 98661, representing the Evergreen School District and joining me is Sue Steinbrenner, the Executive Director of Facilities for the Evergreen School District. I'll kind of just touch on the plan and the fees and then Sue can answer questions, but also maybe provide a little update on all the awesome construction work that's going on in the district right now.

So in the Evergreen School District growth is continuing to happen although it has slowed some. So there is still growth and a need to build new schools primarily at the elementary and high school levels. So the school district passed a very large bond and is in the process of building several schools. A lot of those schools will be replacement schools that won't add new capacity, but the district is building a new elementary school to add capacity and expanding at one of the high schools.

So their plan includes an updated fee calculation that's based on the cost for the elementary school and capacity at the high school. The calculated fees using the formula at single family, the fee went up a little bit because construction costs have gone up and they've gone up quite a bit, but the calculated amount didn't jump maybe as high as construction costs have jumped because they passed a bond and so there's an increase, a little bit of an increase in the amount of discount for taxes, and there also is a few changes in the average number of students living in single family homes in the district, so that's why the single family fee amount is changing.

For multi-family, that's a very large drop. It was a very large increase in 2015 when we came before the County, but back in 2015 I think with the change in what was happening in the housing market, lots and lots of kids and families were moving into apartments and there were a lot of new apartments built in Evergreen, so it had a huge impact on the schools, that has kind of self-corrected or turned around and we're not seeing as many kids moving into the new apartments in the district, so new apartments are having a little bit lower impact on schools and the fees dropped.

So we appreciate staff and County support of the schools and just would ask the Planning Commission to recommend that the County Council adopt the new plan and recommended fees.

MORASCH: All right. Thank you. Any questions? Karl.

JOHNSON: So do you think that was all a correction? That's probably -- I don't know if you can answer that or not, I mean 51 percent.

STEINBRENNER: So what we experienced I think was a result of the recession. So the way we calculate the student generation rate is to go back five years in time, look at all the growth, all the permits that were built for multi-family and then we line those up to our apartment or to our addresses and see how many kids actually came out of it.

I was really surprised in 2015 when we upgraded and I went back in history, we had never seen multi-family with higher generation rates than single family. So it was, I think it was kind of a blip and we wanted to, yeah, we kind of had hoped that that would correct itself, so...

JOHNSON: Yeah, it did. Thank you.

MORASCH: All right. Any other questions? Did you have anything else to add?

STEINBRENNER: Nope.

MORASCH: All right. Well, thank you both --

STEINBRENNER: Other than thank you.

MORASCH: -- thank you both very much for coming. And is there anyone else in the audience who wanted to testify on this matter? No one coming forward. Okay. With that, I will close the public hearing and turn it over to staff, excuse me, to the Planning Commission if they had any follow-up questions for staff, deliberation or a motion.

SWINDELL: Make a **MOTION** we approve CPZ2019-00020 as presented.

BARCA: **Second.**

MORASCH: Moved and seconded. Is there any discussion on the motion? All right. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE

GRIMWADE: AYE

SWINDELL: AYE

TORRES: AYE

BARCA: AYE

MORASCH: AYE

MORASCH: All right. The motion passes unanimously. Thank you everyone. With that, we'll move to the next item on the agenda which is CPZ2019-00021, Hockinson School District Capital Facilities Plan, and I'll turn it over to staff for the staff report.

PUBLIC HEARING ITEMS, continued

D. CPZ2019-00021 Hockinson School District Capital Facilities Plan: A proposal to adopt the Hockinson School District Capital Facilities plan and collect the recommended school impact fees.

Staff Contact: Jenna Kay (564) 397-4968

KAY: So this is CPZ2019-00021 regarding the Hockinson School District Capital Facilities Plan update, and the School District Board of Directors modified its capital facilities plan and the

district is requesting that Clark County formally adopt the plan by reference in the 20-year Clark County Comprehensive Growth Management Plan and collect the recommended impact fees.

The Board of Directors adopted its modified capital facilities plan in March of this year and a copy of the resolution and updated plan is attached to the staff report. The CFP outlines the school district's standards of service, provides an inventory of its existing facilities, a forecast of future needs, proposed locations and capacities of expanded or new facilities, a six-year financing plan and application of the impact fee formula set out in Clark County Code.

The Board of Directors recommends that Clark County adopt the plan and collect the school impact fees as follows: for single family residences an amount of \$7,790; and for multi-family residences an amount of \$3,434. As outlined in the staff report, staff is recommending approval of the modified plan and recommended impact fees based on the proposal meeting criteria and its consistency with GMA and the Clark County Comprehensive Plan as well as consistency with Clark County Code section regarding school impact fees.

MORASCH: All right. Thank you. Any questions for staff? All right. With that, I will then open it up to the public hearing. Marnie Allen.

ALLEN: Good evening. Marnie Allen, 2500 N.E. 65th Avenue, Vancouver, 98661, here on behalf of the Hockinson School District, joining me is Steve Marshall the Superintendent for the Hockinson School District. The Hockinson School District has updated its plan to reflect forecast growth that it is experiencing and the completion of some of the schools that were just finishing being built with their bond. Hockinson is continuing to see significant growth.

Some of you may recall I was here with the former superintendent a while back on a proposal to rezone some property in the southern part of the Hockinson School District. So Hockinson's an entirely rural school district but they serve the northern Vancouver UGA area and their schools are located in the Hockinson rural center and there's a lot of growth in the southern part of the district.

They need to build a new elementary school to serve the forecast growth and are going to be working on that finding property and connecting with their community and evaluating the ability to pass a bond, but in the meantime their plan shows construction of a new elementary to serve forecast growth, it includes updated costs for that elementary school and then an updated fee amount. The Hockinson school impact fees have increased because of the increase in construction costs, that's the driver of their fee increase.

They also have a really high student generation rate, so they have like .423 students living in every new single family home that's built in their district, that's pretty high, like if I were to compare that to Vancouver, it's maybe .17. So when new single family homes are built and there are more kids living in those homes, it has a bigger impact on the district and the fee

amount is a little higher. We appreciate County support of the plan and ask the Planning Commission to recommend adoption of the plan and the new fee amounts.

MORASCH: All right. Any questions?

TORRES: I have a question. So your fees they're pretty consistent on the increase, where are you seeing that multi-family, is that also the south of the district?

ALLEN: Yeah, there's not a lot of multi-family zoned property because it's all rural.

MORASCH: Any other questions? All right. Mr. Marshall, did you want to add anything or are you just here for question answering?

MARSHALL: Well, I want to set your expectations at an appropriate level. I just assumed this position July 2nd and so I do rely on Marnie and our business director to prepare me to ask for your support of this modification to our facility planning documents and so I'd just appreciate your consideration and Marnie did a great job of summarizing it. Our community is going to drive the construction of an elementary school and I know that the estimated cost for that elementary school I think is 30 percent, so this I guess reflects that increase in construction cost.

MORASCH: All right. Well, congratulations on the new position. Anyone else have any follow-up questions? Karl.

JOHNSON: No. I -- just the difference in the construction cost from Evergreen to here is a little concerning, but I understand everything's going up and I just that's a lot of students in each house.

ALLEN: Yeah, it is.

JOHNSON: Wow, I didn't realize that.

MARSHALL: The current elementary houses 860 students.

JOHNSON: Wow, that's a lot of little kids.

MARSHALL: That's a lot of kids in one site.

MORASCH: All right. Any other questions? All right. Well, thank you both. We do have one other person who signed up and I cannot read the first name, the last name is Vanderzanden.

VANDERZANDEN: Sorry.

MORASCH: That's all right. If you could spell your name for the court reporter that would be helpful.

VANDERZANDEN: Sure. My name is Traci, T-r-a-c-i, last name Vanderzanden and my address is 20 --

HOLLEY: You need to spell your last name too.

Public Testimony

VANDERZANDEN: Oh, V-a-n-d-e-r-z-a-n-d-e-n. My address is 20820 N.E. Morgan Circle, Brush Prairie, Washington, 98606. And I'm just speaking out in support of the proposed changes as well. I'm a resident of and I'm zoned for Hockinson School District; however, I do not have any children that go to this school district, I love where I live but, and I'm all in favor of supporting this school district and anything to help offset levies, bonds, property tax increases to help our school district I'm completely in favor of.

MORASCH: Well, thank you for coming. Does anyone have any questions? No questions? All right. Well, thank you very much for coming. And is there anyone else who didn't sign the sign-in sheet that would like to testify about this matter? All right. With that, I'll close the public hearing and turn it back to the Planning Commission for any follow-up questions of staff, deliberation or a motion.

TORRES: I'll make a **MOTION** that the Commission approve CPZ2019-00021, Hockinson School District Capital Facilities Plan.

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

MORASCH: All right. It's been moved and seconded. Is there any discussion on the motion? All right. No discussion. Could we have a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE

GRIMWADE: AYE

SWINDELL: AYE

TORRES: AYE

BARCA: AYE

MORASCH: AYE

MORASCH: All right. Motion passes unanimously which brings us to the next item, Item E which is CPZ2019-00022, Woodland School District Capital Facilities Plan and I'll turn it back over to staff for a staff report.

PUBLIC HEARING ITEMS, continued

E. CPZ2019-00022 Woodland School District Capital Facilities Plan: A proposal to adopt the Woodland School District Capital Facilities plan and collect the recommended school impact fees.

Staff Contact: Jenna Kay, jenna.kay@clark.wa.gov or (564) 397-4968

KAY: Thank you. So as noted, this is regarding an update to the Woodland School District Capital Facilities Plan, CPZ2019-00022, and the School District Board of Directors modified its plan and the district is requesting that Clark County formally adopt the plan by reference in its Clark County Comprehensive Growth Management Plan and collect the recommended school impact fees.

The Board of Directors adopted its modified plan in April of this year and the resolution and updated plan are attached to the staff report. The updated CFP outlines the school district's standards of service, provides an inventory of existing facilities, a forecast of future needs, proposed locations and capacities of expanded or new facilities, a six-year financing plan and an application of the impact fee formula set out in Clark County Code.

The Board of Directors is recommending adoption of the plan and the impact fees as follows: for single family residences an amount of \$5,900; for multi-family residences an amount of \$5,900. The Woodland City Council has unanimously approved adoption of the school district's modified CFP and impact fees. Staff is recommending approval of the plan and recommended fee amounts based on proposal meeting criteria for consistency with GMA and the Clark County Comprehensive Plan as well as consistency with the code section on school impact fees.

MORASCH: All right. Thank you. Any questions? No questions? Okay. Well, I will open the public hearing. Marnie Allen.

ALLEN: Good evening. For the record, Marnie Allen, 2500 N.E. 65th Avenue, Vancouver, 98661, here representing the Woodland School District, and joining me is Michael Green, the Superintendent for the Woodland School District.

The district's plan that you have before you identifies and shows the moderate growth that's planned to occur within the district. The Woodland School District passed a bond and built a new high school three years ago; is that right?

GREEN: Yeah, four.

ALLEN: Four years ago, and they still have some capacity in that new high school. So the new high school and capacity there will be available to meet forecast growth and needs, but they need to build a new elementary school, so this plan focuses on adding and building a new elementary school. The school impact fee has been updated using the County's formula.

The fee amounts are going up at the single family in particular is really just due to higher construction costs, but the multi-family similar to what we told you about what happened in Evergreen, in the Woodland School District may be in part because multi-family is affordable and some lower income housing was built in the Woodland School District.

They've seen a very large number of children living in multi-family in the Woodland School District. So their calculated multi-family fee amount is higher than their single family fee amount. Their board recommended adoption of a multi-family that doesn't exceed single family, so they're asking you to update and collect new fees in the amount of \$5,900 for both single family and multi-family.

MORASCH: All right. Thank you. Any questions?

TORRES: So did you say that the calculation for the multi-family actually exceeded that?

GREEN: 18,000, it's over in excess of 18,000 is the multi-family calculation.

TORRES: So in order to keep it consistent you capped it at this number?

GREEN: Right.

MORASCH: Any other questions? Mr. Green, did you have anything you wanted to add before we close the hearing?

GREEN: Yes. I just had a comment regarding the staff report. The City of Woodland has not yet adopted, they're scheduled on September 5th I believe is or rather August 5th, the first meeting in August. The recommendation from the Planning Commission is to adopt these rates with one modification and that is having the multi-family rate for ADUs and apartments I believe under 600-square feet is going to be their recommendation to the City Council.

MORASCH: All right. Thank you. Any questions? No? All right. Well, thank you both very much. And is there anyone else in the audience that wanted to testify on this matter? Seeing no one, we'll close the public hearing and turn it back to the Planning Commission for any final questions of staff or deliberation or a motion.

JOHNSON: I make a **MOTION** we accept staff's recommendation for CPZ2019-00022, Woodland School District's Capital Facilities Plan.

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

MORASCH: It's been moved and seconded. Any discussion on the motion? All right. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE
GRIMWADE: AYE
SWINDELL: AYE
TORRES: AYE
BARCA: AYE
MORASCH: AYE

MORASCH: All right. Motion passes unanimously. Thank you everyone.

PUBLIC HEARING ITEMS, continued

F. CPZ2019-00027 Ridgefield School District Impact Fee Change: A proposal to collect the recommended Ridgefield School District school impact fees. The proposal recommends a fee of \$10,100 effective in 2020 and \$11,290 effective in 2021 for new single family and multi-family residences.

Staff Contact: Jenna Kay, jenna.kay@clark.wa.gov or (564) 397-4968

MORASCH: And with that we'll move on to the next item, Item F which is CPZ2019-00027, Ridgefield School District Capital or Ridgefield School District Impact Fee Change, the others are capital facility plan, this one's an impact fee change and I assume staff will explain the difference in the title and I will turn it over to staff for the staff report.

ORJIAKO: We will explain that. The district is requesting an increase in their school impact fee based on the current capital facilities plan that the Planning Commission saw and approved during the 2016 plan update.

The fees that they calculated were much, much higher based on that current capital facilities plan; however, the school board asked that the County approve a much lower fee I believe at 65, I don't know what the accurate number is, but I believe it was 6530, but for single family and multi-family which is based on the current capital facilities plan.

I'm anticipating that Marnie will chime in on this, but the district will be looking at updating their capital facilities in the near future, they are obligated, if I may, in the code to look at

updating their capital facilities plan and their attendant impact fee every four years.

Now, Marnie will get into the details on what the school board is recommending, but they're not recommending at this time to update their capital facilities plan given the fact that the formula and the numbers that was based on that formula is much, much higher and they're just asking the Council to reconsider increasing their fees.

I may say, I may also add that when the City of Ridgefield adopted their school impact fee as requested by the school district, they index that. Currently I believe that the City of Ridgefield they're collecting about over 8,000 for single family, I'm not sure what they collect for multi-family, but our fee remain at 6530.

So I will turn it over to Jenna and I'm sure Marnie Allen will say more. Thank you.

MORASCH: All right. Thank you.

KAY: Okay. So regarding CPZ2019-00027. As Oliver was mentioning, this is a request to increase the Ridgefield School District's school impact fee amount under its existing 2016 adopted capital facilities plan.

So the proposal is to collect their recommended impact fee amounts and to readopt the Ridgefield School District capital facilities plan by reference in the Clark County Comprehensive Growth Management Plan. And as Oliver was explaining, this docket is different from our previous ones because the capital facilities plan has not been changed.

The Ridgefield School District Board of Directors submitted a letter in June of this year requesting an increase to its impact fees and they proposed a stepped approach. So starting in 2020 they are proposing an amount of \$10,100 and in 2021 an amount of \$11,290.

A copy of the school district's letter is attached to the staff report and it provides an explanation for why they are making this request, also a copy of the current capital facilities plan is attached to the staff report as well.

To summarize the school district's letter, and I imagine they will go into this in more detail, they describe the high amount of growth in the Ridgefield School District and the capital facilities needs that include building a new elementary, middle and high school as some of the reasons that the school district is requesting increased impact fees.

They also note that the potential removal of urban holding near the N.E. 179th Street and I-5 interchange is also accelerating growth in the school district and the impact fee request is to bring school impact fees into alignment with the facility needs and cost in the capital facilities plan.

The hearing materials include copies of comments that have been made at previous council hearings related to the Ridgefield school impact fees; however, as of this afternoon we hadn't received any comments specific to this impact fee request. The other thing to note is that Oliver was mentioning this earlier that the City of Ridgefield currently collects a school impact fee amount of \$8,883.75 per residential unit compared to the current County amount of \$6,530.

Upon reviewing the proposal, staff noticed that the single family maximum impact fee amount is actually 47 cents below the \$11,290 and we are recommending approval of the re-adoption of the school district's capital facilities plan and in regard to the impact fees we are recommending approval of the \$10,100 in 2020 for both single family and multi-family and an amount of \$11,289.53 for single family and multi-family in 2021 just to keep it within the maximum amount, and we're available for questions.

MORASCH: All right. Thank you. Any questions of staff? No questions. Okay. I will open the public hearing. Marnie Allen.

ALLEN: Good evening, Chair, members of the Planning Commission. For the record, my name's Marnie Allen, address 2500 N.E. 65th Avenue in Vancouver, 98661, joining me is Joe Vance, I don't know if you're the Board Chair, Vice Chair or Board member, but --

VANCE: Board member.

ALLEN: Board member for the Ridgefield School District, Nathan McCann the Superintendent was hoping to be here but was traveling back from Washington, D.C. so he couldn't be here.

We're here to testify in support of the request to bring the Ridgefield school impact fees that are charged in the County as well as in the City up to the maximum amount that's allowed under the formula. I apologize for the extra work by rounding up the single fee to 11,290 and staff is correct and we support them in recommending 11,289.53, we shouldn't collect any more than the max.

Back in 2015 some of you were on the Planning Commission when the Ridgefield School District came forward with the current fees that are collected in the county and you might recall bringing that fee up to \$6,530 was a stretch and wasn't -- there were real concerns about how that might affect housing and development and growth. We appreciate that the County adopted that fee and at the time said, well, let's see what happens in the City of Ridgefield where all the development's going to happen and if the city and development continues, growth pays its share, if this is too high of a fee, we'll see, growth has continued and still does continue.

So the Ridgefield School District is if not the fastest at the very top of the list of growing districts

in the state as well as even in the country, they're the fastest growing district in our county. They in 2015 needed to build schools at all three levels, elementary, middle and high to keep up, they passed a bond, they finished construction of some schools, they still need to build elementary, middle and high and have a lot of portables in their district right now to try to keep up with growth.

Back in 2015 when the County adopted the \$6,530 fee amount, the City of Ridgefield adopted that same amount but adopted after we came to the County in their ordinance an automatic adjustment or index to increase those fees, so the City went from 6,530 up to I think 7,790 and then up to what they currently are collecting which is 8,883.

The Ridgefield School District serves unincorporated Clark County and the City of Ridgefield, most but not all of the growth occurs in the urban growth boundary and in the city limits, but as you know from the things that are on your agenda later tonight there's significant development planned and forecast to happen around 179th which includes the Ridgefield School District.

Given all the growth that's happened in the district, the need to build schools, the need for bonds to make those schools be built, the district has gone back, looked at what the County's collecting, looked at the formula and has come forward with a request that basically takes the fee amount the City's adopting right now of 8,883 up to the formula amount over two years so you don't do it all in one jump.

This is really being driven by community expectations that new development and growth pay its share of the cost so that the taxpayers don't bear an even higher burden of funding the infrastructure. The calculation, you should have the calculation before you, the calculated multi-family fee is higher than the single family fee from 2015 because there were more kids living in apartments back in 2015 when we calculated that fee. So the calculated fee is a little higher, but similar to Woodland, the Ridgefield school board has consistently recommended that multi-family not be higher than single family, so that's what this proposal does.

The district did not update its 2015 plan, it will be updating the plan next year, but the district is still in the process of working with the community to decide what schools it's going to build and the cost of those schools and working on a bond, so that should be captured in a CFP update that would come before the County and the City next year.

We are asking you to recommend that the County Council adopt the recommended stepped increase in impact fees and I'm happy to answer any questions and Board member Vance is happy to talk with you too about the board's rationale for coming forward with this request if you have questions.

VANCE: Thank you. Again, Joseph Vance, I'm a member of the school board. I know Mr. Swindell is very familiar with what we're facing out in Ridgefield because he lives out there

and has lived out there for a number of years, but it's historic what Ridgefield is facing as far as growth.

When you think that for many, many years we were a school district that was comparable to the size of the Hockinson School District and now the latest projection show that within the next five years we will add the equivalent of the Hockinson School District into our school district, I mean that's amazing when you think about that, we're not talking about 10 years, we're not talking about 15 years, we're talking about 5 years we add the Hockinson School District to our school district and I still don't think that many in our community have wrapped their heads around that and the significance of that.

What we continually hear once we go out and try to pass bonds, and we've had a pretty good success recently up until last February when a bond narrowly failed, we were at 58 percent rather than 60 percent, but what we consistently hear from the citizens, and of course I'm sure you all hear too, there's some that don't want any growth and we realize that, we have no control over stopping growth, but what we hear from everyone is that they want if we're going to have growth, we want developers to pay their fair share of the growth and there's a formula as you know that sets out what that fair share is and in order to get the bonds passed that we need to pass to provide for the students that are coming, we need to be able to show that developers are paying their fair share and that they're paying what's allowed under the formula that's there and so that's the purpose for coming back at this time to ask that simply that the impact fee be set at what the formula says it should be set at.

We anticipate, although the City of Ridgefield right now, their impact fee is higher than what the County is and it's still not at what the max is and we anticipate going back to the City and asking that they too raise it to what the max is so that we can go to the citizens and let them know that developers are paying their fair share with the historic increase and students, with the increase in the cost of building, it's just imperative that we get what we can get and what we're entitled to get from the impact of those that are building in our district.

And so we appreciate the staff and their work on this and we would be grateful for the Planning Commission to recommend adoption of it.

MORASCH: All right. Thank you. Any questions?

GRIMWADE: Was there any discussion with the developers during the determination of those fees?

VANCE: I don't know about, there was, it was published when the formula was set which was clear back in 2015, it was published and I don't know of any specific notice, I mean there was certainly those that attended the hearings where that was adopted, but I'm not aware of any specific comments other than those that attended.

ALLEN: It's fair to say that the development community is aware of this request, no one has contacted myself or the superintendent from the development community.

GRIMWADE: That's fine.

MORASCH: Any other questions? All right. Well, thank you both for coming. Did anyone else want to speak on this matter? Yes. All right. You're not on the sign-in sheet, but you're welcome to come testify as long as you give your name and spell your name for the record, please.

Public Testimony

MCDONALD: Sure. Thank you, Chair. My name is David McDonald, M-c capital D-o-n-a-l-d. I live at 2212 N.W. 209th Street in Ridgefield, I've lived at that address since 1990.

I have voted for many levies and bonds over the years in the City of Ridgefield and it wasn't until this past year where it became clear that a lot of other individuals who were living in our district were very frustrated with the increase in costs and the cost of the bonds and the levies.

And when we went to the council in May about the differentiation between the City's impact fees and the County's impact fees and that \$2,000 difference per residence at the time that we didn't know about these, the larger amount that was going to be asked for, there was a huge outcry for the County to bring up their fees and the City also to cover the costs, you know, they just built the new centers and the new schools and they're already full. I just don't see how the County can say no.

It's a lot of money, but when you open up, if in fact the County opens up 179th Street urban holding area, you're going to be adding thousands of homes to the area which are all going to flood immediately into the Ridgefield School District. And if those homes are built by 2023, which is the projection approximately, you're just not going to have buildings to put those kids in. So I don't know how you cannot vote for it as a citizen, but thank you.

MORASCH: All right. Any questions? All right. Thank you. Anyone else in the audience want to testify about this matter? Yes, please come down and give your name and spell your name for the record.

MEULER: Good evening. My name's Nathan Meuler. I live at 806 -- oh, I'm sorry. Spell my last name is M-e-u-l-e-r and I live at 806 N.W. 179th Street and I just want to follow up on with what David had spoke about.

I'd actually be in favor of you guys moving straight to the proposed fee of the highest amount

for 2021. You guys have the ability to curb some of the growth that's excessive growth that's taking place in Ridgefield and one of the ways that you can do that is by increasing these impact fees to deter developments like what we're going to be listening to tonight from taking place or at least making sure that they're paying their fair share with the excessive growth that's taking place in Ridgefield.

So I'm also for at least what's being proposed, but if not more. And my question would be is the percent change, are we -- is there a cap to that and how did we arrive at these numbers? It feels like we're already late to the party on getting these fees increased, but I was wondering if there is a cap and what would that be?

MORASCH: I believe the cap is 11,289.53; is that correct?

ORJIAKO: Yes, based on the current, based on the formula in our code, yes.

MEULER: For what year, for 2020 or 2021?

ORJIAKO: It's based on the planning horizon. If the district amends their CFP and the growth continue to occur and they look at cost, they look at other variables like, you know, bond passage and so forth, that could also determine what the future fees will be.

MEULER: I'm aware of that, but what I'm asking is are we able to move straight to 11,290 in 2020 as opposed to 2021?

ORJIAKO: We can if the Council votes for that, not this body but if they make that recommendation to our Council, the Council will probably, I don't know how they're going to vote, they can reject that, they can approve it, they can modify it.

MEULER: So that's the point that I'm trying to bring to you guys is that if the maximum is 11,290 for what we could do in 2020, is that we're already behind which the letter that you have in front of you from Nathan McCann as well as what you heard from the Ridgefield school board council that we're way behind.

I have colleagues that teach there from personal friends of mine. I attended Ridgefield School District for the majority of my education and I can tell you firsthand sitting on an advisory council for Ridgefield High School that we are so far behind on funding that school and you can't do it on bonds and you can't do it on levies, this is one way that you can at least slow the growth and so my recommendation would be to maximize those impact fees as much as possible. Thank you for your time.

MORASCH: All right. Any questions? No? All right. Well, thank you. Is there anyone else who wishes to testify on this matter? Yes. Go ahead. One other person. Please give

your name and spell your name for the record.

STEINBRENNER: Hi. My name is Sue Steinbrenner, S-t-e-i-n-b-r-e-n-n-e-r. I live at 6600 N.W. 287th Street in Ridgefield. I'm also the Facilities Director in Evergreen, my husband is the Facilities Director in Washougal so this is kind of close to our hearts.

Speaking from experience in the Evergreen School District, we were the fastest growing district in the mid-'90s, and as was mentioned earlier with the La Center, the way the State funding match works, you have to have unhoused students before you qualify for State match.

I don't think Ridgefield qualifies because of the assessed value as much as Evergreen would, but just where we are now having passed a bond, we're replacing about half of our 353 portables in the Evergreen School District and I would hate to see Ridgefield have to go through something similar to that just from a safety and security.

It's not how it was before, you want a single point of entrance, they're a lot more expensive to maintain, they last for about 20 years, maybe 30 years if you can nurse them along, but you often experience indoor air quality issues, there's a lot of problems that come with portables and I, in hindsight, I wish that never had happened in Evergreen. I would just want to comment that I hope it doesn't happen in Ridgefield as well.

MORASCH: All right. Thank you. Any questions?

STEINBRENNER: Thank you for your consideration.

BARCA: Just for clarification then. I'm assuming you're in favor of this?

STEINBRENNER: I am in favor of it, yeah.

BARCA: Okay. And the previous suggestion about going to the maximum, do you have an opinion about that?

STEINBRENNER: I would support that as well.

BARCA: All right. Thank you.

MORASCH: All right. Thank you. Is there anyone else in the audience who wishes to testify about this matter? No? Are you sure? All right. No one else coming forward, I will close the public testimony and turn it over to the Planning Commission for any further questions of staff or deliberation or a motion.

Return to Planning Commission

BARCA: So I'd like to say something about the idea of these fees. I don't think it's appropriate for us to be looking at these as tools to slow growth. They definitely need to be looked at in the context of trying to disperse the responsibility for the idea of capital facilities being built, and if Ridgefield is in a position where they think that \$11,289.53 is the number necessary to support their schools, I think we need to look at it specifically from the idea of how much capital facilities they believe they genuinely need.

I was on this Planning Commission when we went 6530 and there was a lot of discussion about whether that was going to slow the growth in Ridgefield, obviously it didn't. We'd be very interested to see if this turns into an economic tool besides the fact of a funding mechanism, but I have followed the formulas and seen school districts get way behind the curve, and as Ms. Steinbrenner said the idea of putting hundreds of portables in a school district is a travesty for us.

So I would be willing to entertain the concept of going directly to the full amount if the rest of my Planning Commission were in agreement.

JOHNSON: Just to add for the record, I would like the City of Ridgefield, you know, we have a difference between the County and the City and it sure would be nice if they were the same and so we're not sitting here trying to go, well, why are we paying 6530 if you're in the County but we're paying 8,300 something dollars right now. So it would be nice if we could be sure that the City would whatever we do here, it's a big jump.

I am a school teacher and I understand that this is about disbursement of responsibility to our schools, not rising it, but at the same time I do not believe it is a tool to slow growth, I don't think we should look at that, I think we should look at it as what's fair and equitable.

I'm very concerned with 179th Street and what we do with that so, and we don't know that right now, but that said, Ridgefield is experiencing a tremendous amount of growth, we know that. So I'm inclined to stick with what staff has recommended, but at the same time again for the record that the City of Ridgefield would match that.

MORASCH: I'll jump in.

TORRES: Go ahead.

MORASCH: I agree with both Ron and Karl, it's not a growth tool, it's a financing tool. I'm inclined to support the staff decision as written. Typically these fees are not actually paid by the developer but by the home builder which is, there's a little bit of a difference between a home builder and a developer, and typically the home builder is the one who pays the fees and

then they usually would pass those fees onto the home buyer as an increase in the price, but I do think they've made a compelling case that they have had a lot of growth in Ridgefield and are probably ready to raise the fees and I'm supportive of the staff proposal.

TORRES: Yeah. My input is I agree. I absolutely do not think that these fees should be looked at or used or interpreted in any way to, as a tool to prohibit or inhibit development. I'm very familiar with what's going on in Ridgefield. I really don't think that they will -- I don't think they'll have any affect on that and I am in favor, so I don't think that extra year is really going to make a difference at this point, so I'm in favor of approving as proposed.

SWINDELL: I would agree with that as well. I don't think it's going to make a bit of difference and I agree with everything you guys said about using it as a tool to slow growth. I don't, at this point, I don't think there's anything that can slow growth in Ridgefield so I'm just saying.

MORASCH: No, I think that's accurate.

SWINDELL: But, you know, it ultimately does go to the homeowner, let's be clear, the builder may pay the fee but it gets passed onto the homeowner, and when the homeowner's looking at buying a home in Ridgefield I think they understand that there's a cost that's incurred on the community to come into Ridgefield or into any city and what that impacts the schools and the parks, I mean I think right now the City of Ridgefield if I'm correct the fees to build a new home is about, I don't know, 23 grand just to get a permit, so, you know, it hasn't slowed it down yet, so we'll see, we'll see what happens, but...

GRIMWADE: I agree with my colleagues. This is a tool for funding of facilities, it is not a tool for slowing growth, I doubt it would even slow growth. I think based upon decisions in the past six to nine months and looking at what the development cycle is, the difference between one year stepped fee you're not going to see a great loss of money, you would see a reduction in the amount of money being caught, but I don't think we should be telling Ridgefield what they can and what they can't charge, that's a decision for them as long as they're within line with the overall County code.

MORASCH: All right. So are we ready for a motion?

SWINDELL: I make a **MOTION** we adopt CPZ2019-00027 as presented.

GRIMWADE: **Second.**

MORASCH: All right. It's been moved and seconded to adopt the staff recommendation as presented which I assume includes the \$11,289.53 fee for the 2021?

SWINDELL: Yes.

MORASCH: Okay. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE
GRIMWADE: AYE
SWINDELL: AYE
TORRES: AYE
BARCA: AYE
MORASCH: AYE

MORASCH: All right. It passes unanimously. Thank you everyone. And with that I am going to step out of the room and turn it over to vice chair Ron Barca. Thank you everyone. Have a good time. (Steve Morasch recused himself from the hearing)

BARCA: There's been a request for a five-minute recess.

ORJIAKO: Yes, five-minute break.

BARCA: Okay. So we're going to make it ten.

(Pause in proceedings.)

PUBLIC HEARING ITEMS, continued

- G. CPZ2019-00023 Urban Holding Hinton, I-5/179th Street Area, Phase 3:** The proposal will remove the comprehensive plan and zoning urban holding overlay. The proposed comprehensive plan map amendment is near Interstate 5, north of NE 179th St., inside the Vancouver Urban Growth Area on APN 181675000. This property is designated with Single Family Residential Land Use and R1-10 Zoning. The approximate area of the proposal is 32 acres.
Staff Contact: Matt Hermen at (564) 397-4343 or Matt.hermen@clark.wa.gov
Alternate Staff Contact: Gary Albrecht at (564)397-4318 or Gary.Albrecht@clark.wa.gov

BARCA: Okay. Ladies and gentlemen, we're going to go ahead and get started. We'll be looking at the agenda item CPZ2019-00023.

HERMEN: Good evening, Planning Commissioners. My name is Matt Hermen, H-e-r-m-e-n, for the record, I'm a transportation planner with the Department of Public Works with Clark

County.

Tonight is a proposal to remove urban holding overlays on 32.45 acres of land. This is otherwise known as the Hinton property. Urban holding overlays exist both in two forms, comprehensive plan overlay as well as a zoning overlay. The removal of the urban holding overlay as a comprehensive plan makes it a Type IV process bringing it into your recommendation.

The proposal is on one property, it's Account Number 181675000. It has a designation of urban low residential with zoning of R1-10. This proposal is not a development proposal, it is a removal of the overlay proposal. In the staff report this is Tab 7 of your binders.

It does have preliminary assessments for 108 single family homes generating 108 vehicle trips in the PM peak hour. I want to note that this information to the staff report is to provide context as far as what the proposal will pay associated with its impacts, it is not associated with the actual development of the site.

The comprehensive plan calls for specific requirements when removing urban holding overlays in this area. Specifically, the comprehensive plan states determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the County's six-year transportation improvement plan or through a Development Agreement. The proposal in front of you chooses the second route through a Development Agreement.

The localized critical links and intersection improvements have been identified by Public Works in the form of five projects. Those five projects have a total cost of around \$66 million.

The County has reviewed both Phase 1 of urban holding removal and Phase 2 which is Holt Homes. The Planning Commission recommended approval of Phase 1 that was executed and approved by Council on February 12th, 2019.

The Planning Commission recommended approval on Phase 2, otherwise known as the Holt Homes proposal based on a contingent recommendation, contingent upon the approval of an Associated Development Agreement and upon the determination by the County Council that those localized critical links and intersection improvements are reasonably funded.

Currently that \$66 million of necessary projects to build has a current shortfall of around \$12 million. That shortfall is currently being assessed by the County Council in multiple funding options and funding scenarios.

The County Council had a scheduled public hearing on Tuesday July 16th, this was last Tuesday of this week. County Council did not make a decision on those funding options, they continued the public hearing until August 20th, 2019.

In order to meet the localized critical links, we are recommending similarly a contingent recommendation based on the approval of an Associated Development Agreement as well as the determination by the County Council that the localized critical links and intersection improvements are reasonably funded. If there is any questions from there, I would entertain the Planning Commissions' questions.

JOHNSON: Is this the Battle Ground School District?

HERMEN: This is, the Hinton proposal is in the Battle Ground School District.

TORRES: So for clarification, your recommendation is approval with contingent on the funding sources similar to the last approval?

HERMEN: Correct. Similar to Phase 2, the Holt Homes development.

TORRES: Right.

BARCA: Other questions? I have a question. When did we approve the first contingency?

HERMEN: The first contingency, the Phase 1 was the Killian property, that went forward in 2018, that was different than these proposals. The Killian property had trips that were reserved through a Development Agreement on the southern side of 179th near the intersection of N.E. 15th Avenue.

Their Development Agreement, since they had reserved trips, transferred those reserved trips to mixed use property on the north side of 179th, that required a Development Agreement.

The Planning Commission recommended approval of the removal of urban holding overlay based on that Development Agreement and the County Council approved it on December 18th, 2018, and made it effective on February 12th, 2019.

BARCA: And then --

ORJIAKO: And Holt Home was Phase 2 which the Planning Commission made it a conditional recommendation. As Matt indicated, the Council has not heard that, they will be hearing that on August 20th.

BARCA: Okay. And we approved it contingent on a funding mechanism.

ORJIAKO: Right.

HERMEN: Right.

BARCA: And that funding mechanism has still not been worked out.

HERMEN: Correct. The County Council still has not made a determination that the critical links and intersection improvements are reasonably funded.

ORJIAKO: I'm anticipating Planning Commission members that they will take that up, action up on August 20th, for some reason they didn't have the entire five Councilors on July 16th for various reasons, so they continued that, they took testimony at the July 16th public hearing, left the public testimony open, so they will likely make a decision and we are hoping that there will be, the five Councilors will be present on the 20th of August.

BARCA: Other questions? Okay. For now we're going to go into the public testimony and I'm going to ask just as a reminder that when you come forward, please state your name for the record, spell your last name, speak into the microphone, please. We're going to start with Wayne Ritter.

Public Testimony

RITTER: Good evening. My name is Wayne Ritter, R-i-t-t-e-r. I'm representing Vista Terrace Condo Association which is located near the southwest corner of the proposed development. Our association has about 90 condos and has been in existence for approximately 30 years. I'm here as a resident, our staff is having their monthly meeting tonight so they sent me.

So what our concern is not that we're against development and growth because my God look at the county today, since I'm a native, I grew up here and I've seen it all develop in especially the last 28 years since I've been retired, so anyway.

We're concerned about along Mill Creek, the greenbelt, and how far they will cut back the trees or the trees will be, what the setback is along Mill Creek regarding the trees, that's our main concern and how it will affect us because we're located in the greenbelt. Is anyone able to answer that question for us?

ORJIAKO: What I will say, sir, is that what is being proposed is just to lift the urban holding, right. When they come in for actual development, County staff will look at the Mill Creek, what is the buffer that will be required and the applicant will meet that buffer per County code.

RITTER: And then that you will make the buffer according to County code when the development occurs?

ORJIAKO: Yes. When they actually submit what they're building, yes.

RITTER: So I'm probably a little premature probably on that part, but anyway I was here to represent our association and this is my first time at a meeting. Thank you very much for being here.

HERMEN: And during that development proposal the neighbors will be notified that a development proposal is being proposed.

ORJIAKO: And it's likely also that that proposal will go before the hearing examiner where the public will have additional opportunity to testify and there may be conditions put on their proposal to go forward so you will have additional opportunity to weigh in.

RITTER: Thank you for your clarification. Thank you very much.

ORJIAKO: You're welcome, sir.

RITTER: Thank you.

BARCA: Jon Watt.

WATT: Greetings. My name is Jon Watt. J-o-n, W-a-t-t. We live at 3619 N.E. 174th Street. We are five-acre lots where we live, there's five of us on a dead-end street, 174th and we all like five acres. This place is behind us and there's no access to it except for one street and if we put 108 houses on it and expect only 108 trips a day, that's not realistic. There's other things, there's services, all kinds of things, traffic will be horrendous and it's I'm really opposed to this and I think this ought to be a park instead of housing. Are there any questions of me?

BARCA: Do you have any? No, sir, there is not.

WATT: Okay. There's no utilities, there's no access. It's a park is most appropriate.

BARCA: Thank you. Question for staff. What is the official number of trips designation for this development?

HERMEN: It is 108 PM peak trips that would convert to 1,080 daily trips.

BARCA: So, Mr. Watt, it's 1,080 trips. I'm looking for the next testimony here, is it Goral, he's going to straighten us out here, just a moment. Yep.

MAMMENGA: My name is Goral Mammenga and I --

ORJIAKO: Spell it, sir.

MAMMENGA: Pardon?

ORJIAKO: For the court reporter, can you spell your last name, sir.

MAMMENGA: Oh, M-a-m-m-e-n-g-a, Mammenga. I'm concerned about roads going into that property. So the way they would go in now is they would go down 174th Street, they would make a left on 40th Avenue and 40th Avenue is not a 60-foot right-of-way, so it's a narrow street.

When the school buses come by, they got to pull off to the side and let the car go on by. My house was there before the County decided to put a half a right-of-way road in there. I have no intentions of giving any property up for a roadway, I'd die first. So I would like to know how they're going to get roadways in.

ORJIAKO: I think that when the representative of the applicant comes in, while this is not an actual proposal before us, he may be able to give an idea how they will access the property. I cannot tell you that because I don't have a subdivision drawn up that will include access to this property, that is something that the developer or the property representative will be able to chime in, but that is not what we are looking at now. There will be essentially when they have actual development in front of us that we can review, access point will be one of the issues that will be on the table.

MAMMENGA: Well, there's nobody around there that wants to be giving any land up to get a wider roadway in. It's terrible that they're coming here before you guys and causing you guys to spend money to try to get it when it ain't going to happen, so thank you.

ORJIAKO: Thank you, sir.

BARCA: Any other questions? Thank you for your time. Shawn Robertson.

ROBERTSON: Good evening. This is my first meeting. For the record my name is Shawn Robertson, S-h-a-w-n, last name Robertson, R-o-b-e-r-t-s-o-n. I live at 16425 N.E. 40th Avenue which is at the south end of 40th in the cul-de-sac.

As I already stated, I came tonight, this is my first meeting, I came looking for more information. The first I heard of this was Monday, this Monday when the sign was posted at the northeast corner on 40th and 179th which is kind of odd because I'm always on the County's Assessor's website and the Public Work's website looking for stuff, I have a lot of time on my hands, I recently retired from the military so I'm bored, a little nervous right now too because usually when I speak in front of crowds it's not good and I usually lose myself a little bit.

I had a lot of questions when I came and now I have even more. I didn't know how many lots

were proposed and now I know that there's 108, but yet when you and Mr. Hermen made your opening statement you said this isn't a development proposal, it's a proposal to lift the growth boundary, all brought up by the comment that Hinton development wanted to put in 108 homes, so that's kind of contradicting to me.

Some of my concerns just like Mr. Mammenga, Goral, my neighbor up the road and several of the other neighbors I'm sure, is the access. You know, there is no access except for 174th on the north and 40th coming down north and south, and as Goral said right at his property one or 40th Avenue goes from two lanes wide and it necks down to one.

I drive a one-ton Dodge truck, a full size pickup and when there's cars coming, it doesn't matter if it's a compact car or a full-size car, you pretty much have to get over on the side of the road and, you know, when school buses come by in the morning, I pull off into the edge of the grass into the neighbors yards so school buses can get by, so there's that concern. You know, the ingress and egress especially during construction if construction goes forth.

The other one was the existing roads, you know. 40th if that's going to be the only in way, egress in going north and south to serve 108 homes which how many homes nowadays have single cars. So you're looking at probably two cars if not three, I know I have two people in my house, myself and my wife, my kids are all grown, I have three cars, four cars. So that 108 homes times two cars, you know, that comes out 216 cars a day times two trips a day to work, home from work, let alone any trips taking kids to school, daycare, after school activities, when you start 1,080 trips per day that astonished me.

So there's that with the issue on 40th Avenue not being wide enough and then what is going to be done to improve the roads if it goes forth. And I know at this point it's still all preliminary, but 174th there's no access, you know. You go out to 174th and 50th, I've been there seven years and I've seen probably three accidents on 50th Avenue going northbound because of a sight distance issue.

When you come north and you drop down into Mill Creek and come up, there's a little bit of a crest of a hill, you literally have to stop at the hill because coming from 179th south there's a dip, and if you've got a car that's gray, black, blue dark in color and they're driving without their headlight, you can't see them coming and I think the speed limit is 45 and I know there's people that go way faster than that, I'm probably guilty of it myself.

Public utilities, now where are those going to go, how are they going to affect the current property owners. I think just about everybody that lives along 40th is on a well, I know I am and I think they're all on septic because a matter of fact I would be just about willing to bet my life on it because I am on septic. How will this proposed development in the future going in how is that going to affect the current property owners?

And I ask this because I just witnessed this with my grandparents about four years ago south on 50th and 102nd, there was a development put in behind them and they were as my grandmother would put it held hostage to connect to the sewer for a \$25,000 connection fee. Well, with a shovel and a day's work and a couple of beers I can go and dig a trench and put on a hose clamp, a couple hose clamps and some rubber hose, you know, exaggerating. So there's a \$25,000 expense for all the owners of the current properties who have been there for years.

I'm even more concerned because I'm at the bottom end in elevation and my septic is lower so I would have to put in a pumping system to pump it up to the sanitary system so there's another one of my concerns. You know, with the increase in traffic and the access issues and the accident issues on 174th and 50th, I just I don't think it's a good idea and I would, you know, request the Council disapprove it.

I think Mr., as Mr. Watt has said a park would be a good thing for it. I'm not necessarily going to say I think a park, maybe smaller lots, five-acre lots and keep it rural like it is, I'm on a 2.2-acre lot, I just had four houses go into the east of me and they're five-acre lots and they're shaped in all various shapes because of Mill Creek, Mill Creek runs right behind my property and then there's a canyon on the north side of the homes that just went in, so they couldn't develop it the way they wanted to. I just don't think it's a good idea to develop it into 108 homes. Like I said, it's 32 acres, five-acre homes, I did some time in the surveying industry, I know you'll lose spaces for the roads and everything, so probably, you know, five or six lots.

The infrastructure there just can't handle what's, you know, what I see coming to raise the urban growth boundary on it. You tell us, right, it's just a proposal to remove the zoning, that's, to me that's kind of it's kind of like I'll use the term the blind leading the stupid, you're trying to get us to go down that road blindly and saying that it's, no, we're just lifting the growth boundary, but nobody is going to spend the money to do all this if they can't develop it and make money, and when I say, you know, Hinton, Hinton Development Corporation, they're not stupid, they're not going to spend their money to try and get this changed if they're not going to make money. I just think that 108 homes is too much and I would ask that the Council disapprove it.

BARCA: Thank you, Mr. Robertson. Any questions for him? Thank you for your time. I hope the experience was okay. Roy O'Neal, and if not Roy, Alice O'Neal. It looks like it's Roy.

O'NEAL: Well, gentlemen, I don't think I have a whole lot to add to what's been said.

BARCA: Could you start with your, Mr. O'Neal --

O'NEAL: Yes.

BARCA: -- could you please just start with your name and spell it for the record.

O'NEAL: I don't have my hearing aid on that's why I can't hear everything very well.

BARCA: Your name, please.

O'NEAL: Roy O'Neal.

BARCA: And the spelling of your last name is.

O'NEAL: O-'-N-e-a-l.

BARCA: Thank you so much.

O'NEAL: It's not Irish though, I'm British.

BARCA: We won't hold that against you.

O'NEAL: Thank you. Well, that's what I'm saying, I don't know I have a lot to add to what they've already said. We live right across from the Hinton addition there on 40th and in one place the road is so narrow that if the school buses, if the school bus is coming, one of you has to stop and wait on the other because there isn't enough room to pass. So I would say that you're almost landlocked if you had a bunch of homes in that area there, unless you can figure out a way to get out of there to get down to 176th or maybe 179th to have another escape route and I don't know if someone's already said that or not.

BARCA: No, we're just talking about the generalities of the change in the zoning proposal right now so, okay.

O'NEAL: Yeah.

BARCA: Thank you.

O'NEAL: Okay.

BARCA: Was that everything?

O'NEAL: Well, I had a few other things but, you know, we don't have time to cover everything, but this is -- how long do you think this proposal all this is going to take place, a couple of years, three years?

BARCA: It could take a while. Let's see what staff says.

ORJIAKO: I think it would probably take a while and staff is not diminishing the concerns that have been expressed. The zoning of this properties R1-10, 10,000-square foot lots, we are not proposing to change the zoning at all, the zoning decision had already been made when this area came into the urban growth boundary, this is more of a request as I've indicated, as Matt also has showed you that all we are doing and requesting to do is to lift the urban holding so that this area will be developed based on the conditions for approval of removing that urban holding.

So the issue related to access and the concerns that have been expressed, there will be additional opportunity for that conversation and decision to be made when this, when there is actual proposal in front of us. I haven't seen the subdivision design, that will have to go through the hearing examiner for approval, that's when access, setback and all those type of issues will be discussed at that time and then see whether the hearing examiner, per our code, will approve it or not, but I don't want to diminish the concern that have been raised, but those issue will be discussed and iron out per our code standard when we have actual development in front of us, this is more of a proposal.

See the crosshatched area, that's just the proposal to remove that crosshatched area so it will have the same color as the area that is not, doesn't have the crosshatch.

BARCA: Thank you, sir. Lyle Nielsen.

NIELSEN: Thank you. My name is Lyle Nielsen, N-i-e-l-s-e-n. I'm going to speak in objection to the proposal to remove the overlay. I'm going to speak directly to the staff report.

Page 9 has the conclusions of the staff report, five line items, two are a negative, a clear no findings from the staff, one has a conditional approval, all of these speak to lack of funding. What I heard earlier was conditional funding not yet resolved. I think the comments spoken by the previous speakers were in reference to the realities of the infrastructure, the infrastructure is lacking.

So the cost estimate to my perspective are understated to widen this country road would be significant. I think the other speakers have already made that point. I submitted written comments, they have pictures of those, they are narrow country roads. I think it doesn't even take a school bus to create that scenario. So infrastructure is a significant concern, access is a concern, those relate to cost, cost is already a concern, the proposal has a no on two of the items.

Conditional, it's hard to understand given the lack of funding. In business you don't proceed with a capital funding request, I heard teachers comment on building requests, you just don't proceed if you don't meet the criteria. Those are my objections. I thank you for your time.

BARCA: Questions for Mr. Nielsen? Thank you, sir.

NIELSEN: Thank you.

BARCA: Richard Kubinieć.

KUBINIEC: I want to thank you for giving us the opportunity to make public comment. I'm Richard Kubinieć, K-u-b-i-n-i-e-c. I live at 16519 N.E. 37th Avenue and 98686. I don't know that my previously submitted comments made it into the record, if time permits if I could just read them into the record now.

BARCA: If time permits.

KUBINIEC: Yeah. I submitted them to Ms. Wiser about two weeks ago and it didn't appear on the website, so... Briefly, I said I reviewed the posted application and in completely detailed SEPA checklist document and I have several concerns.

First from the development standpoint, removing the property identified, so identified from urban holding overlays at this time makes little sense to the region as to the taxpayers as a whole. Isolating this single plot for development when 95 percent of the neighboring properties remain in a holding status due to the lack of infrastructure sets a dangerous precedent for a series of subsequent amendment requests as other developers rush to start their projects before the necessary road, sewer, utility, infrastructure projects have been proposed, planned and funded. This is in direct opposition to the intent of the 20-year growth management comprehensive plan.

Secondly, the traffic impact fees, and this is background I didn't hear the most updated ones, which were waived during the previous economic downturn in order to remove disincentives for economic development need to be reinstated in the present setting where the 179th Street corridor has yet to be funded. This proposed property will be directly dependent on 179th Street and safe ingress/egress requires considerable investment. It is not fair to shift the financial burden to the developers who are waiting for the entire area of service by the 50th/179th Street intersection to be brought into the urban growth plan.

Thirdly, the request for this amendment appears to significantly understate the impacts of this defined project with repeated references to a nonsignificance and non-project request. The parcel in question is nominally 32 acres zoned R1-10. The -- it's not plausible the developer is proposing construction of a small number of homes on 32 acres which would be the case if only 129 additional trips were projected, this is from the previous information submitted. I guess to summarize, we estimate 1200 additional trips per day which he had said.

Fourth, there is a branch of Mill Creek which another testimony had been submitted feeding

into Salmon Creek on the western boundary of the property. There's approximately a 40-degree angle slope and a large number of significant trees stabilizing this riparian corridor. The SEPA checklist doesn't appear to adequately address the environmental impacts any undefined future project may have, but seems to establish a precedent that no additional environmental impact study will be required.

I respectfully disagree and suggest that that language be struck as premature and asking the Planning Commission to move forward and lift this holding boundary and include that language that no additional environmental impact studies are needed is inherently opaque and deceptive.

So, in summary, I would agree with previous commenters that there's even if we take at face value \$66 million as a proposed budget and a \$12 million shortfall, there's a large number of additional factors in this area which haven't been put into the development plan. I think the \$66 million is a gross underestimate probably by as much as 50 percent. I've seen information that projects close to \$90 million is what it's going to need to expand the corridor from I-5 to 50th Avenue along 179th Street.

So I would question how close we are and whether or not the Planning Commission should lift this holding under the assumption that somehow there's going to be taxpayer agreement to come up with the necessary shortfall because it's likely to be \$50 million not 12. Thank you.

BARCA: Questions? Thank you, sir. Sabine Falkenberg.

FALKENBERG: Sabine Falkenberg. S-a-b-i-n-e, Falkenberg, F-a-l-k-e-n-b-e-r-g as in George. I would like to object to the removal of the holding overlay at this time with all the concerns and I agree with many of the previous speakers with all the concerns that have been brought forward.

I would suggest that as long as there is no clarification of what is going to happen there in terms of infrastructure, we've heard from all the increased impact fees from the previous school district, but for this particular parcel which would be the Battle Ground School District or even Vancouver, where would you want to put it, do we need new consideration of new school impact fee there too.

Between the infrastructure with schools and especially the environmental impact since this all leads into the Salmon Creek watershed leading into the Klineline Park of course and the previous encounter with environmental damage to the creek when previously there was a building attempt. I would ask the Councilors to please consider not only to reject it, and if not that, to at least delay until we have more questions answered. Thank you.

BARCA: Any questions?

FALKENBERG: Any question?

BARCA: Thank you. Okay. We're going to stretch on this one, is there a Marvin Polm? How about 3801 N.E. 171st.

POLANCO: I didn't want to talk, but I'll talk.

BARCA: Well, slow down, we'll get you in front of the microphone.

POLANCO: My name is Manuel Polanco, P-o-l-a-n-c-o.

BARCA: That's great.

POLANCO: I am the current resident at the property and I just wanted to agree with the neighbors here. I think that they're making good sense and that the property is probably better suited right now, at least the way you have it planned or you're suggesting for something else and that's my two cents and sorry for signing up to talk, I thought I was supposed to sign up just because I was here.

BARCA: So is your right to talk if you choose or not.

POLANCO: Well, thank you.

BARCA: Absolutely. Thank you for your testimony. It looks like Deanna Anderson. And, let's see, Miranda Jensen. Okay. They were on the list. Maureen Jondahl.

JONDAHL: If I signed up, I signed up on the wrong list.

ORJIAKO: Wollam.

HERMEN: Yeah, the next proposal.

BARCA: All right. Thank you. So it appears like we have gotten everybody concerning Hinton. If there are other people who didn't sign up on the list but wish to come forward and testify --

MCDONALD: We'll tag team, I'll go first and then he'll follow.

BARCA: Oh, this should be fun.

MCDONALD: Good evening, Commissioners. David McDonald, M-c-D-o-n-a-l-d, 2212 N.W.

209th Street, Ridgefield.

I fundamentally disagree with the premise that you should conditionally approve this project for several reasons.

First, the Phase 1, the Killian Development Agreement that you approved and the Council approved is already obsolete if it follows the path of them trying to figure out a funding proposal because that will have to be completely rewritten and include the guaranteed payments that are supposedly being promised as a part of the funding options that are being considered by the County Council at this time.

Secondly, the Development Agreements are part of what you should look at. It's your job to recommend to the County Council what you think is this property and what you think should be in these Development Agreements. You've been provided with a lot of different information. You all know that there's a plan for 129 homes, not 108, you know that will have certain impacts, it's because you know what R-10 zoning is and I think that you should look at those.

My comments that I filed on July 17th after the Council meeting on the 16th recognized, at least in part, that there is a requirement for advance payments. There's \$2 million that Hinton and Wollam, and my comments should be considered for both developments because I'm talking about lifting the urban holding, but you should look at those Development Agreements and make recommendations to the County, or if you can't, then you should deny these until the County figures out, the Council figures out what their funding package is and then come back and decide whether or not this particular development or all of the urban holding should be lifted.

I also think that when you look at the Development Agreements you should wonder if there's going to be a guaranteed payment which is what we were told on Tuesday night whether or not the County should recommend taking a security interest in the property so that it's guaranteed. Secondly, should there be a damages clause, what if they fail to pay that guarantee. Third, is there a provision for breach, what if they breach that or what if they go bankrupt. None of that gives you any comfort that this guaranteed money will come forward.

Now, we'll probably bring these same issues up to the County Council, but I think that it's incumbent upon the Planning Commission to review this information and make determinations and decide what to do.

In terms of these being non-project proposals under the DNS, I think that's a fallacy. We know how many homes are being prepared for this because we know how many trips they're saying. So if we know how many trips, we know how many homes, if we know how many homes, we know how what the impacts will be. We cannot guess, but I don't think these are non-project proposals and I think these DNSs are inadequate and you should deny them based upon the adequacy or in my case the inadequacy of the DNS.

Back to the Development Agreements for just another minute. You've heard testimony from the neighbors. I've been to the property. I can attest that it is what these other neighbors are saying. Why not make recommendations for what should be in these Development Agreements. Development Agreements can be very broad, they can bind the County and the developer, they can look beyond what your particular regulations are to give more protections; in fact, you could have recommendations for larger setbacks.

For instance, around Mill Creek, you saw the pictures from Mr. Huggins and how the creek gets up there, you know that with more development comes more runoff, with more runoff comes higher areas that are going to flood those homes that are already along Mill Creek. You could make recommendations that the Development Agreements have extra areas for parks, for roads, that access be covered by the developers, I mean there's all kinds of things you can do.

I also think that you ought to weigh in on what the funding options are. I'm sure that you've seen the nine funding options that are on the County website. They have a variety of options from adding general fund money to road bank money to no taxes at all, I think that's the job of this commission to review that information and to make those recommendations, and if you don't have the information to do that, then you should deny it. Thank you. Your turn.

HOWSLEY: Good evening. For the record - hey, Cindy - Jamie Howsley, 1499 S.E. Tech Center Place, Suite 380, Vancouver, Washington, 98683. I am the attorney representative for Mr. Hinton.

I know the Planning Commission has probably already been through a lot of the history already with the Killian project as well as the Holt project, so I don't want to belabor it too much other than to say that myself and my colleagues have been working on, with the County for almost a decade now, on trying to figure out a finance plan that will be a public/private partnership to address the infrastructure deficiencies out in the 179th Street corridor. This included going to the legislature actively lobbying for money to include in the last State package for the funding of the interchange there, but that didn't address the local roads and this is why we're here today.

The past about two years we've worked pretty closely with staff and the four parties, that being Killian, Holt, Wollam and Hinton have worked to try to come up with a funding solution to have the necessary infrastructure out there to not only release those particular properties from urban holding but eventually to lift the whole of it.

We were tasked this past spring with a specific task force associated with that, there was I believe eight recommendations that have evolved into nine at this point, three of them were brought forward to the three of the Councilors on Tuesday night for their consideration, but as Mr. Orjiako explained, because two of them were absent they decided not to take action that

evening, rather that has been moved over to August 20th.

I don't want to presuppose what they're going to do, I have an idea of what's going to happen there, but effectively there will be a funding package adopted.

What would then occur with these four developments is you would have them paying the normal traffic impact fee already associated with Mount Vista, and then, as Mr. McDonald explained, we would be paying a surcharge on top of that which would be equivalent to about \$9300 a house, and in fact, well, yeah, quite a bit.

This was a slide shared by Mr. Qayoumi the Public Works Director on Tuesday night which would give you an idea of where this TIF rate would fall with other jurisdictions in the State of Washington, it would immediately vault us up near the top in this area.

The Planning Commission here also again recommended tonight the adoption of a school impact fee of 10,000 and then \$11,000, so you can see just in those two items you're hitting \$20,000 in fees associated with that. So any statements up here that growth is not paying its way adequately is not well-founded.

A lot of the testimony you've received tonight, you know, and again I would remind the Commission this isn't about a specific development proposal before you, that comes at a later juncture, this is only at this point about releasing urban holding and we will do that once we come to the Development Agreement with the County Council and then they adopt a funding package later in the year.

As far as the comments made by Mr. McDonald and others related to the SEPA checklist, I think that there's a fundamental understanding about how SEPA works by some of the statements. This is not a project action. A project action would mean that you're actually having a development proposal before you and that project would be evaluated under SEPA under that accordance as well as the County code and other state and federal laws if they're there at that juncture. So a lot of the other issues raised before you this evening are premature at this point.

Again, this is really only about the release of the holding if the funding will be met which we believe it will by Council on the 20th. With that, I'd be willing to entertain any questions that you have specifically either on the lifting of urban holding here or the project itself if you have any.

BARCA: Questions?

SWINDELL: I actually do have a question. I don't know if you can answer it or not. I know there's been a lot of concern about access to this property and I don't know if you guys have looked at that at all.

HOWSLEY: I believe just looking at it there is a stub road on I think 40th that goes out as, Mr. Swindell, you know with the doughnut hole in Ridgefield and, you know, I worked on the Ridgefield Heights development up there.

The way that the project works is you we have to go through the subdivision approval process, that will go to a hearings examiner and we're going to have to make a demonstrated showing that we can meet all of the warrants and that's what we'll do at a later point, but that is not what this hearing is about.

BARCA: So let's talk about this project in the context of funding. The County Council hasn't settled on a funding package yet in this public/private partnership. There are many proposals that have been on the County website. Is it specifically one of those that is being put forward by the developers of these properties?

HOWSLEY: Well, let me, we've pivoted a lot, I'll say that much. During the work group that was formulated this winter and conducted its work through the spring, there was a strong recommendation there that had a modest increase and property taxes was the preferred alternative. I believe one of the other alternatives had a modest increase in the road fund tax. What we heard through the Councilors during work session is that there was a lot of concern with that proposal.

So the County staff came to the four development partners and we worked through a solution whereby the developers would agree to a surcharge rate which would make that equivalent, so the surcharge or amplified TIF, that's where you're getting that \$9300 plus per house.

BARCA: That includes the surcharge?

HOWSLEY: That would include the surcharge. And then what the intent would be I believe is these four developers, and by the way, this would probably be the only time in the history of the County I know for sure, and having worked on about 100 other Development Agreements I, you know, we have guaranteed things in the past, but I don't recall developers guaranteeing to the amount that these four parties are going to guarantee of whether or not the development goes forward or not, that will sort of jump start the public process to allow the County to leverage that to get other grants and get the infrastructure going out there, I believe then the intent is of the County as a whole then to amend their TIF program to combine those TIF rates and then they'll release the urban holding for the rest of the area, but all those other properties out there will not have the guarantee associated with them, so...

BARCA: Okay. Mr. McDonald has put in a lengthy group of letters and evidence into the record, I'm assuming you're familiar with the letters that he has put in?

HOWSLEY: Yes, and I have a response to that. Hold on.

MCDONALD: I hope you ask me questions too, that's why I stayed back up here.

BARCA: Yeah. One of the items that he put in there is the concept as he reads the Development Agreement that with the transportation impact fee and the surcharge there's still a cap at \$2.9 million, is that an accurate statement?

HOWSLEY: So let me correct that. I believe Mr. McDonald submitted an early letter to the County Councilors with a series of questions. Mr. Printz then responded to Mr. McDonald, I received those communications I believe yesterday or early today, yeah, we've provided a letter that responds to that, but I can let Mr. McDonald speak for himself.

MCDONALD: So that 2.9 million that's mentioned is for the Holt Development Agreement. If you look at the potential slides, each development is committing to a certain amount of TIF fee and I believe that TIF fee is at the current rate of \$605 for the Mount Vista subarea, and then on top of that, they agree to pay a separate what would be a 350 or what Mr. Printz has proposed is a \$3500 per house at the issuance of a building permit surcharge.

So the total theoretical amount whether you call it a TIF or a TIP or a surcharge would be somewhere in the \$955 range per unit and I think that that is for, that would go across the four developments, Killian, Holt, Hinton, Wollam, but the total amount varies because of the projected housing lot or residential unit development. So as I said, it would be approximately like --

HOWSLEY: 2 million between my two clients.

MCDONALD: And I think that's where the TIF without the surcharge or is that the --

HOWSLEY: That would be the surcharge amount.

MCDONALD: And Ms. -- sorry.

BARCA: Are you done?

MCDONALD: Yes.

BARCA: All right.

COOK: The Development Agreement is still being negotiated. If it weren't, then you would have in front of you a final draft rather than a draft in the condition that it currently is. I probably would not approve as to form something that capped the payments at a lower rate than is being pledged and assumed, so that's my response to Mr. McDonald's criticism that those rates are capped at an inadequate number.

MCDONALD: I didn't say they were an inadequate number. I said that's the number that they're capped at. What I'm saying is that the Development Agreements themselves, you can make recommendations that they could be higher, you can make recommendations that there are other parts of the Development Agreements that should have additional language, there's a master park program that's part of the current Development Agreement from Holt. I mean, what I'm suggesting is you don't have the information in front of you to make a determination whether or not the Development Agreement that you think should be in place and that you just have a draft.

I mean, I believe that what's going to happen is if I had a crystal ball which I don't but I think probably what's going to happen is at some point in time the County staff and the developer and the County Council will somehow come to an agreement on Mr. Printz' Development Agreement and then that will act as a template for the other agreements that are going to follow and I think all of those should be here in front of the Commissioners before they are finalized and gone up to the County so that you can look at them and make your recommendations. I mean, that's just my opinion and that's what it's -- and that's what it is, my opinion.

HOWSLEY: My legal response to that is again is a matter of course and Clark County Development Agreements have, as far as I have been aware, have never gone in front of the Planning Commission, they always get worked through staff directly to the County Council, maybe with the exception of the last Killian one.

COOK: That is not the case because some Development Agreements are used in conjunction with comprehensive plan changes for example Fifth Plain Creek, so that which is the circumstance here is when they go to the Planning Commission as well as the Council.

BARCA: Just my understanding of the nature of concurrency, whenever we have seen that a Development Agreement is required to meet concurrency, we have had the Development Agreement agreed upon and become something that gets put into the record that we are able to see directly.

We agreed on a contingency for the Development Agreement which was given to us last time as supposition it was going to be a done situation by the time we saw these pieces of property and so we're still in the midst of having to try and clearly understand what is the financial responsibility of the public portion of the public/private share and so I think that's why it is so important to the Planning Commission to have a clear understanding about what we are or are not agreeing to.

COOK: Again, there is no 2.9 million cap for Holt and I forget what Mr. Hinton's is.

HOWSLEY: Mr. Hinton's is around 900,000.

COOK: Yeah, there is no such cap. These numbers were the numbers of advance TIF payments and --

MCDONALD: Yeah, I agree with that, Ms. Cook. What I'm saying is that's the guaranteed amount, and Mr. Printz made that clear, that's the advanced guaranteed amount whether there's an application or not, he made that clear in response to Councilor Blom's question on Tuesday night, he made it clear in his responses to me. I don't -- he also made it clear that at building permit time each and every lot will pay a full amount, the 2.9 is just a portion of that full amount that's guaranteed no matter what, that's my understanding.

COOK: And paid in advance.

MCDONALD: And paid in advance, correct.

COOK: Yes. And that's for Holt 2.9.

MCDONALD: That's for Holt. And for Hinton and Wollam it's 2 million I believe.

HOWSLEY: 2 million between the two, yeah.

MCDONALD: Between the two. I'm sure that's clear as mud.

HOWSLEY: It's complicated, and like I said, we've been working at it for nine years.

BARCA: Well, gentlemen, this is a great opportunity, you've got both sides of the coin right here in front of you. Questions?

JOHNSON: The clear as mud statement is one that I look at coming in front of us as a statement of somebody's not prepared and it's just to me I go if I'm getting confused here, somebody needs to be prepared. We have a lot of things that have been said and a lot of things that are with the previous properties that we approved that were based on exactly what Ron said, which were these things would be taken care of before we saw these other or at least it was the assumption, I don't know if that was for the record, but the frustration for me right now is we're looking at financing, we're looking at agreements that have or haven't and for, you know, whatever the reason is Councilors missing, I don't know, but we're standing here trying to make other agreements based on information that is, well, from your words clear as mud.

HOWSLEY: No, I understand that, Commissioner Johnson, but again you have to look at it as if so Mr. Killian had a unique situation because he already had previously vested.

JOHNSON: Yeah, I clearly understand that.

HOWSLEY: There was an informal agreement amongst the private parties because Holt had been working on it much longer than my clients had that they would be the next property, but the four of them are effectively working together, you know, with the County to be that public, for the public/private partnership to work, in order for this finance plan to work you need to have all four of those parties together.

JOHNSON: Understood. But that information, whatever that is, is not clear yet or it's not been approved by somebody or it's not clear to me. Now, the other thing is the financial package which has not been approved by the Councilors, and so I'm just telling you now, I'm not saying anything up or down about this, I'm saying this is confusing, and when we're confused, it's not a good thing.

HOWSLEY: Well, I mean I can address your questions.

JOHNSON: No, I understand.

SWINDELL: Just point of clarification, are we still under public testimony?

BARCA: Yes, we are.

SWINDELL: Okay. Just wanted to make sure.

BARCA: And you have no questions?

SWINDELL: No. It just sounded like a little bit of deliberation there so I just wanted to clarify.

BARCA: Anything else? Gentlemen, thank you for your time.

MCDONALD: Thank you very much. Appreciate it. Good luck.

BARCA: Okay. Is there anybody else from the public that would like to come forward concerning the Hinton property 00023? If there is, please come forward. The same routine as before.

VANDERZANDEN: My name is Traci, T-r-a-c-i, Vanderzanden, V-a-n-d-e-r-z-a-n-d-e-n, and just listening in also living in a very rural area myself, I just wanted to say that my understanding from Tuesday's meeting with the Council, in addition to lack of attendance of all five Councilors, it was also lack of the public knowledge and awareness of this removal as well and so because it is a private and public partnership one of, again my understanding was that one of the reasons why it was postponed until August 20th was to have more public feedback regarding this matter.

The second thing is that I just wanted to say if it hasn't worked for nine years, you can't fit a square peg in a round hole. I just, I would hate to see this happen to my own property and I feel for these residents in this area. I drive through this whole area as back roads and currently there's some construction going on outside of WSU right now and that that's definitely caused me to drive around other areas and everything that they've said as far as limited views and road access.

I just want to say that although I am not a resident in this area I strongly oppose just as a Clark County resident who drives these back roads frequently and who I also am not on city services, I would hate to be forced into paying out-of-pocket for any city services such as a sewer or city water. That's it.

BARCA: Questions? Thank you so much. Next.

THOMPSON: Hello. I'm Kathryn Thompson and my husband and I live in this area. Kathryn, K-a-t-h-r-y-n, and Thompson is T-h-o-m-p-s-o-n. We live at 3511 N.E. 174th Street, Vancouver, 98686, and our southern border of our property is just right next to this property that's being proposed to amend the or to put the urban low density residential 1-10 zoning, which I believe like probably 15, 20 years ago this whole area that was around there, all those little diagonal green areas were proposed that same -- it was actually in the, this kind of a zoning but apparently now it is not, so we're just going to get the little 32-acre piece back behind us done.

I'd rather propose that we just hold on and wait until this all this area is proposed as urban low density residential so that we have services to this neighborhood because it is an old country neighborhood that has, just like somebody had said, septic and wells and no water and sewer and no emergency vehicle route to actually be able to come up here.

And this, where these neighbors live, they're mainly older folks. We've been there, you know, 25, 30, 50, 40 years or more. And so I think that the whole area needs to be under consideration for R1-10 zoning, the whole striped green area, not just the red Hinton area in the middle there or on the far bottom left.

So that's what I would like to recommend that we get substantial infrastructure in there before we decide to build lots of homes because there might be some of these people that live in these areas that might want to build a home for their daughter or their son and not just have a big development there.

So if they were able to divide some of their little -- their little -- their little property into two or, you know, or smaller area so their children could live there, I think that would be a good idea. And thank you very much for listening to me.

Oh, one other thing, the only road access into this Hinton area that's proposed is underneath the Bonneville Power lines, it's a BML lines that run down through there. So it's a little dirt driveway that goes back into here, that's the only access there is to this property, that's that 32 acres that's being proposed for a zoning change. Thank you.

BARCA: Kathryn, just hold it for one moment. Let's get a clarification for you. Staff, will you please explain the crosshatch area, the full implication of the entire crosshatch area.

HERMEN: Sure. So urban holding is an overlay, it is not a zoning designation, it is an overlay. It restricts urban development on land that is zoned urban. It restricts urban development because the infrastructure is not in place to serve that urban development.

The reason that this is being considered is because we have identified transportation projects that are needed to serve the urban level development from the entire urban holding area, the entire hatched area. This proposal along with the other phases are contributing financial mechanisms in order to fund those necessary improvements that will ultimately serve the urban level development that this area was slated to in 2007 when the urban growth area was expanded for.

BARCA: Does that help explain it then? So when you said why are we doing this little postage stamp because we're fighting over the amount of money necessary to do the little postage stamps. There's a lot of the rest of this acreage that would go and develop in the same fashion should we be able to find appropriate funding mechanisms. Is that helpful?

VANDERZANDEN: I think that's helpful. I just wanted to make the point too that the only access was a dirt road that goes under the Bonneville Power lines into this property and I think many others have already said that there's terrible road access and services through that location. Okay.

BARCA: All right. Thank you. Is there anybody else out in the public that wishes to speak on this issue? Okay. Seeing none, we're going to bring it back to the Commission for discussion. Questions of staff with what we've heard so far?

JOHNSON: So let me clear up the mud. Do we have a financial agreement of some, that was my question, so the cap or the non-cap or whatever it is, we do not at this time, this moment today, have a financial agreement, that's a question?

COOK: We don't have a financial agreement, but the developers, it's not their business to tell the County how the County will find the public part of the funding. What we don't have at this point is a Council decision on exactly where the public dollars are going to come from and that's what we are waiting for. We have, since we don't have Developers Agreements signed or approved yet, we don't have agreements from the developers, but we are negotiating those

agreements with dollars in mind --

JOHNSON: Right. Right.

COOK: -- but they have said they would pay.

JOHNSON: Correct. Because my question is we have a unique funding mechanism, a public/private partnership here.

COOK: That is pretty normal. That's how developments usually gets built.

JOHNSON: Sure. But this, I guess the word is not extreme but this, I mean we have a lot of money that the developers putting up and what I'm trying to get at is that money, is this amount and we're going to have this money and we've already done this once before and said, yes, we'll approve something and now we're kind of rolling over.

COOK: If it gets right.

JOHNSON: That's what I'm saying. That's all I was saying before. That was the clear as mud to me.

ORJIAKO: And that's true. Chris is also correct. The developers have already indicated they will pay their traffic impact fee upfront. The current traffic impact fee in the Mount Vista area is \$605, they're also committing that they will pay additional 350, so the total will then be 955.

Now, the issue, and I see the difficulty for you, the issue is that the decision that the Council will be making regardless of your recommendation, if you recommend as you did on Holt subject to the Council finding that the project that have been identified are reasonably funded, the urban holding will be lifted at some point.

Now, remember that the public share is where the conversation have been. The Council is looking at do we have to raise property tax to fund that public share or can we bond to fund that public share or can we go to the developers and have them to pay a little bit more so that there is no significant burden on the public, so that is the conversation that they're making. Some of that will also be done during project time if they have to raise property tax for example or make it --

COOK: Or road fund.

ORJIAKO: -- or road fund. So you won't be the one making that decision, it will be the Council. So until they make that decision at some point we are going to come back to the

Planning Commission because there is a provision that we amend our capital facilities plan, potentially adjust the current fee, that is traffic impact fee, so that we can lift the urban holding for everyone else.

Our estimation to complete that project is sometime in February or March, that will come before you and we're hopeful that by that time the Council will have made a decision on how to fund this area, and when we come to you with the capital facilities update and the associated adjustment and the impact fee, we will ask you at that time.

You will have seen the decision that the Council have made in addition to us staff amending our CFP and adjusting the traffic impact fee for the entire area, that is the time we will also ask you can you now, you can now lift the urban holding for everyone else, these are just the four developers who are first in and also making a commitment that they will pay additional as they were of getting their self in, that's really where we are.

GRIMWADE: So did I just hear you right, so the Council is going to hopefully make a decision on the funding, the Development Agreements get executed, the lifting of the urban holding will come back to the Planning Commission as a separate item?

COOK: Not the lifting on these four, but the lifting of the remainder --

GRIMWADE: Remainder.

COOK: -- of the urban holding area.

GRIMWADE: Okay.

ORJIAKO: And like I said with Chris, the Council will have made that decision. The only thing left is the other half which will come before you because amending the capital facilities plan and adjustment of the impact fee just like we did with the school, first comes to the Planning Commission because it's tied to the comp plan, so you will see that eventually.

TORRES: And, again, staff's recommendation is a conditional approval based on that funding?

ORJIAKO: That's our recommendation because either way the Council will make that finding that all this project can be reasonably funded and they're going to come up with what is the funding mechanism.

BARCA: Question. The four projects a price tag of \$66 million has been associated with that, is that a correct statement?

HERMEN: It's five transportation projects, four development proposals. Those four

development proposals, I want to be clear for the public, are not paying \$66 million.

BARCA: No, I'm aware of that. I'm asking the cost.

HERMEN: Yeah. So the five projects are an intersection at N.E. 1 -- I'm sorry -- N.E. 29th Avenue and N.E. 179th Street. The second project is an intersection improvement at N.E. 179th Street and 50th Avenue right here. The third project is the extension of 15th Avenue to extend from 179th and connect to 10th Avenue. The reason why that project is necessary is because the intersection between 10th Avenue and the northbound on-ramp to I-5 needs to be disconnected in order to allow for better movement of vehicles.

The fourth project is improvement at and capacity improvements on 179th Street from 50th Avenue all the way to Delfel Road. Delfel Road is where the Chevron Station currently is. The fifth and final project is the completion of 10th Avenue south of the new Whipple Creek Bridge. This is 10th Avenue from 149th Street to 154th Street. The bridge was opened up last year and there is a small section that needs to be upgraded to urban infrastructure to allow greater capacity.

BARCA: Can you tell me, of the four developments that are contributing to the five projects, how much available capacity will be left for future development once those are completed?

HERMEN: So currently through our projections with the vacant buildable lands model we estimate the amount of buildable acreage out there in the urban holding area there's approximately 76,000 trips that are available. The developments contribute 15,000 daily trips in the urban holding area. The payment of \$66 million of improvements lifts the urban holding for everyone as well as the concurrency. So basically whatever the delta is between 76,000 and 15,000 is the amount of trips that would be available in the urban holding area after the 66 million gets funded.

BARCA: So we're saying in the rough neighborhood there's 50,000 available trips after the \$66 million has been expended?

HERMEN: Can you restate that, please.

BARCA: Using the rough math that you threw out, we're dealing with approximately 50,000 available trips?

HERMEN: That's only in the urban holding area. In the Mount Vista TIF district, there's more trips that are available. There's development that can be accommodated based on the concurrency issues that affect not just the urban holding area, but also development outside of the urban holding area. Those trips in the Mount Vista TIF district are a lot greater than those in the urban holding area. I don't have that number right off the top of my head, but those

trips could be accommodated as well.

BARCA: Okay.

TORRES: So that's a substantial amount of trips.

HERMEN: Yes. I also want to mention that the five projects that I listed are County projects. The sixth major project is the interchange replacement project, that's a project that was awarded from the legislature, State legislature in 2016, that awarded the Department of Transportation \$50 million to reconstruct that interchange, that's a significant project but that is not the County's responsibility to pay for.

COOK: On the other hand, some of the County projects are vital for the success of the State project like the connection between 10 and 15th, those are County roads, the County's responsible for them, but you just can't have 10th going down to 179th right next to the ramp there when they're trying to redo that interchange and make it work, so they are related.

HERMEN: The money when it was awarded in 2016 was set to come to the Department of Transportation in the 2023/2025 biennium.

TORRES: As far as we know is that still on track or do you have any --

HERMEN: Yes.

ORJIAKO: Yes.

BARCA: And can somebody tell me how we fund the Clark Regional Wastewater District portion of this, which would be the sewer, and then the PUD for the hookup of water?

COOK: We don't fund that, that's the sewer district.

BARCA: Right. And so is it happened through the idea of Development Agreements also?

ORJIAKO: No. As you know you do approve the district 20-year capital facilities plan and in that plan they've already mapped out how they're going to serve this area. They're going to be working with the developers on the type of infrastructure that are going to be put in. When I said infrastructure, that means sewer pipeline and sewer pump station. So they're going to be working with the developers on how to serve their property when they're actually proposed to develop their property.

Sewer and water are system development charges, so the developers will be paying that to put their sewer line in whether the sewer district puts in and they recoup the cost from the

developers, that is between the sewer district and the developer, that is how sewer and water are provided.

BARCA: I noticed it just wasn't in any of the records, it wasn't in our report, I think it would be appropriate to show that that's already in their capital facility plan.

ORJIAKO: The same question and issue, Planning Commissioner Ron Barca, was raised during the Council hearing and a representative from the Clark Regional Wastewater was present and put that into the record.

BARCA: Oh, okay. Great. Other questions? So any deliberation perhaps?

SWINDELL: Well, I guess I'll start with whether we approve this now, if we -- and my thinking is if we don't approve this, they're going to put their Development Agreements together, they're going to figure out what the funding is and they're going to bring this back to us to approve this.

ORJIAKO: No.

COOK: No.

SWINDELL: No? Clarification.

COOK: I would have to think that's unlikely. If you decide not to act, that is not a recommendation in favor, but I believe that the County Council will take it up anyway.

ORJIAKO: That's correct. If you recommend denial, we'll send it to the Council. If they come up with a way to fund it, it will be approved.

GRIMWADE: It's one of those Catch-22s.

SWINDELL: So why are we looking at this?

PUBLIC: Can you explain what you just said?

ORJIAKO: The recommendation of the Planning Commission is a recommendation to the Council. If they recommend to approve, we will still forward to deny or to approve, whatever the recommendation of this, of the Planning Commission is.

They make a policy recommendation to the Council, the Council has three options. They can accept the recommendation of the Planning Commission; they can modify it; they can reject it; they can come up with their own. If the Planning Commission makes a recommendation of

denial of this application, we will take that recommendation because it's not final, the Council will make the final decision. I hope that clarified my comment.

BARCA: I'm sorry, sir, but public testimony's been closed, I can't take -- I can't take comments at this point in time.

PUBLIC: Inaudible.

BARCA: We are handling only Hinton because that's the way it's come forward. You can imagine the deliberation will be very similar.

PUBLIC: Inaudible.

BARCA: Just testimony for Wollam will happen with Wollam. It is, here we are. Robin.

GRIMWADE: So this project's been in the evolution for nine years, that's not an unusual time for urban development projects, I've seen longer, nine years in the planning typical of a number of projects, so that doesn't phase me. I'm thinking during the nine-year period there's probably an enormous amount of complex issues that have come up and at a very strategic conceptual level people have done their best to work through those.

Where I feel a little put into a corner is that funding is so critical for this, and it's not the decision of the planning committee how the County is going to go about funding, that is a decision for the County Councilors to make that decision, but it would have made it a lot simpler to make a recommendation one way or the other if we knew what the funding arrangement was, what the fiscal impact would be on the community and the other parties involved.

Not having a final Development Agreement also causes me a little concern. I do get a little overly concerned when people talk about private/public partnerships, I think that's an evolving concept still for many organizations and I wouldn't go as far as labeling this as probably the best private/public partnership documentation I've seen; notwithstanding that, it's a move in the right direction for the private sector and the public sector to be working together.

I think bringing four developers together and trying to get synergy amongst developers, the group is to be congratulated on that, again it's far easier to manage one development in isolation than to get four people sitting around a table and coming up with something that will ultimately work.

I am concerned about the Commission if it doesn't make a recommendation. I think not to make a recommendation is inept occasion of our roles and responsibilities, but at the same time I think we need to be mindful what the likely action is by the County Council and they are

the decision-makers. As I say, I feel like I'm being pushed into a bit of a corner here. I would have preferred probably this to be delayed until that funding decision had been made and then for us to really make a decision, but that's clearly not going to be the case, so that's my sort of sixpence worth at the moment.

SWINDELL: Well, I guess I want to mirror some of the things you've said and that is that putting this together from the development community, four people coming together, working with the County, working with this for the last nine years trying to figure out how to fund these projects for the public to get better safety at these intersections to do this is as part of the overpass of getting that funded from the State, waiting for all of this.

I know that what, 2007 this was adopted in the urban growth boundary, we put the overlay on it to hold it until all these funding mechanisms came into place, everything's coming to a head, it's getting to that point with a lot of hard work from the development community along with the County staff.

I know that everything, things are out of, a little bit out of order in the way that we're looking at this. I guess that was kind of my point is like we're looking at this but some things aren't in place yet but, and I guess I would say that to approve this with a recommendation or with a, you know, a stipulation that there's adequate funding is not only logical but nothing can happen unless there is adequate funding. There's no funding, there is nothing, nothing happens on any of the projects.

So I mean I, yeah, just things are a little bit out of order right now and I can understand from the public standpoint it just, it looks weird and it looks out of order, but I understand what the development communities trying to do, I understand what the County's trying to do by putting this all together and I think getting those projects done and getting that overpass completed for the entire community is it's huge.

And I think like you were saying that this is like unprecedented, four developers coming together to make this happen is unprecedented, so... I just wanted to say to all staff and the community, the development community that's doing this, it's a lot of hard work, so...

TORRES: Yeah, I agree with that, a lot of effort. Also I, as Robin said, I think it's inappropriate to not make a decision to move forward. A big point for me is the conditional approval pending the funding, I think that's important for everyone to understand, it is that's my focus.

BARCA: Well, a big thing for me is the conditional approval also, and we did that once and at the time raising taxes was not on the table, and the thought process about me voting for development in somebody's backyard and raising their taxes at the same time it's just wrong for me on many levels, because I don't know the public portion and how it gets made and

because we did this conditional approval once before, I cannot in good conscience approve this in a conditional sense because I don't know what the outcome is going to be.

Sure, our recommendation is just that, a recommendation, but I think as Robin said, the pressure is on us to do something. Well, I think what my vote is if I deny this then the pressure is on the Council.

PUBLIC: I have a question.

BARCA: I'm sorry, sir, please, you can come up during the Wollam testimony and say everything you need to say.

PUBLIC: Inaudible.

BARCA: Yes. Period. We are aware that these are interlocking.

PUBLIC: Inaudible.

BARCA: Sir, please, you're just delaying us getting to Wollam, please. Okay. So being that said, I think you'll have a clear understanding of how I feel about it, and if there's not more to be said after Karl's done.

JOHNSON: I think we all have the same concerns. Again, to reiterate what Oliver said, we are not in the business tonight to approve a subdivision or find out what road comes in, we're just simply looking at the ability to remove the urban hold off of predetermined properties.

I like your words, Robin, about being backed into a corner kind of, but at the same time there's trust here and there's kind of a cool thing. So, you know, I'm with Ron where I go, well, I don't, we've done this once already, we're moving kind of down that road, but at the same time, and it looks like staff, if you read their recommendations and conclusions, their concerns were the same, hence the conditional approval.

So I'm inclined to support it based on that conditional approval. I would wish that we would have had that financial understanding maybe in front of us and spelled out just a little clearer, so that's that.

BARCA: Let's get a motion going.

TORRES: I'll make a **MOTION** that the Commission approve CPZ2019-00023, the Hinton Development as recommended by staff.

JOHNSON: I **second** that motion.

BARCA: The motion and seconded. Can we get a roll call, please.

ROLL CALL VOTE

JOHNSON: AYE
GRIMWADE: AYE
SWINDELL: AYE
TORRES: AYE
BARCA: NO

BARCA: Okay. That's it for Hinton. Does staff need a break? Anybody on staff need a break? Commission need a break? All right. Let's roll. Next one up, CPZ2019-00024.

PUBLIC HEARING ITEMS, continued

- H. CPZ2019-00024 Urban Holding Wollam, I-5/179th Street Area, Phase 4:** The proposal will remove the comprehensive plan and zoning urban holding overlays. The proposed comprehensive plan map amendment is near Interstate 5, north of NE 179th St., inside the Vancouver Urban Growth Area on APN 182170000, 182168000, and 182164000. This property is designated with Multi-Family Residential Land Use and R-12 Zoning. The approximate area of the proposal is 40 acres.
Staff Contact: Matt Hermen at (564) 397-4343 or Matt.hermen@clark.wa.gov
Alternate Staff Contact: Gary Albrecht at (564)397-4318 or Gary.Albrecht@clark.wa.gov

HERMEN: All right. CPZ2019-00024 is the Wollam proposal. This proposal is to remove urban holding comprehensive plan designation, urban holding overlay and zoning overlay on three properties. Those properties are 182168000, 18217000, 182164000. These proposals are approximately 40 acres in total. Again, this is not a development proposal but for the purposes of the urban holding overlay being removed.

The development will be responsible for payments that are in proportion to the amount of development that could be -- could occur on the property. The property in order to remove the urban holding overlay, there are specific clause within the comprehensive plan, that's the determination that the localized critical links and intersection improvements are reasonably funded as shown on the six-year TIP or through a development agreement.

This proposal comes with Associated Development Agreement and the comprehensive plan designation on this property is urban medium density residential with a zoning designation of R-12.

The staff recommendation is conditional approval upon the approval from the County Councilors of a Development Agreement as well as the determination by the County Councilors that the localized critical links and intersection improvements are reasonably funded. Did I

cover everything? And that concludes the staff report.

BARCA: No questions for staff? All right. Let's just get right into it. We have public testimony. Maureen Jondahl.

Public Testimony

JONDAHL: Past my bed time so hopefully I can make sense. Maureen Jondahl, J-o-n-d-a-h-l. I live at 16927 N.W. 11th Avenue.

I'm assuming the funding is made available and all the County's projects and the State projects go through. There is nothing to improve 179th east of Delfel Road. There's no increase in capacity on 179th and no changes on N.W. 11th, it's not even in the County six-year plan to make any changes.

I mean, you're going to create 300 new homes in this area with no improvement to the traffic in the area. 11th is already very dangerous. There was a serious accident at 11th and 179th this week. They're doing work in the property now.

You come up over a hill coming down 179th or 11th and you get trucks pulling out and there's no line of sight, the visibility's really poor. So I recommend that you don't approve the overlay being lifted until the 11th Avenue and 179th is improved in that area.

BARCA: Questions? Thank you. Monica Binns.

BINNS: My name is Monica Binns. My last name is spelled B-i-n-n-s. I live at 15613 N.W. 11th Avenue, Vancouver, Washington, 98685.

And I agree with the last woman. I think that it's very sad we see all these many issues, we see issues with infrastructure and cars being able to move and all of the stuff and we keep lifting the overlays, it's really ridiculous. It's going to impact my home greatly just to go to the grocery store to put that number of homes in that area.

If we really want to have a wonderful Vancouver, we shouldn't put 300 and some homes on 40 acres. We should have one-acre homes and two and a half acre homes and so on so people could have some property and could have a way of life in which you could put a lawnmower between the homes, it truly is sad that you believe we can support this. No one's talked about police, fire department, emergency, anything else to support this.

We live in an urban area. We bought land in an urban area to be in a country lifestyle. We didn't buy it so that you could raise our taxes so some developer who will pass on all of these costs can make a lot of money. And until the infrastructure is there, you should not put more

people on this property, any property. You need to be responsible. Thank you very much for your attention.

BARCA: Thank you. Nathan Meuler.

MEULER: Thank you for your time. I'm at a bit of a loss on where to start based on the fact that you've already made your ruling on the Hinton development, but we'll move forward like that didn't happen and the ruling will be different.

First, I'd like you guys to realize the time commitment it is for a citizen to be here. I can't help but notice the majority of the people in the room have a lot of wisdom and I can tell that based on the color of their hair and somebody like me that has three young kids at home that I didn't get to kiss good night tonight make the sacrifice to be here because it's important to have a voice about the community that you want to live in.

My family has been a part of Ridgefield since its founding back my family came here in 1850s directly from Germany and we are farmers, we've been here for a long time. My family and the property that I'm associated with at 806 N.W. 179th Street, my parents bought when I was 3 years old back in the '80s and I currently live there now and it's a, I think it's important to come here and voice your opinion about what you want to see happen in your community. A few things that I want to address.

I realize in my profession, I'm an engineer for the City of Vancouver for water engineering, I understand a lot of what's going on and the way that things work to a certain degree. I know that the reason -- I wish I would have been able to come to the meeting and speak with you guys when Wollam wanted to request getting the zone change done.

I actually was at the Council meeting and spoke to Council requesting that not specifically that the zoning not be changed but that a comprehensive plan be done so that instead of just looking at a spot zone change that an entire neighborhood subplan be put together so that the corridor of 179th Street be done as an actual plan not just one parcel by itself, but that's neither here nor there. I'm sorry I missed the chance to speak with you at that point in time.

There was a reason why that parcel was changed from R-12 to R-10 back I believe in the late '90s, early 2000s because the zoning commission at the time thought that that was not correct with the surrounding area, but then Council made the decision to change it because it was already R-12 at one point in time and I, my personal opinion is I don't get to tell somebody what they want to do with their property, I get to come and ask you guys to tell or make a recommendation to Council for them to tell people what they can and cannot do with their property.

I know why Mr. Wollam and his company is move to get the zone change because they came through, everybody along 179th Street and try to get enough buy in for development which

they didn't get and so they had to change the zoning to be able to get the amount of lots to support the infrastructure that needs to go in to make it a feasible project not to mention everything else that's going on with a very poorly put together rough draft of a Developers Agreement. So I understand why we're at where we're at and I understand that right now the only topic that's on the table is whether or not you're going to release holding on that one parcel.

My personal opinion is the same now as it was when you changed the zoning is that if you're going to lift holding on one parcel that you should look at the entire corridor or lift, be able to lift the holding on all the parcels that are associated with it assuming that the infrastructure is in place, that's why the holding is there in the first place.

I also want to talk about the fact that traffic was brought up. There's accidents constantly at 11th and 179th Street and there is no plans as far as a Phase 7 to increase the capacity on 179th Street especially to add multi-family attached townhomes.

I mean, I went to your website and reviewed all the documents and the comments and it's -- I take all of you guys as intelligent and know that a development is coming, is forthcoming with this, but I think we can all sit here and say that it's very premature for it to take place.

There's a lot of infrastructure that needs to take place prior to lifting urban holding which would directly follow with a request for development, that's only going to screw up traffic that much more prior to the infrastructure of the roadways being completed.

The other piece that I want to address is after reviewing a lot of the comments made associated with other people that have testified, David McDonald had submitted to you guys quite a laundry list of letters in the past requesting quite a bit of information, and in that letter that he submitted to you he had stated that anybody could use his letter as their testimony and I request the same information and I would like that to be known for myself that any information as in regards to the answers that you've provided Mr. McDonald I would like to see how you responded. I think a lot of his questions were very poignant and I think everybody has a right to understand how the County responded, that should be made public.

The other pieces that couldn't help but when I look through the staff report put together that the term reasonably funded kept coming up. I think that's a huge gray area in Development Agreements, I see it all the time, and the guaranteed dollars is really I think we're worried about. I think to be able to get to a place where you're releasing urban holding on specific parcels is putting them at an advantage ahead of time, it's premature.

So I'm here tonight and I've taken the time out of my day, unfortunately there's many of my neighbors that already had to leave that were going to be here to testify and I'd like to proxy for them that feel the same way that I do, but unfortunately they had to leave because this has

gone on so long so I'm willing to answer any questions.

But I look forward to seeing information from you regarding what was submitted by David Johnson and I'm just kind of bummed to be completely honest to see how this has transpired the fact that you guys decided to rule on the Hinton development without taking any comments on this Wollam one knowing that they're interlinked.

Yeah, it's just, it saddens me that the more times that I have to come here, the more I realize how screwed up the system really is and people are always jockeying to be first in line as opposed to doing the right thing. So I would appreciate that you guys consider doing the right thing. Thanks for your time.

BARCA: Discussion about the County answers to David McDonald's letter, Mr. Meuler wants to know how he's going to be able to see the responses.

ORJIAKO: I will let our legal counsel answer that question. I believe that's some of Mr. McDonald's questions were directed to the four or some of one or two of the land use attorneys representing the applicant, one to Randy Printz and I don't know whether Mr. McDonald submitted letters or questions to attorney Jamie Howsley, so if we get those, we will share that or put it on our website under comments.

COOK: Right. Public comments do go on the website, do they not?

ORJIAKO: Yes.

COOK: And what website is that, is that the Council website or the Planning website?

ORJIAKO: The Planning website I can say that it goes to our website and all the comments and response also goes to the Council for their review before they make their decisions. I don't think the Council post comments on the grid.

COOK: The County of course is not responsible for any documents produced by Mr. Printz or Mr. Howsley or anyone who is not public.

MEULER: So the information that he submitted tonight is and the answers that you guys had in response to his is not open for public consumption?

COOK: Anything that is in the public is open for public consumption, but if there's correspondence between Mr. Printz and Mr. McDonald --

MEULER: No. No. No. No. I'm not talking between Mr. Printz and Mr. McDonald.

COOK: Well, a lot of his questions were directed to --

MEULER: I'm not talking about his testimony, excuse me.

HOLLEY: I can only take one at a time.

MEULER: I'm not talking about his testimony, Mr. Printz and Mr. McDonald's intercourse tonight, I'm talking about the letters, the multiple letters that Mr. McDonald had submitted to Oliver, I don't know how to pronounce your last name, I apologize.

ORJIAKO: That's fine.

MEULER: But there's multiple letters that are public testimony that are on the website, letters that I can go pull and submit that have questions and I want to know what the County's answers are to those questions because that is public information.

COOK: Okay. I am not here to argue. To the extent that there are public documents they are available to the public.

MEULER: And what I'm telling you is that there's letters that were written that have yet to be, we have not received answers to those questions that should be public.

COOK: Perhaps public answers have not been written in response to those.

MEULER: Then how are they supposed to make a ruling if none -- okay. It's a waste of time. Yeah, no worries.

BARCA: Mr. Meuler, where we're at at the moment is if questions have been posed and they have not come back with a written response, the opportunity at County Council to ask that same question to see if an answer is available is still open. Any correspondence between the proponents to rebut Mr. McDonald's questions if they get submitted into the record, then they will be posted and available.

MEULER: And that's all I'm asking for because I know that they were submitted to you which is the public and they have not been responded to, that's all I'm asking for.

BARCA: And at this point in time that remains the case.

ORJIAKO: Be assured I will review Mr. McDonald's letter to me. If there are questions that are directed to me, I will provide a response. If his questions is directed to the land use attorneys representing the property owners, the land use attorneys will have to answer that, not the County, but I will review his letter. If the questions are directed to Planning

Department or the Director, I will provide a response.

MEULER: That's what I would expect since you know that there's letters have been submitted to you with questions related to this.

ORJIAKO: And sometimes, sir, that letter has been, is to the Council care of me. So read the letter, if it is to the Planning Commission care of me, that will have to go to the Planning Commission. If it is to the Council care of me, that will have to be forwarded on to the Council, that is how we --

MEULER: I agree. And I'm just saying that it was it had gone to somebody of the public, it didn't go to Mr. Printz and so I would like to see the answers to those questions because it should be of public record, that's all I'm saying.

BARCA: Okay. Thank you. Curt Meuler.

COOK: Can I say one more thing?

BARCA: All right. Just wait. Just one moment. Okay.

COOK: There is a process by the way to seek public records if you believe that they exist and if you go on the County website and look for public records you can find it.

BARCA: Next up is Jon Watt, it appears that he has left. After that we have Chris Sobel.

PUBLIC: He left.

BARCA: And that concludes the sign-up sheet. So anybody else that would like to come forward. Oh, yes, you just come right up to the microphone, state --

JONDAHL: W-i-n-t-o-n, J-o-n-d-a-h-l. I just wanted to clarify a comment my wife made. My understanding is is you can release this property from urban holding if you have funding in place within six years; is that correct?

BARCA: Yeah.

JONDAHL: Of the \$66 million you have for this project, there is no money allowed for this parcel here, the work stops at Delfel and there's nothing from Delfel to 179th and there's nothing on 11th, so we're sitting, from my understanding there is no public funding for this one?

HERMEN: So the five projects that are necessary to remove urban holding, the terminus from

the western perimeter is Delfel Road. Step 2 of this is to add projects onto the capital facilities plan in order to make those improvements for the entire area.

Some of those projects came from the 2014 capital facilities plan and were taken off due to a change in concurrency. One of those projects, 179th from 11th Avenue to Delfel Road is part of the Step 2.

BARCA: So it's a proposal but it's not in the capital facilities plan in the six-year window at this moment in time?

HERMEN: Correct.

ORJIAKO: That's correct. And when I said we are going to be updating our capital facilities plan and maybe adjusting our TIF rate for the Mount Vista, that is the Step 2 that will come to the Planning Commission sometime in February or March.

BARCA: Is there anybody else who would like to come forward?

HOWSLEY: Good evening, Commissioners. Again, for the record, Jamie Howsley, attorney for Mr. Wollam. Again, I want to sort of clarify I think how development occurs first of all because that's how a lot of the infrastructure gets extended to properties for development.

As Mr. Hermen and Mr. Orjiako just explained, Step 2 of this process is going to include a capital facilities amendment to include 179th from 11th to Delfel, but regardless of that, when Mr. Wollam submits a development application, he will be required to do the frontage of his property not only along 179th but on N.W. 11th as well, and I'm sure the Planning Commission has heard many, many times before about the cases of Nolan and Dolan, about rough proportionality and nexus and what can be legally required of projects when they go through development and that's how infrastructure gets built in this country.

As it relates to the sewer, which I think there was some discussion in the last hearing, but Dr. Orjiako again explained that Mr. Henderson from the Regional Wastewater District came and said that they're -- they had the ability to serve these properties, it's been identified in their plan. Again, sewer, water and other public services gets extended at the cost of the developer, sometimes the intervening properties will hook up on that and pay latecomers, that's not unfamiliar to us in the development world, that's how infrastructure occurs.

There was a comment related to sort of the overall planning of the area and wouldn't it be nice to have large acreage lots, that's not how the Growth Management Act works in the State of Washington. As the Commission is well aware, that's the framework we have for land use planning.

There is technically legally no bright line test for what is a minimum parcel size in the rural area, but it's suggested that it's five acres. And so if you're not above five acres, then you're either going to be urban or not, unless you're in sort of a pre-existing nonconforming situation or in a rural center what we call them in our county. If the public has an issue with the Growth Management Act, I would strongly suggest that they take that up with their state representatives.

Finally, as to the issue of reasonably funded, that again is a legal term of art that refers to the ability to service an area within a period of time. Again, that is what the four development partners in the county have been striving to achieve out here in this area. Again, I think we're extremely close and we will get there and we'll, once we're there, we'll be able to fulfill the vision of the County's comprehensive plan that was adopted for this area in 2007 and also fix what effectively is a de facto traffic moratorium on areas outside of urban holding because we will have the necessary transportation infrastructure to serve development.

Finally, and I've reiterated this again to the Council in the past, 179th is a very unique area in the county. I cannot think of another area of development, and I've been involved in projects in just about every corner of this county that has the type of public amenities that are surrounded kind of this area. You have the Amphitheater, the fairgrounds, the event center, you have a four-year university, you have a hospital, we have planned this area for a long time to be a major hub for economic development called the Discovery Corridor, four developers at the table have worked diligently to help the public side get to a solution to realize that vision that was adopted many, many years ago. Again, we would ask that the Planning Commission support our request and go from there unless there's any questions on this specifically.

BARCA: No questions?

HOWSLEY: Thank you.

BARCA: Just one moment. Mr. Robertson, do you still want to come forward.

ROBERTSON: Actually I'd like to wait until it's all over (inaudible).

BARCA: If you'd like to put something on the record this is your opportunity to do that, after the vote, will be after the vote. Anybody that wishes to come forward and speak on the matter at hand, please come forward.

MEULER: I've never done this before so I don't know. My name is Julie Meuler, my last name is M-e-u-l-e-r, and I have lived on 179th Street since back in 1980 and I have seen a lot of change. And I think you guys haven't understood what we have all gone through with the Amphitheater and the trouble that we still have with the Amphitheater and the roads.

And the more that he was talking about that made me decide that I needed to come up here and address that because we still can't get to our homes when there is an event. And if you're going to have 300 some more people, I don't know what you're going to do with those people because we can't even go to our homes without the police saying, I'm sorry, you can't go through here. And I say I live down there, they don't even ask for your ID and it's like, okay, here's my driver's license, I live here. I don't know.

There is a problem with 179th Street and 11th is very little. I don't see how adding more people is going to help until you guys take care of the roads. The roads have to be addressed before there is any more, and if you take the urban holding off of them and not everybody else, that's just not fair. When you say that you're going to fix the roads, then you need to fix the roads, and when you fix the roads, then lift the urban holding, that's mine. Thank you.

BARCA: Thank you. Ms. Binns, are you adding something very specific to your previous testimony?

BINNS: Yes.

BARCA: Please make it brief.

BINNS: Monica Binns, B-i-n-n-s, and the developers, the four developers working together have been applauded for their working together and agreeing and I see it as a power play and that it's way too much. They shouldn't have that kind of pull together because you're seeing the little people lose and you should not lift that urban growth boundary. It's just the infrastructure is not there. It's not there in the near future and I don't see their working together as for us, it's for them.

BARCA: Thank you. Anybody else? Mr. Binns. It was a lucky guess.

BINNS: William Binns, B-i-n-n-s. William Binns, B-i-n-n-s. I had reservations about the Hinton property with the limited infrastructure and various things that were said, this is even farther out there on limited infrastructure, the streets, the services. I see you agreeing to lift the boundary on Hinton, I think this is farther out, this is less supported and it should not be voted to lift the boundary on Wollam. Thank you.

BARCA: Thank you. Anybody else from the public? Okay. Seeing nobody else come forward, we're going to close public testimony and go right into deliberation if there are no more staff questions.

Return to Planning Commission

TORRES: I think it's important to recognize I absolutely understand what you're saying about

the infrastructure on 11th and 179th, I'm extremely familiar with that area, I worked there for many years. My hope is that with this we can trust the process.

I absolutely can't see a development being approved without infrastructure and the roads being approved there prior to that, it would never work, it would never fit, you know. The comment you made about it's part of the development, I have to trust the process that I don't foresee this development coming at any time in the near future, it's going to be years for all this to take place. That the area from the Sheriff's Office west where it turns down into one lane, that that process would require that to be built out and that infrastructure developed, the same with northbound there and south on 11th.

So I think it's important to understand that, you know, as I think about it, if I lived there I'd be feeling the same, if this happens tomorrow there's no way we're going to live like this. And I wish we could live on two and three acres with white picket fences and for me and my family and everyone but, you know, at the rate we're developing that's just not reality. So I trust that the process will work for this in the development plan and that it will be developed prior to the housing development to make it a livable situation for everyone.

SWINDELL: I'd just like to add to that, that I mean I live in Ridgefield. My family as well homesteaded there in the 1880s, we've been there, I'm fourth generation and I've seen Ridgefield as we had 900 people in the city limits and now we have 8900 and we're going to grow to a city of 25,000 and I've seen what zero development has done to the City of Ridgefield back in the '80s and the '90s when everybody just said zero development and all of our infrastructure was failing and it wasn't good.

I was on the city council, I've dealt with those issues, development and some of these Development Agreements that we've put together in Ridgefield have come to fruition now and it took seven, eight, nine years to put those things into place and to put the roundabouts in and all the streets and all the improvements.

And growing up there in that small city and knowing everybody, everybody knew who I was or I knew who everybody was and kind of that feeling and trying to keep that feeling in the City of Ridgefield is difficult and now we're out in the county where we've said, okay, what, 2007 this is where the growth is going to occur for the county but we can't do it yet because we don't have the infrastructure and now what we're trying to do for people that are moving here because they're moving here, a lot of people are moving here, is put together something that will help with - who was it that mentioned - you had mentioned that when there's an event going on you can't even get to your house.

Well, it is my hope and my belief that these infrastructure projects will help to take care of those things, that we'll be able to put in the infrastructure, the new overpass, the new off-ramp and that's with the State, but all the other things that we'll be able to do will help make that

better for everyone.

And I want to make sure that, I guess I want to make sure I'm understanding it too that these four projects in a whole that we've been talking about will ultimately lift urban holding for the entire area so everyone has the same opportunity; is that correct? I just want to make sure.

ORJIAKO: That's correct. These are the first four developers that are in. Our goal is to amend the capital facilities plan and potentially add additional projects that will lead to raising the potential traffic impact fees that will hopefully pay for other projects to be completed.

I must add that the 179th from Delfel to 50th is slated in the future as part of that update to be a four lane, that is part of the update to our CFP and putting that on our list that eventually will construct 179th from Delfel all the way to 50th as a four-lane principal or arterial in the urban area. I don't think that will extend all the way because 179th goes for the, past 50th and after that it's not yet in the urban growth boundary, but from Delfel to 50th will build to urban standard.

SWINDELL: So that's on the east side. On the west side what looks like we still have some spots in there because that's going to need to be developed, but that's in the second Phase 2 --

HERMEN: Yes.

ORJIAKO: Correct.

SWINDELL: -- once we get these reasonably funded, then we can put those into the next projects to be funded?

ORJIAKO: Correct. Or have to fund them.

SWINDELL: Okay.

BARCA: Anything to add, gentlemen?

GRIMWADE: I've said my comments on the previous one, they still apply to this one.

BARCA: All right.

JOHNSON: I just, if I may add a few things that it is a unique place, Jamie, it is and it's got a lot of beautiful, a lot of beautiful parts to it. The interchange has to be built, the funding won't be here till 2023, nothing will be built, not one house would be built prior to the interchange and the County's improvements and in this case, correct me if I'm wrong, any houses on Wollam until the Phase 2 funding for that traffic mechanism were in place, correct, so you would not be

able to remove urban holding off of Wollam and build on it until you had the traffic infrastructure in place; is that correct?

COOK: The plan is to remove urban holding when these projects are reasonably funded through a Development Agreement that shows reasonable funding within six years.

JOHNSON: But the --

PUBLIC: Reasonable funding --

JOHNSON: Please, ma'am, hold on, please, hold on, I'm trying to get some clarification here. So that extension on the west side to Wollam, that's part of Phase 2; correct?

HERMEN: Correct.

JOHNSON: So that's not in the six-year plan; correct?

HERMEN: Correct.

JOHNSON: So therefore nothing would be built on Wollam until that was reasonably funded; correct?

COOK: Well, that's different. The reasonable funding requirement is the requirement to remove urban holding. The -- oh, what am I trying to say, it's too late. The capital facilities plan update that's contemplated for the beginning of next year will have these Phase 2 --

JOHNSON: I see what you're saying.

COOK: -- projects in them.

JOHNSON: So it would be prior to anything happening because at the earliest 2023 being the interchange to follow quickly after that, so... My point is is that these things would be in place and that or funded or reasonably funded before something were built on those properties including Wollam; is that correct?

HERMEN: Reasonably funded.

JOHNSON: Yes.

HERMEN: Reasonably funded is the mechanism to remove urban holding.

JOHNSON: Correct. Okay.

SWINDELL: Now, I want to, can I just clarify for you, I want to ask a question, a follow-up question. So reasonably funded means reasonably funded within six years but that doesn't necessarily stop Wollam from moving forward with a development; right?

COOK: It would be once urban holding is lifted, then applications can be processed by the County and approved, it doesn't mean that there will be houses within a couple of months. It --

PUBLIC: Inaudible.

COOK: Excuse me.

SWINDELL: I'm trying to get clarification for everyone. So go ahead.

COOK: So applications for development could be processed by the County and those applications would require for example frontage development by the developer so and internal streets and roads and extension of other services which as Mr. Howsley explained are paid for by SDCs that the developers work with the water and sewer districts to provide.

SWINDELL: So reasonably around that development on 179th and 11th, just saying reasonably, that that would be improved at that area, but between whatever that is on the east side of Wollam to the freeway would not be, it's in the reasonably funded in that six years on those projects; correct?

HERMEN: Correct. So that section between 11th Avenue and Delfel Road is in Step 2, it's not, that project is not required to be reasonably funded for the urban holding to be removed, so it would go in the 20-year capital facilities list, it would not go in the six year which is the projects that are going to be built in the next six years.

SWINDELL: Okay. Is that clarification?

JOHNSON: One more, just mental note for the Karl fact. You know, we are all volunteers up here. I'm a school teacher. We are not a cabal that joins with four developers. We do the best we can and sometimes I understand that it's very difficult to understand process, one of them being respecting each other while we speak because we have to figure it out, we may get it right, we may get it wrong. We have our personal opinions. I live out above La Center, I clearly understand the rural nature, I understand development and how that works.

Here's the reality if you kind of look at it, we're doing the best we can. You look at 134th being developed, you look at the Ilani being developed, you look at Ridgefield Junction being developed and then you have 179th which is (inaudible) and something has to be done and

something is going to be done and we collectively have to do that, and so sometimes when people get emotional and people get angry, and Chris Cook, she's a smart lady and she keeps us straight and one of the things I want to encourage you to do is be a part of the process because we are -- all we're doing is recommending and the County Councilors make that decision and they take our decision very seriously, but in the end it's a recommendation by however many volunteers we have now.

And so if you are interested in this process, I encourage you to walk down and throw your name in the hat because Commissioner Grimwade, this is his last time, we're already missing one, and sit up here and try to make these decisions because sometimes they're very difficult and I would encourage you to be respectful of that. How did you like that?

BARCA: You sounded like dad. Yes indeed we have an opening on the Planning Commission and that was his way of actually asking you to participate. As chair today, I feel very constrained about being able to speak out on the matter including process.

I think it's horrible when we piecemeal these things when indeed it takes all four of the developers together to make the project whole or not whole. You chip away at it including the aspect of this discussion about Wollam is going to do their due diligence on what is appropriate for their apportionment of it and that will get us a sidewalk along Wollam's property on 179th and then that's all they're responsible for because that's legally the way that it is and the rest of it will have to wait, and if we put it on a 20-year plan, it will wait for some point in time where either something else develops there or we come up with some funding mechanism to get it done.

It doesn't really address the safety issues that the people brought forward and we raise safety issues to the highest level possible within our limited funding to try and address safety throughout the county. It will be watched and that's the best I can say at this moment in time, but we have raised many projects up because of safety concerns.

Mr. Howsley brought up the fact of the this being a portion of the Discovery Corridor, and this is more for the County Council than anybody, but indeed we've been talking about the Discovery Corridor since 1997 or '8 and it was supposed to be a high priority for us, it was supposed to be a jobs generator and I have a deep concern about us doing all of the rooftops for residents first and then talking about it being a jobs generating thought process.

Every intersection on an interstate is extremely valuable as far as commerce goes and we need to continue to look at how to take our very limited funding and put it towards job generation. If we're always behind the curve on funding residential development upgrades, we don't seem to have the money to do job generation the way we should or need to and I have a deep concern about us continuing to remove the urban overlay and not put the jobs component in there where it needs to be.

And I think for the people that stuck it out tonight, I think they saw more of an opaque process than we really want to present and it's not our intention. When individuals come forward and they want their opportunity that the law allows to have their development heard, they get broken up in this fashion and I did state earlier that I think it's a disservice when we have to put a group of people together that we don't hear it as a group, but legally any individual developer has the right to come forward and have theirs heard and that's why it was done the way it was done tonight.

I don't believe my opinion has changed since Hinton. I believe that what we do as volunteers is we're supposed to be looking out for the public interest as well as process and my concern right now is indeed the idea that without knowing what the Development Agreement is, who's going to be taxed for it and under what circumstances we're going to meet the gap, which under all of the things that I've read there is some gap, I'm very uncomfortable with going forward as an individual and I will be voting the same way that I did on Hinton, but I have to get a motion first.

JOHNSON: I make a **MOTION** we accept staff's recommendation for CPZ2019-00024 amendment of the comprehensive plan and zoning maps from urban holding --

BARCA: What the heck are you doing?

JOHNSON: I'm making a **motion**.

HOLLEY: Hello. Remember me.

JOHNSON: I make a **MOTION** to accept staff's recommendation to accept CPZ2019-00024 amendment of the comprehensive plan and zoning maps to remove the urban holding overlay Phase 4.

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

BARCA: Okay. It's been moved eloquently and seconded and let's do roll call.

ROLL CALL VOTE

JOHNSON: AYE

GRIMWADE: AYE

SWINDELL: AYE

TORRES: AYE

BARCA: NO

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

BARCA: And so as we close out today's business we look at the idea of this being Robin's last meeting with us; is that correct?

GRIMWADE: That's correct. I'm standing down as of tonight to take a position as a commissioner with the Columbia River Gorge Commission and reluctantly I'm not allowed to hold two commission roles at the same time.

BARCA: I understand that one pays a lot better than this so congratulations.

GRIMWADE: It's not the money, it's just more in line with my interest.

BARCA: Okay. Well, we're going to miss you, thank you for your time and effort and send us some really good stuff as you will.

GRIMWADE: We'll have different planning processes.

BARCA: We'll see. All right. We are adjourned.

ORJIAKO: And, Chair, on behalf of my staff and everyone else I want to thank Robin for his service, we also are going to miss him. Thank you.

GRIMWADE: And just for the record too I'd like to commend the work that Chris, Oliver and the team has done, I've had the opportunity to work in, with many planning departments across multiple government agencies, levels of government and have found Oliver and his staff and Chris to be extremely professional and I think they do an excellent job in balancing the very conflicting demands that often come before them and they do a really good job of setting aside personal bias and looking at what is right for the organization and the community as a whole.

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

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

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

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