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The Board convened in the Councilors' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Councilors David Madore, Jeanne E. Stewart, and Tom Mielke present.

PUBLIC HEARING: 2016 COMPREHENSIVE PLAN UPDATE

To discuss decisions related to the 2016 Comprehensive Plan Update.

Clark County is updating its comprehensive plan to meet the 2016 Growth Management Act deadline. As part of the update process, the county is required to analyze the impacts of growth alternatives through the SEPA process. The county re-adopted the environmental impact statement (EIS) prepared for the 2007 update and prepared a draft supplemental EIS (DSEIS) to analyze four (4) potential growth options for the 2016-2035 time horizon.

The Board and the Planning Commission held a joint public hearing on the DSEIS on September 3 and 10. On September 17, the Planning Commission decided on a preferred alternative to recommend to the Board. On October 20, the Board held a hearing on the Planning Commission recommendation. The Board elected to continue that hearing to November 24 and to expand the scope as follows:

The Board will consider and may take action on a broad range of options and revisions related to the comprehensive plan and related documents including revisions to the planning assumptions, VBLM methodology, population projections, urban/rural split ratio, corrections to the SEIS, revised maps, documents to be included or excluded from the comprehensive plan, and the definition of a preferred alternative.

Revised maps of Alternative-4 and additional documents relating to planning assumptions and population projections have been posted on the county website under the October 20 Public Hearing entry of the Grid at <http://clark.wa.gov/thegrid/>

The Board will take public testimony on all of these considerations before making decisions on these matters, adopting a preferred alternative and associated zoning maps, and authorizing a final SEIS to be prepared consistent with those decisions.

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MADORE: Please take a seat so we can restart our meeting.

Okay. Welcome back to the November 24, 2015, Board of Clark County Councilors hearing. We are continuing our meeting. We've just finished up one hearing and we're moving into the comprehensive plan update meeting for 2016. With that, we have staff that have prepared, worked very hard for this, and, Oliver, it's appropriate for you to be able to lead on this. Okay.

ORJIAKO: Yes, sir. Good afternoon, Councilors, and Mr. Chair. My name is Oliver Orjiako with Clark County Planning Director, and with me you have Gordy Euler who is the Program Manager and then Chris Cook, Prosecuting Attorney advising us on the growth management planning effort, and I have Jose Alvarez as well. We're all here to help answer questions. I will make a very brief remark and then turn it over to Gordy Euler who will go over the recommendations of the Planning Commission.

So what is before the Board. The Board continued the October 20th, 2015, public hearing on the recommendation of the Planning Commission to today. The Board, you had a joint hearing with the

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Planning Commission on September 3rd and also on the 10th. After your joint hearing, the Planning Commission, after a lengthy deliberation on September 17th, forwarded their recommendation of a preferred plan based on the four options that was studied in what is known as the Draft SEIS, Draft Supplemental Environmental Impact Statement. The recommendation of the Planning Commission is where staff will start and Gordy Euler will go over that. After his presentation, staff suggests that the Board take action on the recommendation of the Planning Commission before any other action.

So without further comment from me, I will turn it over to Gordy to go over the recommendation of the Planning Commission. And as I indicated, we'll be here to answer questions that you may have.

MADORE: Thank you.

EULER: Ready to go? Good morning, Councilors, and welcome everybody who came out this morning.

As Oliver said, this is the continued hearing on the preferred alternative for the Supplemental EIS for the 2016 Clark County Comprehensive Plan Update. So we've got some slides just to kind of bring everybody up to speed where we're at. Here's our agenda for this morning, at least as far as the staff presentation. Again, this is a continued hearing from October 20th and was noticed

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as such. And so we're going to talk about the Planning Commission recommendation, and a second item that's on the agenda are proposed planning assumptions and revised Alternative 4 maps.

So next slide. You've seen this slide many times before. We always include it. Not much has changed on here from the last time, but if you see the arrows, downward pointing blue arrows that say IN PROCESS, we're up under PLAN DEVELOPMENT there, Public Review & Comment, SEPA Analysis & Public Review, that's the phase that we're in now.

The next slide. We are in the SEPA process. SEPA stands for the State Environmental Policy Act. We are required as the County to analyze any alternatives that are developed with regard to the comprehensive plan update, and that's the purpose of SEPA is a separate State statute from the Growth Management Act, which is essentially our guiding statute for growth management and, hence, the comprehensive plan update.

Here's a brief review of the process. The Board early on - this was back in 2000- late in 2013 and in 2014 - picks a number of population from a range we're given by the State, a jobs target and gives us a number of planning assumptions and we apply what's called a vacant buildable lands model. That's VBLM. There certainly will be no shortage of acronyms for those of you who like

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that sort of thing. I'll try to explain them as we run through them so you're not wondering what we're talking about.

With regard then to the environmental review, we do a determination. Again, this was required by SEPA. Is the action that you're going to take - in this case it's a non-action, non-project action, we're not actually building anything - is it likely to have some kind of environmental significance? And generally when you do a comprehensive plan update, you're adding land to an urban growth area, so you're saying that land that you're urbanizing has some consequences in terms of impervious surface or impacts to wildlife or trees or groundwater or whatever it might be. So once you make the determination, you develop a set of alternatives. We've done that. And I'll review the sort of the timeline with regard to this process in the next slide. You prepare a draft environmental review. You select a preferred alternative.

Again, that's the purpose of today's hearing. We're at that point in the process. You prepare a final environmental review, and then that information is taken to the last stop in the process before adoption is we say, all right, these are our land use options for 2016. Because of the Growth Management Act provision of concurrency, we have to prepare a capital facilities plan that says, all right, you want to grow in this fashion, this much in

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this fashion, how do you propose to pay for the growth that's going to happen in the next 20 years? So that's kind of an overview of the environmental review process.

In terms of what we've actually done, here's kind of a Supplemental EIS chronology. We go clear back to July of last year. We put out a notice of scoping, and essentially, if you recall in 2007 - for those of you that were here - we had a rather large boundary expansion. We added 12,000 acres to the urban growth areas of Clark County around the cities. That's about 19-square miles. And we did a Full Environmental Impact Statement that documented the impacts of that amount, that level of urbanization.

And since then, of course, we had the great recession. Using again the vacant buildable lands model and the assumptions the Board gave us, we looked around and we said, you know, most of that land is still there because of the recession. It hasn't been developed. And so this time around, we said we're going to just adopt a supplemental statement. We'll adopt the 2007 EIS which has already documented the impacts of developing that land and we'll add a supplemental statement, keep the cost down. And because we've already documented what's going to happen in terms of that 12,000 acres, some other court challenges and some things have happened, we actually shrunk the boundary, so about 1500 acres of that went out and was left as agriculture.

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So in terms of a supplemental statement, we're not even required to do a scoping notice, but because we like to do public involvement, we believe that's important. The Growth Management Act requirement is early and continuous public involvement. We held scoping meetings and put out a notice that said we're going to adopt the 2007 EIS because it's still relevant today. So we had scoping meetings in August. Again, these are all 2014 dates.

On October 27th, there were three alternatives agreed to by the Board. We had two open houses after that to let you all in on what the alternatives were. In January, the Board decided that they want to add a fourth alternative, so they asked us to pause the process and we had a fourth alternative developed. We had two more open houses. If you remember those, they were at Hockinson and Ridgefield high schools. On April the 14th, the Board approved four alternatives for study and we went off then, sent those off to a consultant and said analyze these.

The draft supplemental was issued on August 5th. As Oliver said, the Board held hearings, joint hearings with the Planning Commission September 3rd and September 10th. The Planning Commission deliberated, made their recommendation on September the 17th, and we scheduled a hearing with the Board to talk about the preferred alternative on October 20th, and it's that hearing that

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was continued until today, November the 24th.

So since that time, the Board and the Planning Commission held a joint work session that was in this room. It was a Monday afternoon. It was November the 9th. There were two public meetings held, again at Hockinson and Ridgefield high schools on November 16th and 17th. I think that was just last week, wasn't it? Yeah. The Planning Commission held a hearing on the 19th which was last Thursday, again, for them to consider the new planning assumptions which you'll hear about, more about this morning. They again made a recommendation which has been forwarded to the Board, and November 24th brings us to today. So specifically with regard to our SEPA process, this is kind of a chronology in a nutshell.

So next slide. You want us to just work through these? Are we going to take votes on these? Okay. Very good. This is Alternative 1. In the Draft Supplemental EIS, we call it the No Action Alternative. It's kind of a misnomer because basically that means you keep the plan that you have today, and the Planning Commission recommendation here was to approve as a starting point. It was a 6 to 0 vote. We have to adopt something that covers the urban area, because in the next 20 years, we need to know what the plan is going to be going forward. So even though this is the No Action Alternative, what we're doing is we're saying for the next



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20 years, we're starting with what we have today. So again, this was the Planning Commission voted unanimously.

Next slide. Moving to Alternative 2. Alternative 2 is a number of what have been titled County Initiated Alternatives. These are things that we thought that would enhance the comprehensive plan, make it easier to read, make it clearer to understand. And the first of -- there's several of these, one of which is to combine the three comprehensive plan designations for rural lands into a single comprehensive plan designation.

Another County Initiated Alternative was to change the minimum parcel size for agriculturally zoned land from 20 acres to 10 acres. The same for forest lands that are zoned 40 acres, change the minimum parcel size to 20 acres. We did a rural preference census back in November of 2013 - was that 2013? - and where we've polled owners of agriculture and forest property and asked them if they'd be would prefer to stay with their current parcel size or get a smaller parcel size, so these two recommendations came out of that census.

Rural centers. The idea is here again is basically a technical change to combine the two rural commercial zones that we have into a single comp plan designation. For urban lands, the proposal is to combine the three commercial zones into a single comprehensive

plan designation. So right now each, we treat them as a single designation, but in the comprehensive plan, we need to make that change to be consistent with current practice.

Another County Initiated Alternative is to create a public facility zone. There's a lot of things, like County buildings, State buildings, ambulance, dispatch facilities, fire stations, government buildings, cemeteries that are actually -- schools that are actually public buildings but have the zoning could be whatever the underlying zoning is, and so we thought we've got a parks and open space comprehensive plan designation, but there's no corresponding zone. So again, something else that we thought to do.

Urban holding is the next one. We want to make urban holding a true overlay zone. Right now there's an urban holding zoning zone, if you will, in the County code. Nothing would change here except that when the land is urban holding is something that's applied inside urban growth areas and what we want to do is say urban holding is a true overlay and the zoning that is underneath is what will actually apply. We give land that's brought in for residential, commercial or industrial that underlying zoning. So this is a technical change. Land uses won't change. We're going to move the urban holding part of the code, County code, into an overlay section of the code rather than in the zoning part.

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The next several here, there are changes to the Battle Ground urban growth area. This says change comp plan and zoning designations to better reflect surrounding uses. This is the proposal. We can come back and spend more time on these.

Ridgefield UGA, this is to add the Tri-Mountain Golf Course to Ridgefield's UGA.

For the Vancouver UGA, there are several things. One is to remove reference to the Three Creeks Special Planning Area. There are two subarea plans that have been prepared and have been sitting in Draft 1 for the Discovery - Fairgrounds area, the other for the Salmon Creek Subarea. We'd like to get those approved and on the ground.

Also in the Vancouver urban growth area, change some parcels that have a mixed use comprehensive plan designation to a designation that actually matches what's on the ground. Also to Vancouver UGA, remove urban reserve adjacent to the Vancouver urban growth area and replace it, in a couple of cases, replace it with R-5 and AG-20 zoning, so here's a map, so...

And remove urban holding, again this is areas -- these are areas now inside urban growth areas, in the Fisher Swale area between

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Vancouver and Camas, these areas are already developed or are already proposed to be developed. So in the Washougal urban growth area, correct mapping error. There's parcels that have that are in the urban growth area which are under County jurisdictions, these parcels have City zoning. So again, this is just a map correction. That's pretty much it for Alternative 2.

Alternative 3 in the EIS. We've worked with our City partners as we have all along and given the vacant buildable lands model, we said - we, the County - we're not proposing to move the boundary, you know. We have enough lands to accommodate planned population growth and plan jobs, but we went to our City partners and said is there anything that you'd like to do? What would you like to do?

And so we've got -- there's five proposals here. Battle Ground wants to add an 80-acre parcel up here where the cursor is for jobs. La Center wants to add two parcels. One is for a school site up on the north side, and the second is 56 acres that's now designated for ag for jobs which is down along La Center Road.

Ridgefield, next slide, wants to add, is proposed to add 111 acres now designated as ag for residential. And the last one on the right-hand side there, Washougal wants to add 41 acres now designated for R-5 for residential. So those were the City

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requests. And for the purposes of the supplemental impact statement, we treated those as an alternative, so...

Also in the draft supplemental, we'll go to Alternative 4. Alternative 4 affects Rural lands, that's rural with a capital R, agricultural lands and forest lands, which is most of the land that's in the rural small r areas of Clark County. So under the rural lands, again, it's originally proposed in the draft, the rural lands, the proposal is to eliminate the R-10 and R-20 zones and to create R-1 and R-2 and a half zones, and the numbers there refer to the minimum parcel size in acres, the R-5 zone which would be maintained.

For the agricultural lands map, it's the one on the right, again a little hard to see, the original proposal was to eliminate AG-20 and to create an AG-5 and AG-10 zones. So 20 acres would go away. We'd create a 5-acre minimum and a 10-acre minimum.

And for forest lands, we would add to the existing FR-40 and FR-80 zones, that's what we have currently, we would add an FR - that's Forest Resource - 10 and Forest Resource 20 zones, and in order to know specifically how these would apply to any particular piece of property, you need to consult the maps.

So that's pretty much it for the Planning Commission

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recommendation. The Planning Commission recommendation was voted on originally September 17th, and the Planning Commission was asked again to take a look at this as well as new planning assumptions proposed at their hearing on November 19th, and they voted again to stick with their original September 17th recommendation. So I think that's it for the staff report.

Here's the steps that we have left to complete the environmental process, just so everybody's aware, we have to complete the environmental process. We have to get to a preferred alternative. The next step then is the capital facilities plan. And then the last two steps, there are the local adoption process. That will be hearings with the Planning Commission and hearings with the Board of County Councilors. And that concludes the staff presentation. Happy to answer any questions.

MADORE: Okay.

MIELKE: Mr. Chair.

MADORE: Yes, sir.

MIELKE: I do have one. I notice that you still have trouble drawing the line on the east side of the freeway at the La Center Interchange, the urban growth boundary is the frontage road on the

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east side of that interchange?

MADORE: That has been updated; right, Oliver?

MIELKE: Well, on the picture here, you show it's still the same.

ORJIAKO: It's not the same. I think we have tried to make sure that the 56 acres and the parcel is on the east side of the I-5 corridor. So if you can pull that up so we can show that clearly, but it doesn't go over to the west side, Councilor Mielke, it doesn't. You can see it here clearly. If you can enlarge that, you can see that that is on the east side and fronting the -- I'm not sure what street is that. Barbara, can you read that?

EULER: Paradise Point.

ORJIAKO: Paradise. Okay, Paradise Point. So it's on the east side, Councilor.

MIELKE: Well, what's the dotted line going across the freeway there then going south?

COOK: That is the urban growth area and it is on the western side of the right-of-way.

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MIELKE: Yeah. It's supposed to be on the frontage road on the east side. I talked to Oliver about this no less than four times.

ORJIAKO: Councilor, the current urban growth boundary is what is approved. The request that the City is making has nothing to do with the current urban growth boundary to the west. The line that Jose can ensure you, Councilor, on that, that is an approved urban growth boundary for the City of La Center.

ALVAREZ: Actually, it's the existing city limits.

ORJIAKO: Yes.

MIELKE: The existing city limits?

ALVAREZ: Correct.

COOK: Yeah, they're contiguous.

MIELKE: It's not the urban growth boundary?

ORJIAKO: It is their urban growth boundary that they annexed, so it's now city limits.

MIELKE: Okay. I've talked to you many, many times about it and



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you've always referred to the urban growth boundary should be along the frontage road. At one time the argument was, well, it goes across to the other side of the road, and you said the road was I-5. I said, no, the road is the frontage road, the Paradise Park Road on the south.

ORJIAKO: And that's what is represented on the darker shaded area of the property shown on your slide. Their request did not go over to the west side. It follows Paradise Point and that's the correction that staff made.

ALVAREZ: I think previously this area was included and we removed that, but this is already existing as part of the City's boundary.

MIELKE: Okay.

MADORE: So that's adequate?

MIELKE: Never heard it explained before that way.

MADORE: Okay. And I think what the concern was is that the original shaded area went across to the west side of that and that's been pulled back?

ORJIAKO: That's correct.

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MADORE: Okay. Councilor.

STEWART: I too have a couple of specific questions. If we look at Alternative 3.e, it is one of the local jurisdiction requests, this one is for Washougal, they were requesting to add 41 acres now designated R-5 for residential. So I'm interested in what the discussion was at the Planning Commission that they -- that that motion failed. That is a parcel that came in, a request that came in quite late in the process.

ORJIAKO: That's correct, Councilor. At the Planning Commission hearing, there were no representative from the City of Washougal to speak on that. I think the concern of the Planning Commission is the shape of the property, that there are other areas that the City would have considered. And that if you look at the shape of this property, you can see the piece that was left out. They had quite some discussion on that that they would have liked to see the property to the south may be considered like this one sticking out the way that it was sticking. So that was really some of their discussion in terms of orderly development, if you will.

There's someone here from Washougal that can speak to their request, if you'd like them to provide you input, but that was primarily some of the discussion of the Planning Commission and

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in their deliberation.

STEWART: And we may hear that in the public testimony or testimony from jurisdictions.

ORJIAKO: That's correct.

STEWART: In Alternative 4.c, I have a similar question. The forest lands add FR-10 and FR-20 to existing FR-40 and FR-80. Let me see if I understand what that means. Does that mean we would have four separate designations for forest?

ORJIAKO: That's correct.

STEWART: And the Planning Commission by a fairly -- by a majority disagreed with adding the smaller parcel sizes to forest?

ORJIAKO: That's correct.

STEWART: At one point or another, we've heard people who have forest lands indicating that if you have forest, that resource land, it's very difficult because of how long it takes for timber to actually grow to have viability for really small parcels. And I know that over the course of months and months, that's been testimony that we've had, and maybe that will be an issue that we

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can follow up on.

ORJIAKO: Sure.

STEWART: Thank you.

ORJIAKO: You're welcome.

MADORE: Any other questions from staff or from Councilors? Okay.

We have got other documents that have been posted on The Grid regarding this hearing as well. There's a Resolution there that proposes to select Exhibits A and B. There are the maps. And there is a Preferred Draft Proposal for a Preferred Alternative and Comp Plan Policies. I assume that each of these have been made available to the public; is that right, Oliver?

ORJIAKO: Yes, it is part of the copies that is available for the public to pick up.

MADORE: Okay. Very good.

ORJIAKO: And it's also on The Grid.

MADORE: Okay. Just for clarification here, because we got

multiple documents, we ought to make sure we understand which is which.

The original Planning Commission recommendations, the second the preferred alternative and comp plan policies is a BOCC draft version being proposed in place of the original. So, I assume, Oliver, that even through this process multiple times before that you can keep us out of trouble here and make sure that we have the ability to get this process right, and that I assume that if we address planning assumptions, that that would be the -- we have the freedom to be able to integrate the original planning recommendations into this hearing and we have the freedom to be able to select the appropriate sequence that would be available to address these one-by-one; is that correct?

ORJIAKO: That's correct. What we might do is pull up the Planning Commission recommendation, and I think there is a version that has BOCC column on it --

MADORE: Yes.

ORJIAKO: -- and we will do that first and then the Board may begin to look at the proposed planning assumptions and alternative, their revised Alternative 4. So this is the version that as you vote, we can mark it up, and when you're done with this, then we can go

into the other things that were legally advertised, the proposed planning assumptions and the revised map, the Board can take action on that as well. That will be an add-on to the action that you take on the recommendation of the Planning Commission.

MADORE: Sure. And we have two ways to do that. One, we can go one-by-one-by-one, vote on individual ones. Do we also have the freedom to be able to look at the package as a proposal where there's already a proposed draft recommendation, that is the second document, the document, the last document there? Can you pull it up?

ORJIAKO: Yeah, we can pull it up.

STEWART: And what is the source of that document?

MADORE: That source is from me. In fact, let me -- I also added, I'll call it, a disclaimer to -- let me just read that just to make sure that we understand. We don't have a foregone conclusion. What we have is a proposal that serves as a preliminary starting point. And the Board may change our decision or our preference as we hear public testimony and we deliberate and nothing is decided until we actually deliberate here and select a preferred alternative and select specified policies.

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I put that up there for two reasons: one is to maximize transparency and to have open government so to equip citizens with as many potential specifics as possible to better scrutinize and to equip them with, so they're in a better position to offer counterpoints. Citizen testimony is not an election or a straw poll that determines the Board's decision.

There have been so many meetings and open houses and so many citizens that have weighed in on this process that by the time we get here, it's not an election. Each one of us, we don't know what we don't know, and what I'm listening for in particular are compelling arguments, not the number of arguments. And we welcome your input and we encourage each citizen to offer testimony that may potentially make Clark County's comp plan update better. So with that, Oliver, should we take a look at each of the documents and then welcome public testimony? What do you recommend?

ORJIAKO: Councilor, that's going to be your call. There's another version that is also posted on The Grid that was posted yesterday, so if that's where the Board wants to start, we'll pull that up. I provided the version that is blank. As you vote, we mark it up. So your call. We'll pull that up.

Jose, pull the version that was posted on The Grid.

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MADORE: Why don't we do this. Why don't we -- they're posted in, if you go back there for a moment there, Jose, to The Grid, just take a look at the documents listed. Okay. That's pretty small print. So what we have is a Resolution proposed and that Resolution would propose Exhibits A and B. So if we can pull up Exhibit A. That is essentially the document that has been presented to the open houses. And the Exhibit B has to do with arguments for or compelling reasons for the selecting the preferred alternative, though the real plan that's in contrast to just staying with what we have. In addition, there are maps there posted on The Grid for each of the R, AG and FR zones.

And then the last document is a preferred alternative and comp plans document, policy document, where it integrates both the recommendations from the Planning Commission, at least those choices, it shows each of how they voted there in that third column and proposes a draft and they represent my starting point, and that just speaks for one Councilor, not for three. We need to be able to make sure that what we end up with here is adopted or selected by the Board.

So those are the documents. Would this be an appropriate time, Oliver, to open public testimony?

STEWART: Mr. Chair.



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MADORE: Yes, ma'am.

STEWART: I'm needing to know which documents were created by you or others and which documents were created by the planning staff. So when we look at Exhibit A, Planning Assumption Choices, is this your document?

MADORE: Yes, ma'am.

STEWART: Okay. And Exhibit B, Rural Comparison of the 2004-2024 and the Proposed 2016-2035, is that also one of yours?

MADORE: Yes, ma'am.

STEWART: Okay. And this document that says Preferred Alternative and Comp Plan Policy and suggests which should be accepted in the right-hand column, that is your document?

MADORE: Yes, ma'am.

STEWART: Okay. Are there any other -- the Resolution, is this your Resolution?

MADORE: Working forward, yes.

STEWART: So that, I need to know that so that I understand.

Well, I have another question. So has staff reviewed these proposals and been able to comment on these back to the other Councilors? I think these are recent, well, November 18th, so has staff done that?

ORJIAKO: Councilors, there are multiple questions there. We haven't -- I will say that the first document provided to staff to verify and provide comment was dated, I believe, 11 3rd, and my staff may correct me if I'm wrong, 11 3rd 2015, which staff met with GIS manager and staff with the PA's Office and provided response to that, and that version had staff redline on them.

That version also went to the Planning Commission because it's my responsibility to update them on the comp plan update in terms of where we are. We had a work session scheduled for the PC on the 5th, if I'm not mistaken, on the rural industrial land bank, and we finally added, knowing that this is coming, we added that to the agenda, and unfortunately, I wasn't there and Gordy and Jose made the presentation to them and I believe Councilor Madore attended that work session. So that's the version that staff provided responses to and I believe that was e-mailed to all the three Councilors.

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Since then, there have been other versions of the proposed changes to the planning assumptions and the revised map, if you will. The version dated 11/15/2015 was what staff, following your joint work session with the PC, was directed to take out to the public. So anything after that, we have not been asked to provide comment on. So I hope that answers your question.

STEWART: It does, because Mr. Madore may be offering some ideas about where he thinks the comp plan should be expanded or changed or approved in his view, and so I want to be respectful of that.

At the same time, it's important to me to understand what all of the staff work has been done because I place a high value on that as well, but you can understand it's important for me to know which documents are from which source, so that's what I'm trying to get a grasp on and I believe I have that now. So thank you.

ORJIAKO: You're welcome. And again, if I may add, we took the proposed planning assumptions and the revised map and did our best working with GIS staff to prepare a staff report that went to the Planning Commission for their hearing on November 19th, and that staff report is presented in your packet. And the Planning Commission, upon taking testimony and staff report, also voted on a 5 to 1 and the Planning Commission's recommendation is also in

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your packet, that is as I indicated the Tab 1 in your packet.

If you read the first recommendation on a 5 to 1 vote, they recommended not to accept the new planning assumptions and to go back to their previous recommendation. That's why in my opening remark I indicated that the Board need to start with the recommendation of the Planning Commission and then thereafter anything else you want to add, you are free to do so.

STEWART: Thank you. And based on the fact that we've been getting documents for almost two years on growth management, if there is a way that you can identify which page, which section of the book we're working out of the books that we have so that we can page and keep track of where we are, I'd appreciate that.

ORJIAKO: Okay.

STEWART: Thank you.

ORJIAKO: You're welcome.

MIELKE: I got a question. I think, Oliver, that you were asked where was the staff report, but I think you referred to the PC report, the PC vote of 5 to 1; is that correct?

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ORJIAKO: Yes, but that is also a long answer to the question that which of these are staff comments or prepared by staff and that is in response to the question. It's a long response. So, yes, in Tab 1 in your packet is the staff, what will be the Planning Commission recommendation to the Board, a second recommendation to the Board, and that's based on the staff report to the Planning Commission for their hearing on November 19th.

MIELKE: Yeah, I understand that.

ORJIAKO: Yes.

MIELKE: So the information that you provided to PC and PC did their vote?

ORJIAKO: Yes.

MIELKE: Staff didn't take the vote?

ORJIAKO: That's correct.

MIELKE: Thank you.

MADORE: Okay. I'd like to open it up for public comment. We have Michael Langsdorf. You're welcome to come address us. Each

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person has three minutes.

LANGSDORF: My name is Mike Langsdorf. My address is 3923 Wauna Vista Drive.

I had Chris Horne's job in 19 -- up until 1964 when we were coming up with the first amendment which was the FX amendment which said that anything but industrial land could be in FX. In 1970 -- in 1994, you adopted a comp plan. There's a lot of people that had land that was correctly zoned in 1974 on in 5-acre parcels, and when your predecessors adopted the '94 plan, your staff all of a sudden said, huh-uh, you have to come get a legal lot designation before you can sell your land and we're going to put another tax on you of over \$800 per lot to get your land which was previously zoned correctly in 5-acre parcels before you could sell it through a realtor to a developer.

I find a lot of questions with that because as an example, my wife and I and our children bought land in 1990 which was already surveyed into 5-acre parcels as well as a lot of other land in this county that was in 5-acre parcels, and when that '94 went into effect, all of a sudden the staff says, oh, you don't have a legal lot anymore.

And I think that you're going to have a lot of other people come

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in to you and say we had 5-acre parcels prior to 1994, which all of a sudden with that comp plan, are no longer legal lots and they're going to have to go through another tax, like paying the planning staff 800-plus dollars to have a lot designated, although the builder coming in only has to pay 500 to determine this legal lot. And I think that needs to be looked at pretty carefully because the title company does all the work, the surveying company does the work or the engineering firm does the work to show that there was an original plat, platted lot, prior to the '94 modification.

And with whatever changes you make, there's going to be a lot of those people coming forward who had legal lots beforehand who now, all of a sudden, have to go through the staff's process of paying an additional \$860 to get your lot determined valid.

For whatever it's worth, I was at one time the chairman, I mean, the attorney for the Planning Commission, the attorney for the County Commissioners. I've been in this process since 1971 as well as being chairman of the Vancouver Planning Commission for five years and chairman of the Regional Planning for three years. It's a problem. These people have been paying taxes and they deserve not to be assessed an additional tax by the staff. Thank you.

MADORE: Thank you very much.

Carolyn Crain.

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CRAIN: Good afternoon. Carolyn Crain, for the record.

I wanted to stop one more time with regard to this process. This time I'd like to share a thought with you.

In 1466 with the case of the Thorns, tort cases became the new norm. Since then, millions and millions and millions and millions of people have been in court suing somebody over some harm or perceived harm. In the 1700s when this country was being formed, eminent domain laws and property rights were exploding in Europe. I guess what I'm telling you is this has been going on for, like, 600-plus years, longer than this country's been around.

The numbers with regards to population, we are not saying this we're in the 1400s, I don't think, and so for us to continue the process and twist it around and spend thousands of dollars in labor and not just make a decision and move forward that honors the personal property rights as well as makes reasonable sense for infrastructure planning and the expenses of the public dollar, tax dollars, is kind of silly. We need to just make a decision and we need to get on with it and quit dragging all of this out and quit costing all the taxpayer's a ton of money.

I would like to ask you to really truly consider, I like parts of 4, I like parts of 3. I really want those cities to get the land



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development that they need to have because they're going to grow. And if you really want to keep some level of rural rural, you might want to give those cities what they need in order to grow and be a little less concerned about did we do right by those people living around that city. Frankly, they'll still, as long as they live there, have their land.

The thought you might want to go into though with regards to forest land, 10 acres, when I'm looking at the alternatives that you're offering for the reductions that 1 and 2 and a half acres for your rural coding, your ag coding, you're getting too small. You're breaking it up too small, and I'm going to ask you not to get that carried away. Somewhere in the middle there is seriously a better balance. And I'm going to ask you to protect the property rights of the landowners but to protect the future of where we need to go when we go there and we do grow. It's what people do. I want you to stop and think about that for a second please, but make a choice. Thanks.

MADORE: Thank you.

We have elected officials signed up, so we're going to go ahead and run through that list.

MIELKE: Elected or --

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MADORE: Say again? Or staff. Pete Capell, and then Mitch Kneipp will follow. Hi, Pete.

CAPELL: Good afternoon, Councilors. Pete Capell, 616 NE 4th Avenue, Camas, Washington 98607. I'm here on behalf of the mayor and council to read a letter into the record.

The City of Camas has been working in good faith to update its comprehensive plan by the required adoption date of June 2016. Together with our partner cities and the county, the City began this update process in 2013. As we have collectively moved forward through this effort, the City of Camas has expended a considerable amount of work and expense to conduct a robust and transparent public involvement campaign predicated on the assumptions that were mutually agreed upon in June 2014. While the City respects the desire to explore and vet additional information throughout the update, we equally value consistency and predictability of process.

The City of Camas has provided consistent feedback to the Board of Councilors regarding concerns with Alternative 4, not only for its delay in the comprehensive plan update process, but also for its potential impacts to the community long-term, should it be accepted and later implemented. The City of Camas is confident in its planning work done to date and are tracking toward adoption

of our plan by the mandated date of June 30th, 2016.

Changing the planning assumptions will have a considerable impact on the timeliness of the process, decrease the trust in the process, increase costs associated with the delay and delay the City of Camas' ability to meet its obligations for concurrent adoption of an updated comprehensive plan. The City of Camas has consistently supported Alternative 3 to be used as the preferred alternative along with most other cities, and we reaffirm this position through this letter.

The City requests that the County maintain the current assumptions that were adopted in 2014 and to select Alternative 3 as the preferred alternative. We appreciate your time and consideration in this matter. Respectively, Scott Higgins, Mayor. And I'm happy to answer any questions you might have.

MADORE: Okay. Thank you. Any questions?

MIELKE: No.

MADORE: Okay. Thank you very much.

CAPELL: Thank you.

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MADORE: Mitch Kneipp.

KNEIPP: Thank you, Councilors. For the record, my name is Mitch Kneipp. I am the Community Involvement Director with the City of Washougal.

I wasn't going to testify today. I was just going to let what we've submitted in the record already, but I'd like to echo what Camas has said and I'm sure what our other city partners will say, but we do prefer Alternative 3.

I wanted to come up and specifically respond to Councilor Stewart's question regarding the 41 acres outside of Washougal. As you'll recall early on, the City of Washougal, we did not request any boundary expansions. We are of the direction of our council was, no, we were going to keep our boundary the way it was. There was a small window that opened up from staff to other cities, and during that time period, we had a specific property owner request that came in at that time and which was for the 41 acres. And unfortunately, I had a previous commitment and I wasn't at the Planning Commission hearing. You know, I'm not sure I could have persuaded them to think differently about the proposal, but it really was just a property owner request.

We didn't want to look at taking any more land outside of what was

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specifically requested on behalf of that property owner, and that is really -- and we still would like that, for that property owner, that very specific property owner request to come in, which I believe is not in the Planning Commission's recommendation, but is still in front of you.

STEWART: Thank you.

MADORE: Okay. Thank you very much.

KNEIPP: Thank you.

MADORE: And as we go through these individuals, I would say that if you want to be able to, my colleagues, if you want to be able to ask any questions, go ahead and speak right up.

Greg Thornton, and he'll be -- oh, no, he says a no. Okay. Sam Crummett. Is there a Sam here? Okay. And then Lee Wells.

CRUMMETT: Good afternoon, Councilors. My name is Sam Crummett. I'm with the City of Battle Ground. My last name is spelled C-r-u-m-m-e-t-t. Address is 109 SW 1st Street, Battle Ground, Washington. I have a letter that's been submitted into the record that I'll highlight a few points.

The City of Battle Ground would like to take this opportunity to express some concerns regarding the proposed changes to the planning assumptions that have been discussed at the October 20th, 2016, Board hearing and at the November 9th, 2016, work session. The City feels that this new proposal would jeopardize the process and methodology that the County has established for this comprehensive plan update, and we feel the proposed assumptions could threaten the County's ability to adopt a legally defensible comprehensive plan within the deadline of June 30th, 2016. This, in turn, could potentially threaten the City's comprehensive plan update if it is not in line with the County plan. I'll highlight a few points of concern.

If the Board changes the adopted planning assumptions, does this still meet the Growth Management Act update requirement and update requirements and public process? The Board adopted a public participation plan that does not include altering already adopted planning assumptions.

The second point is, do these proposed changes still fall within the Supplemental Environmental Impact Statement? We have yet to hear from the County attorneys regarding this matter.

Number 3, what methodology was used to generate the proposed alternative assumptions? The City is not clear how these proposed

numbers were generated and has not been provided with a logic of how they were reached.

From our understanding, County staff is unsure of how these assumptions came to fruition as well. It appears that the proposed assumption is being increased and distributed only within the rural areas. The focus of GMA is to plan growth in urban areas and not promote sprawl. This appears to counter GMA goals.

The City is in favor of the Planning Commission's Alternative 3 recommendation, that would include the 80-acre expansion on the west side of our city. Thank you.

MADORE: Thank you.

Lee Wells.

WELLS: I had to change my notes. Good morning or good afternoon, County Councilors. My name is Lee Wells, for the record, mayor pro tem, City of Ridgefield, but I'm here personally to urge you to pass your Planning Commission's recommendation plus Ridgefield's 110-acre request.

The reason that that 110-acre request is there, we approached that -- out of the city, we approached the landowner for his consent to have us included in our comp plan update. If you use common

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sense, which I realize all of you have, I'm sure, that long-term ag significance I question. This 110 acres I can personally tell you, I've farmed it for 30 years, so I'm also a farmer besides wearing many hats in the community, but the individual that owns it is in his 80s, mid 80s, and his heirs, when it's passed on, do you think that they'll settle for \$4,000 a year income off that 110 acres? And it's all split into 5-acre parcels. They're legal lots of record.

The environmental community has researched the legal lot portion of it and concurs that they are legal. So this 110-acre parcel is on our northern boundary, and if he should happen to pass, then we will be have an iron curtain drawn up on our northern boundary and it will develop into mini-mansions or martini farms, and that's not smart growth. The City of Ridgefield years ago under the direction of mayor -- can't think of his name now. I lost it. It's a senior moment.

ORJIAKO: Travis.

WELLS: Huh?

ORJIAKO: Travis.

WELLS: No, before that. I'll get it in a minute.



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Anyway, there was a lot of R-80 acre parcels and 40-acre parcels and the City of Ridgefield requested a large urban growth boundary and the boundary review board even gave Ridgefield more area to protect our community for down the road, and this is 20 years later and we're starting to see in fruition of that protection and getting responsible growth.

MADORE: Okay. Thank you, sir.

WELLS: Any questions?

MADORE: No, sir. Thank you.

WELLS: Okay. Thank you.

MADORE: Okay.

WELLS: Again, I was going to just say, I urge that you take the Planning Commission recommendation.

MADORE: Thank you.

Ron Barca. He's not here. Oh, he's coming. Okay. And Annie Jordan will follow.

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BARCA: Thanks. Ron Barca, B-a-r-c-a.

STEWART: Mr. Barca, could you pull the microphone. Thank you.

MADORE: As each one does come forward, we do have a verbatim minutes taker here that would appreciate if you were to spell your last name or if you have a funny - not funny - or an uncommon spelling for your first name.

MIELKE: He spelled it right.

MADORE: I'm sure.

BARCA: A few years of practice.

MADORE: Yes.

BARCA: Councilors, thank you for this opportunity. Normally I don't come before the Councilors. We've made our peace as a Clark County Planning Commissioner. I am not representing the Planning Commission at this moment. I am here as a person who has gone through the debate and listened and want to discuss personal decisions and what I think we should be concerned about.

But for the record, I believe it's important to know that this

preferred document where it says Preferred Alternative and Comp Plan Policy, this does not represent the Planning Commission's decision on the modified Alternative 4, only the original Alternative 4, okay, for the record. So good governance requires planning and I think that should really be your preliminary starting point. The Alternative 4 you're reviewing no longer is the same as the Planning Commission reviewed.

The adjustments in the rural area really fly in the face of conservative thought process. If a business was to radically change their business model, they would run a risk assessment and that's what the Planning Commission did for you was they ran a risk assessment. And I think the record is pretty clear about our perceived risks that the County would be facing should they choose to go forward.

The rural element in its existence right now has survived many challenges and it's been forged in the courts. We believe that whatever there is in the context of adjustments can certainly be made as such, as adjustments, and the concerns about property rights for those people who have retained their land prior to 1994 and chose not to divide prior to the comp plan, the Planning Commission the first time we deliberated, we made many suggestions about how we could move that process forward. We submitted that to you humbly and with the advice that Alternative 1 keeps us on

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the track for the idea of this being a supplemental plan.

So you have a safe plan, and if you feel compelled to address those assumptions, you really need to open up all the assumptions and scrap the idea that we're dealing with a supplemental, because at that point in time, it's my opinion that we are not and we're judging ourselves by the risks that we have already had going to court, failing, winning, public expense is from the entire community.

MADORE: Okay. Mr. Barca, your time is up.

BARCA: Thank you very much.

MADORE: Thank you, sir.

Annie Jordan.

JORDAN: Okay. Councilors, I am here mainly because I am disappointed and I am appalled by this comprehensive plan process. And the reason I'm appalled by it is because at the last minute, Mr. Madore can submit something new that the public hasn't seen, that the Planning Commission has not reviewed.

Every other county I have followed goes through a correct process. It is rather arrogant of you, Mr. Madore, to do planning work when you're not a planner. And it seems like this planning you're doing

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on Alternative 4 is for a special interest group, and I resent that highly because Clark County belongs to the people. And you have subjugated the Planning Department, you have subjugated the process and you should be ashamed of yourself.

Whatever you propose, if it's Alternative 4, you're going to get sued by the growth management committee. It's very -- it's insane to do what you're trying to do. And your comp plan changes or the comp plan changes that we've seen are dependent on your assumptions, Mr. Madore, who is not even in the Planning Department. You're an elected official. You're not supposed to be planning. You're not supposed to come up with documents at the last minute that the public has not seen, and you should be ashamed of yourself. And you've subjugated Clark County as well by going with the special interest group, and I hope we get you out of here as fast as we can.

MADORE: Thank you.

Dianne Kocer followed by Deborah Larner.

MIELKE: People keep referring to accurate numbers. I thought maybe a real brief explanation would save (inaudible).

KOCER: I'm Dianne Kocer, K-o-c-e-r, Brush Prairie.

Time doesn't really allow for even a partial examination of the

flawed process that I regret that the Council has followed, so I am going to just give summarize my comments just in a few brief comments.

The Planning Department, the Planning Commission, the cities all endorse Alternatives 1 to 3. Your rejection of those three alternatives would indicate that you are substituting your wisdom, your knowledge for all of those with the knowledge and wisdom that is represented by those bodies. I think that would be unwise of you.

From the recommended plan of Alternative 4, there's a really glaring change that jumps out to me and that is the reduction in forest land. The forest land, if you look at, if the rest of you look at the chart for -- or the map for Alternative 4, the forest land that exists there is about half or maybe even less of the existing forest land.

Forest land, as most people know, and contiguous forest land, not little 5-acre plots here and there, wildlife has to have a contiguous large expanse of land in order to survive properly. If we want to maintain wildlife habitat, then we have to maintain an active healthy forest. It also is a benefit to humans in a sense that it cleans the air, which is an extremely important aspect of life here and as the students who just won a court case found out,

is actually a responsibility that government has to maintain the environment for the future.

One member of the Council stands to personally benefit from the adoption of Alternative 4. A judge in the system in this situation would recuse himself. I suggest that that might be appropriate in this case as well. If this Council proceeds to do what it appears to be set on doing, as the use of the word preferred would indicate, then I think Mr. Barca's comment needs to be taken seriously. I'm a rural resident, could benefit by Alternative 4, but my personal benefit is not what's important here. What is important is the welfare of the whole versus the greed of a few. Thank you.

MADORE: Before you go, ma'am, you mentioned that one of the City Councilor's has a stance to personally benefit and that should be recused. Can you elaborate on that, please.

KOCER: I don't -- I can. This Councilor has a large piece of land that is unable to be divided at this point and this person would like to be able to do that for the benefit of family, and I understand that. I do understand that. But it is -- we can't continue to make exceptions for individuals versus the whole. We have to think of the benefit of everybody.

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I do believe as it was mentioned earlier that people who had property prior to 1994, some consideration needs to be given to that. So I do agree with that and I do understand the dilemma.

MADORE: I'm not familiar with which Councilor you're speaking of or which piece of property you're speaking of.

KOCER: It doesn't really matter whether you know who that is. It's the person who's involved does know, so that's what's important.

MADORE: All right. Is that all you want to share?

KOCER: That is all I want to share. Thank you.

MADORE: All right. Thank you.

MIELKE: I would think I wouldn't own land I didn't know about, so...

MADORE: The next person.

LARNER: Good afternoon. My name is Deborah Larner, L-a-r-n-e-r. I have some facts to relay to all of you regarding this land use planning debate which is really about the property rights of people



who own many acres of land but have been prevented from selling portions of it by our former leftist Clark County Commissioners for 20 years. Some of you may already know the facts that I'm about to relay, but in that case, they can serve as a reminder.

We are not running out of farmland or land for any other purpose. Urban and rural residential land use areas take up less than 3 percent of the total land area in the United States. In the Pacific region of the United States, there's a total of 203.8 million acres with urban and rural areas taking up 7.2 million acres of land or 3.6 percent. The source for this information is United States Department of Agriculture, Economic Research Services most recent report, major uses of land in the United States 2007. This is the only accounting of all major uses of public and private land in all 50 states and it is published at roughly five years intervals.

Revenue streams are already in place to pay for the added infrastructure that new homes need. Washington State has an excise tax on the transfer of ownership of real estate property that has to be paid by the home seller. The State of Washington collects 1.28 percent of the purchase price as of 2011, but local jurisdictions are authorized to collect additional funds from real estate sales under the Growth Management Act, according to the Municipal Research and Services Center of Washington. Proceeds from the excise tax are deposited into Public Works and city/county

assistance accounts by the State Treasurer according to the Revised Code of Washington.

There are also impact fees charged to people who build homes on property that has never had a home on it before. My husband and I had to pay approximately \$8,000 in impact fees when we built our home last year. And what about the property taxes that we homeowners pay faithfully every year that covers schools, roads and several other common expenses?

The rights of property owners come first, and people who can't sell part of their property that they own and pay taxes on every year don't have them. This is a gross miscarriage of justice that Councilor Madore is proposing now be corrected. Councilor Madore deserves our deepest respect and the heartiest congratulations. Please vote this morning to restore, this afternoon -- excuse me -- to restore property rights to those citizens of Clark County who have been denied them for 20 years. In my opinion, there is no good argument for voting otherwise. Thank you.

MADORE: Okay. Thank you very much.

Joe Levesque followed and then Jamie Howsley will follow next.

MIELKE: Joe Levesque, he's gone. Oh, there he is.

MADORE: You're up, Mr. Levesque.

LEVESQUE: Oh, I get to go first. This guy's an attorney. I've had 22 of those guys.

We're talking about the comprehensive plan here. One thing we're not talking about is liberty and freedom. I go back to when I was a kid. I come from a town that was inhabited by all kinds of immigrant people, French, Canadians, Irish, Polish, Russians, Lithuanians, the whole cross-section of humanity was there. The lots where we lived is about a half-acre. If my mother didn't have that half acre, we couldn't have lived because she grew vegetables. She had a garden. We raised 300 chickens there. I know because I used to call it clean the chicken coops. And when I went to school, I used to have stuff under my shoes. They used to call me chicken you know what, that started a fight.

Anyhow, this growth management stuff, you guys are a slave to the state. It shouldn't be that way. The cities and the counties and the state, I mean, and the counties, the cities should be independent. You people know the problems better than the State does. You're treating these guys like they're Gods, but instead of In God We Trust, we trust those guys more than we trust God.

I saw this growth management stuff started years ago. 171 acres,

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I had it all tied up in escrow, 171 one-acre lots, beautiful estates, nice deal, nice project. During a public meeting like this, some guy didn't even live on the property, he says he thought that he saw a footprint of a mountain lion on that property, and some guy -- and he belonged to the Sierra Club. The Sierra Club has done more damage to this country than any organization I know. I know I'm a minority when I say that, but I don't care. I've seen it happen.

Anyhow, three years later, that job was held up for three years, I lost it because I only had a short-term escrow. Three years later, somebody else built those houses. They've been collecting income and revenue from those buildings for years and they still are, that in addition to all the other stuff that I used to do.

There's revenue. There's liberty. There's all kinds of good stuff here. I'm in favor of a comprehensive forward in case you want to know. Thank you.

MADORE: Thank you, sir.

Jamie Howsley.

HOWSLEY: Good afternoon, Councilors. For the record, Jamie Howsley, 1499 SE Tech Center Place, Suite 380, here on behalf of Milt Brown. First of all, I'd like to thank staff, the Planning

Commission and the Councilors for getting us to this point this far in this arduous process.

We would respectfully ask that the Board support the request of the City of Ridgefield for the inclusion of Mr. Brown's parcels into the preferred alternative. As your staff is well aware, we have submitted a very comprehensive site-specific request addressing all of the GMA goals and all of the other requisite laws, case law or otherwise, specifically supporting this parcels inclusion. We worked hand-in-hand with the City of Ridgefield, and I believe that Council Member Wells, who was up here earlier, stated that very eloquently and we wish that the Board here affirms the City's position in relationship to these parcels.

We would like to remind the Board that we will stand resolute in our ability to defend this parcel to the Growth Management Hearings Board and beyond and we believe that we've established the record to do so. So with that, if there's no question, I will yield.

MADORE: I have a question. We have similar requests from some of the other cities that de-designate ag and this is one of those --

HOWSLEY: Yes.

MADORE: -- and one of the conditions that we or I'm suggesting

on there is in the approval, if we say yes that that particular jurisdiction would defend that decision and it wouldn't require Clark County to defend that UGA expansion in place of the jurisdiction.

HOWSLEY: So, Councilor, just traditionally how the ag appeals have gone historically here in the county is the County would get a lot of them and they don't get to focus a ton of time on each specific request, and that has usually been the purview of each specific city as well as the representatives of the property owners. We come in with the more detailed information and detailed record as to those requests. And, again, we will stand resolute to do that.

MADORE: In other words, you're good with that?

HOWSLEY: We are good with that.

MADORE: All right. Good.

HOWSLEY: Thank you.

MADORE: Thank you much.

Alina McElveny and Alice Chandler.

CHANDLER: I'm Alice Chandler and this is concerning Parcel 205384 east of Hockinson. Could you bring that up on the map, on the board. And it's also regarding all the other parcels on the Ahola 160-acre homestead that was homesteaded in 1896. We would like to express our gratitude for all of your efforts in updating the growth management plan.

Clark County is making what we believe are necessary changes in the growth management plan of '94. We firmly believe Alternative 4 for rural and forest zoning is a change in the right direction for the affected landowners of Clark County.

My two sisters and I are owners in common of Tax Parcel 205384 which is 49 acres east of Hockinson. An inequitable 40-acre minimum zoning was applied through the growth management plan to our family section of homesteaded land which has been handed down from our forefathers and consists mostly of timber growing property. The Alternative 4 forest maps would designate our property as a 10-acre minimum zoning if it's accepted. This zoning is inconsistent with the surrounding neighborhoods which are more commonly sectioned in 2.5 and 5-acre minimums, which we believe is more appropriate for organic growth and rural community development. We simply want that which is congruent with our neighboring properties and we are willing to be taxed accordingly.

My two sisters and I inherited 49 acres in common from our mother whom originally desired us to pass it on to our future generations as they did to us. The current proposal of zoning changes would place an unnecessary burden on our children and grandchildren who one day would have to -- would have the responsibility of managing this land in ways in which we hope will provide them the opportunity to live and flourish here as our family has for generations. It is not realistic to expect them to manage the property with any measure of expected responsibility if they are required to do so in common.

We are again requesting our family and other families like ours receive the same zoning options that are congruent with the neighborhoods that surround us. The growth management zoning of '94 overlaid a 40-acre minimum on all our sibling lots which were divided in the 1970s and the '80s and they were 10- or 11-acre lots.

MADORE: Thank you, ma'am.

CHANDLER: Alina, you want to continue here.

McELVENY: The remaining 49 and a half acres of our parents land was still being lived on and managed by our mother at that time. The only reason my mother didn't divide the property years earlier is that she used it for income and could not have perceived that



GMA changes would deprive her of her original intent to pass the land to future generations, her seven children.

75 percent of our neighbors on former large farms north, west, south of our homestead properties and former timberland east along Bonanza Road to the east were long ago subdivided to 2.5 and 5-acre lots and some 7 and a couple really large ones.

Ease of management and tax clarity. In one of your work sessions, a County official said it's perfectly legal and good to separate acreages into smaller parcels for tax purposes so family members would receive and pay their own individual bills. This is just a part of managing smaller lots or timber acreage.

We want to divide our inheritance as our mother stipulated and that's dividing amongst us three girls who have the last of the inheritance. It is inconceivable for a single lot of 8.91 acres which is to go to my sister to be prohibited from building simply because it does not and cannot meet the 10-acre minimum requirement, though, it is the property of a single owner and surrounded by parcels of smaller acreage where building was allowed.

We appreciate the value of green space. We live in a green tunnel. I mean, we are in total shade. All around us is beautiful green

keeping the air clean and we would continue that. A good and beautiful side effect is birds and wildlife, deer, bear, they're all on our land. If you walk the perimeter of 160-acre homestead and look into the surrounding 2.5 and 5-acre parcels, you will see trees, gardens, orchards which preserves the rural character we cherish while providing suitable land for sustainable homeownership.

Our grandfather homesteaded in 1896 and family still owns that property and we manage it the best we can. Currently there are many family members still living on the 160 acres with lots varying from 5- to 22-acre parcels. My father's family members were all raised here as well as my six siblings, our children, many cousins and me. Those of us still living here are mostly retired and we wish we could divide the land in 5-acre pieces.

CHANDLER: So that our children can help out with managing the land. 5 acres, 10 acres, it's impossible to take care of with one home on it. We want them to have the opportunity to have a 5 or 10 acre, a 5-acre piece of property, if possible.

MADORE: Okay. Thank you. Can you each spell your name.

CHANDLER: Alice Chandler, C-h-a-n-d-l-e-r.

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McELVENY: McElveny, M-c-E-l-v-e-n-y.

MADORE: Alina.

McELVENY: Alina.

MADORE: Thank you very much.

CHANDLER: Thank you very much.

MADORE: Terrance McCann, and then City of Vancouver. I can't read, Sandra Tours or something like that.

MCCANN: Terrance McCann, M-c-C-a-n-n. A little bit of full disclosure here. Our family owns property in north Clark County. When we purchased it over 30 years ago, it only had one structure, an outhouse. The first time I tried to use it, I encountered devil's club growing up through the seat. I decided to pass tackling that thorny issue.

Today I decided not to pass on another thorny issue: the comprehensive growth management plan. When the purpose of land use planning is to prevent urban sprawl and the accompanying expense that is passed on to all taxpayers in the county, I believe that's why County staff did not come up with a plan like Alternative

4. Maybe they understood the process and the reason. Power and money can make a Councilor do strange things. Maybe we should post that on the back of a wall so the Councilors can see it while the public is looking at In God We Trust, quite a contrast. I urge you not to select Alternative 4. Thank you.

MADORE: Thank you.

Your name, ma'am.

TOWNE: Good afternoon, Councilors. I am Sandra Towne, City Planning Manager, City of Vancouver Planning Manager. 415 West 6th Street, Vancouver.

The City has consistently given our testimony either through letters and/or verbally through the entire process. The City of Vancouver urges the County to stop ignoring the findings of its own studies, review bodies and staff and the testimony of local land use attorneys and subject experts on all sides of the issues. Continued flawed adjustments to an already determined flawed alternative merely delays the process. How can the County plan to adopt a June 2016 SEPA in time so that everything can be resolved?

The Draft Supplemental Environmental Impact Statement found that Alternatives 2 and 4 would require significant infrastructure at a prohibitive cost and would significantly change rural character.

The Planning Commission on solid ground twice rejected Alternatives 2 and 4. The Planning Commission, County staff, other city staff and public testimony has rejected the recently proposed rural assumptions as they are not supported by rural development data, yet another round of new arguments was posted this weekend just days before the hearing.

These new arguments reflect a misunderstanding of land use law and practice claiming that Alternative 4 is somehow validated or authorized by the 2007 County plan and it does this by ignoring these following facts: The fact that the 2007 plan assumed a certain level of rural growth and did not include any rezones or other land use actions to facilitate rural growth. Alternative 4 increases zoning densities on thousands of lots. The fact that the 2007 plan rural growth assumption was not appealed, so this issue has not been legally reviewed or approved in any way, the fact that nine years have passed since 2007 and the new growth facilitated by Alternative 4 would be in addition to the rural growth that occurred since 2007.

The City of Vancouver acknowledges and supports a dynamic rural area. We would support Alternative 3 and the process it has already gone through but cannot support a proposed upzone of a historically large magnitude or impacts identified by the County's own studies, review bodies and staff recommendations are ignored.

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Vancouver also cannot support a process which jeopardizes compliance with GMA deadlines --

MADORE: Ma'am, your time is up.

TOWNE: -- for completion of work. Thank you very much.

MADORE: Greta Holmstead and then Ron Edwards.

HOLMSTROM: Thank you, Councilors. I'm here today to talk to you about a specific property in Felida.

As you know, as part of the comprehensive plan update process, applicant-driven requests for comprehensive plan changes have been suspended until 2017, and we have an issue of an importance in Felida that is of concern that we would like you to consider adopting as part of these comprehensive plan changes.

In 2008, there was a comprehensive plan change for a piece of property at the intersection of NW 119th Street and NW 36th Avenue. This changed that property to a mixed use classification and resulted in a high quality mixed use development that is currently under construction. It's brought commercial amenities to the neighborhood that is largely underserved by commercial development and has created a community gathering space. It's resulted in

infrastructure improvements, including significant improvements along 36th Avenue and also along the northern side of 119th Street. 36th Avenue serves as a bike corridor for a large portion of Clark County, and 119th Street is a local street that provides for pedestrian activity and bicycling.

The mixed use development at that intersection has resulted in a lot of increased activity. There's an increased need for parking because of tenant improvements that have gone in. I've provided you with a packet that includes an article from the Vancouver Business Journal recently published, Mt. Tabor Brewing is moving into that facility and there is a great demand for parking.

So we're here today to ask that the parcel to the south be reclassified for commercial development. This would serve as a catalyst for increased parking and safety improvements at that intersection. The neighborhood has been very supportive of this request. As part of that, we would be submitting a boundary line adjustment so it would be, if you're looking at the map, it's the narrow panhandle part of the lot you're looking at as well as the one to the west of it, so we'd be doing a boundary line adjustment to isolate that parcel. This is in accordance with your comprehensive plan goals and policies that look to facilitate economic development and also to provide safety improvements for the neighborhood. So we would like to ask that you incorporate

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this change into the comprehensive plan.

MADORE: Thank you. Sir.

EDWARDS: My name is Ron Edwards. I'm a resident of Felida. I'm the developer of the Felida Village project that got rezoned to mixed use quite a few years ago.

One of the errors I made in that redevelopment was applying the parking ratio, the minimum parking ratio to the development that was allowed by code, and for the uses of that we're getting interest in for development, parking is the primary concern of the businesses that, you know, that they actually have a place to bring people to. Acquiring the property across the street and actually getting the participation of the corner property owner David Gano --

HOLLEY: Who?

EDWARDS: Gano, G-a-n-o, owns the parcel at the southwest corner of Lakeshore and NW 119th Street. So he's participating in this request, and if it does get added and rezoned to commercial, we would consider parking first.

But one of the things that's occurring at that intersection is that



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southwest corner of Lakeshore and 119th Street is undeveloped. It's a sunken piece of property. The half-street improvement on NW 119th Street will never be done by that property owner, and if Clark County takes it on, who knows when that might happen.

So my proposal includes the widening of NW 119th Street, the improvement of the ADA intersection and one more building, but parking to serve both Felida Village and the new parcel. So I'm asking that you consider the request to add it into the plan.

MADORE: Okay. The parcel as it's outlined in red, the boundary line adjustment is to move that line to turn it into a full rectangle; correct?

EDWARDS: That's correct. The Gano property is outlined in red. He would quitclaim that, that parcel that's being identified right now, and we would include it with the house to the west.

MADORE: Okay.

EDWARDS: That's correct.

MADORE: And it's currently zoned what now?

EDWARDS: Residential.

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MADORE: Both of them?

EDWARDS: Yes. And the completed parcel, if it's accepted, would be right at one acre.

Now, one of the other things that's going on there is the property to the west, which is currently permitted and expires in 2000- -- or in December of this year, is owned by a resident who has four lots approved, and that intersection to the west of 119th Street, and I'm not sure what that street is, it's supposed to be widened as part of the short-platting process for those four lots and that's not going to be done either. I was attempting to do that at the same time, but that would improve NW 119th Street the full length of the road, so we would improve it and it still would need to be improved to the west. So it's a very narrow dangerous pedestrian pathway right now. And also the you can see that it's misaligned going east to west on NW 119th Street. That alignment would be improved as well at our cost saving the County money.

MIELKE: And the zoning you requested is what?

EDWARDS: Commercial.

MIELKE: Straight commercial?

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EDWARDS: Commercial, yeah. And the building we would propose to be put on there would be a high quality restaurant with four studio apartments above it just in matching the concept with Felida Village with a really nice outdoor patio.

STEWART: Was this request submitted to our Planning Department?

EDWARDS: My request came -- I first approached Jose quite a while back and he informed me that because of the postponement of the comprehensive plan that no applications would be taken for the rezone request. And we submitted a package and it got rejected to be included in the comprehensive plan because you guys were too far in, because the Planning Commission was too far into the process and it was suggested that we approach you directly.

MADORE: Okay. I have a question for Oliver, our Planning Director. The hold that we've placed on individual requests has been just for this year. It does not apply for after we submit our plan to the State, correct, we can open up that door again?

ORJIAKO: Yes, you will reopen, I believe, in 2017 cycle.

MADORE: Is there anything that prohibits us in electing to open that up in 2016, at some appropriate time in 2016?

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ORJIAKO: Because you would have taken action in that year, 2016, you're supposed to take action on an annual cycle, so you will be opening it up in as early as January of 2017.

MADORE: In other words, we don't have the legal option to open it up for requests during 2016.

ORJIAKO: Yes. You're required to do it once a year, yes.

MADORE: Maximum?

ORJIAKO: Yes.

MADORE: Okay. Thank you.

STEWART: So I want to make sure that I understand that question and the answer. So does this mean that because we won't be completing the comp plan until 2016, that we will not have any regular annual review for the year 2016?

ORJIAKO: That is correct. Because you're completing the 2016 update in June, we don't have the luxury as we used to have at the end of the year.

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STEWART: I see. So but typically when we're not in the process of a comp plan, citizens or businesses or property owners can bring forward a request on an annual basis for some kinds of modifications?

ORJIAKO: That is correct.

STEWART: Thank you.

MADORE: And I want to make sure that our Prosecuting Attorney, Chris Cook, that you weigh in on this as well because there are no absolutes. Is this Board or is the 2016 Board prohibited by law from accepting -- from doing for annual review at all for 2016? Are we just simply allowed only to submit a comp plan update and nothing more?

COOK: Yes. Thank you, Councilor. I believe that Mr. Orjiako accurately stated the law in that regard.

MADORE: Okay. When it comes to a request like this, for instance, that is asking for an individual parcel, in this case possibly two parcels, if there's going to be a boundary line adjustment, to be entered into this process, is this appropriate? Do we have that freedom?

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ORJIAKO: Councilor, my response will be that this request was not studied and as well as some, don't know how many other, site-specific requests that were not studied in the Draft Supplemental Environmental Impact Statement.

If you recall, staff did have a conversation with the Board on what to do with the site-specific requests, and I don't think the Board gave us any direction on what to do with that, so we've been advising property owners that we will take that up during the next cycle.

MADORE: Okay. Thank you.

EDWARDS: Can I have a follow-up question, please?

MADORE: Yes, sir.

EDWARDS: That being said, if this isn't approved and we go back into the regular cycle, what date would the first date that we could submit be?

ORJIAKO: We will start - again, I wish by State statute we have the luxury to go to January or to December and have the effective date be in January - but to answer your question, we will begin I believe -- Jose, help me when?

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ALVAREZ: Pre-app's next September.

ORJIAKO: Pre-app will be in next September, fall of, yeah, 2017,  
in fall.

ALLEN: 2016.

ORJIAKO: 2016?

COOK: Fall of 2016.

ORJIAKO: Fall of 2016. Excuse me, fall of 2016. This is by code  
and that's why I want to make sure that I get it right. Jose is  
my Project Manager on annual reviews. So it will be fall of 2016  
we will start the process, and we will then, hopefully, by early  
January, we will be coming before the Planning Commission and the  
Board to get it done.

MADORE: Okay. So in summary, the door opens for applications  
fall of 2016, for action potentially to be taken January, the first  
part of 2017?

ORJIAKO: That's correct.

MADORE: Thank you.

ORJIAKO: We'll be on a different cycle because of our adoption in the midyear of 2016.

MADORE: Okay. All right. Any other questions?

MIELKE: Yeah, I'm a little confused. I didn't know that we weren't able to rezone anything in Clark County because we're going through a comp plan update. So do I understand right that we can't rezone anything in Clark County because of the comp plan, or am I misunderstanding what's said?

ORJIAKO: The Board, I don't know the exact date, but you did adopt a Resolution suspending the annual review, which is the process that County undertakes to, or once a year, and this is by statute, that once every year, we allow for opportunity for individual site-specific requests to be processed as well as dockets during once-a-year cycle. Because we are undertaking a countywide review of the comp plan, we asked the Board to suspend the annual review process while we undertake this periodic review and reopen the process again.

The criteria for reviewing site-specific requests is a little bit different from the overall periodic review. It doesn't mean that the County cannot rezone property during this process. After all,



that's what is being proposed in some of these alternative, but it's a question of site-specific requests is the issue.

MIELKE: Right. And that's where I was going, Oliver. So what we're saying is that there's more than one way to ask for a zone change. One way has been shut off for a year; the other way is a little bit more expensive?

ORJIAKO: Yes. But, Councilor, remember that the once a year only relates to requests that requires both plan amendment and a zone change.

MIELKE: Right. Right.

ORJIAKO: If a zone change is consistent with the comp plan, the property owners go straight to the hearing examiner and there is no suspension of that. Folks can still go to the hearing examiner to get a zone change, but a zone change that is not consistent with the comp plan will require the once-a-year process.

MIELKE: Got it.

MADORE: Okay. Thank you very much.

EDWARDS: Thank you.

ALLEN: I just wanted to say something. The Felida Neighborhood Association Board was very much supportive of the mixed use development that Mr. Edwards had done with the Felida Village. It is a place to go to. It is very attractive. It's making that intersection a much better, safer pedestrian as well as bicycle and motorist intersection. And with his proposal to take it across the street, the adjacent, I don't know if there's any way to, quote, unquote, expand the CUP boundary or whatever, but that would make that particular intersection as he's proposing to improve it much safer for the kids and the ADA and all of the other users of that particular area as well as the commercial area just up north of that area.

So the Felida Neighborhood Association is very much in favor of this particular proposal and we are looking forward to it when you can and will do this particular amendment because it is a public safety issue out there as we speak.

MADORE: Okay. Thank you very much.

Carol Levanen and followed by Susan Rasmussen will follow.

LEVANEN: Carol Levanen for Clark County Citizens United.

The GMA discusses the inappropriate conversion of rural land into

urban sprawl, with urban meaning urban sized lots and services and sprawl meaning irregular distribution of urban type development. To prevent sprawl, the GMA states what is rural and what should and should not be allowed in rural areas. It defines and discusses allowances at RCW 36.70A.030 Definitions and in other passages of the GMA. Given the parameters of the GMA regarding rural and urban services, what is generally accepted and considered to be urban versus rural in a technical sense?

The Natural Resource and Conservation Service, NRCS, Department of Defense and United States Postal Service use a formula of 1,000 persons per square mile as a definition of rural. The 1980, amended 1988 Clark County comprehensive plan defines rural as having 50 to 1,000 persons per square mile. All have various definitions of rural resource and rural development within their policy documents, but one thing they have in common is a statistical definition of rural, which is the basis for their policies.

The formulas are used for financial aid, grants and economic assistance. Conversion of one square mile to square acres equals 640-square acres. Dividing the square acres by 999 equals .64 acres or a little over one-half acre. Multiplying that number by 2.66 persons per household proposed by the Draft SEIS equals 1.7 acres. Therefore, State and Federal agencies recognize rural areas as having approximately a one-half acre parcel. Clark

County recognize their rural areas the same way from 1980 to 1994.

Using the current proposed household numbers, the County should consider 1.7 acres as being rural and not urban if urban services are not being provided. The Growth Management Act, RCW 36.70A.011, Findings - Rural Lands, discusses rural lands and rural character as important to Washington State's economy. RCW 36.70A.030 Definitions discusses resource lands and rural lands, what they are and what they must be. There is a great deal of documentation in Clark County's archives and public records supporting statistical definitions of rural with a small parcel similar to 1.7 acres.

Alternative 4 recognizes existing development patterns and historical rural character. It also accurately fits all of the descriptions contained in the GMA. It makes no sense to force the comprehensive plan into the courts by not recognizing these facts. There is no question Alternative 4, Option B, should be the preferred choice, and the Clark County Citizens United Incorporated urges recognition of technically correct rural by accepting these documents for review. Thank you.

MADORE: Thank you, ma'am.

Susan Rasmussen.

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RASMUSSEN: Good afternoon, Councilors. Susan Rasmussen for CCCU.

This Board is assigned a difficult task for which there is a logical answer, that is Alternative 4.B. You can be sued by either side and either side can win; however, CCCU Superior Court action of April 4th, 1997, Findings of Fact, Conclusions of Law and Order stated by Judge E. Poyfair supports Alternative 4. The County disregarded the GMA's mandate in applying an unauthorized formula to the review of the Clark County comprehensive plan, land use densities. The interpretation was erroneous and unfortunate. The result is a plan that gives little regard for the realities of existing rural development in direct contradiction of the terms of the GMA.

June 11th, 1997, Superior Court, Order on Reconsideration, Judge Ladley, the Board had an end in sight and disregarded the GMA's mandate in applying an unauthorized formula to the review of the Clark County comprehensive plans land use densities. The result is a plan that gives little regard to the realities of existing rural development in direct contradiction of the terms of the GMA.

December 31st, 1997, Judgment, Superior Court of Washington for Clark County, Judge Nichols, supported. May 8th, 2006, Order to Show Cause Regarding Compliance, Washington -- Western Washington

Growth Management Hearing Board, Holly Gadbow, Presiding Officer. Compliance for several issues in this case have not been found and this case has been open for a number of years without action by any party.

The real story here is the apparent fact that the Draft SEIS has incomplete information that degrades and discredits rural concerns. Would you agree the remainder lots of cluster subdivisions shouldn't have been counted? Would you agree the 90/10 urban/rural ratio is not factual and needs to reflect the accurate 86/14 ratio? Why are different criteria for the rural lot census used versus the urban lots? Why have policies been in place to exclude the rural landowners as partners in the collaborative process? The 1994 plan is a completely senseless plan that has altered the course of the county's unique rural character and culture for 20 years. We have an artificial interpretation of the county's rural character in place.

The choice is simple: Carry on as business as usual for county planning, or recognize the inaccuracies and adjust corrected policies and the numbers. 93 percent of the F-40 lots do not conform to their size.

For the first time in planning history in Clark County, Planning Goal 6 of the GMA is recognized, Property Rights, and I commend

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this Board for making this landmark decision. Thank you for your opportunity -- for our opportunity to speak this afternoon.

MADORE: Thank you, ma'am.

George Espinosa. George Espinosa and then Warren Neth will follow.

ESPINOSA: Good afternoon, Councilors. I'm George Espinosa, E-s-p-i-n-o-s-a, 10th Avenue, Ridgefield. Whose document was this?

MADORE: Mine, sir. That's the Resolution one.

ESPINOSA: So this is proposed or this has already been adopted?

MADORE: No, nothing's adopted. It's a draft.

STEWART: Not adopted yet.

ESPINOSA: Well, you know, this thing here, especially today and listening to this process, reminds me of a bumper sticker I once had that said, Bureaucracy: The process of converting energy to solid waste, and I didn't realize the accuracy of that until now. And, you know, I know that this is the same old argument. I can't call it an argument because there's never been a response to it,

so it's just a statement by us citizens in regard to our property rights.

And I -- and in spite of all the dissenters, I have to say this, of all the members of the Board that I've had to face, and it's been now I think seven over an eight-year period, nine years almost, David Madore is the only one that came out and met with us property owners and heard our concerns.

But somehow it don't translate over here, and I am one that, you know, I wore the uniform of this country. I did my job. I had a belief in our constitution that we had rights. I didn't think that they were ever going to be subjugated to - I'm sorry. This is not meant to be insulting - but to a bunch of bureaucrats. We have a representative government or we did have. I fail to recognize that anymore. I see the -- and I hope that the word bureaucrat doesn't offend these folks as much as it does me, but I see now they dictate to our -- what is allegedly our representatives, and our rights have been subjugated in so many ways I can't even recognize them anymore. Thank you.

MADORE: And I want to say thank you for your service to our country and thank you for remembering the foundations that this country is built upon.



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STEWART: Mr. Espinosa.

ESPINOSA: Yes, ma'am.

STEWART: Your property is locked up in --

ESPINOSA: Urban holding.

STEWART: -- urban holding.

ESPINOSA: With a business park overlay.

STEWART: And you are south of Ridgefield?

ESPINOSA: Yes, ma'am. We're one and, I think, three-tenths miles north of the fairgrounds on 10th Avenue. But I represent 27 of the 29 property owners in that area who have spoken in every way they can and have not been heard.

STEWART: And who is it that needs to release that urban holding?

ESPINOSA: I beg your pardon?

STEWART: Which jurisdiction needs to make that change?

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ESPINOSA: I don't know. We've asked that question over and over again. We've been told, well, it's not up to us. It's up to the City of Vancouver because we gave that to them. I don't know.

STEWART: It's in the Vancouver city --

ESPINOSA: And I know that the City of Vancouver originally said they did not want that, but the County went ahead and adopted it anyway, and so the City of Vancouver just kind of now just says, well...

STEWART: I think if it's within the City of Vancouver jurisdiction we have no authority. Well, maybe we can get an explanation here.

ORJIAKO: County Councilor, in this area, we do have jurisdiction, although it's in the Vancouver UGA. The purpose for the urban holding, the urban zoning is already in place, and George Espinosa is correct, they've been coming before the Board raising some issues.

I believe that my staff have come out there to meet with your representatives. This was added into the urban growth boundary in 2007. And when the appeals was handled, this area was not appealed and it withstood the challenge, so it is in the urban growth boundary.

Part of the urban holding is that this area is as part of the 179th Street corridor and it is an area that has been in multiple conversation with the Council on the relieve of that urban holding and other properties that have been in limbo. The purpose of the urban holding is, one, to help in phasing development as we develop over time, and also indirectly to really acknowledge that infrastructure is not in place and we use the urban holding as a tool to phase development. I believe that when the realignment and the improvement on 179th Street corridor is completed, that the urban holding will be relieved.

The second thing that is happening out there, as you're aware, is the original sewer lines. There is sewer now being installed from Ridgefield coming south. So there are opportunities out here that it's now a question of timing.

But I think George is correct in terms of their interest to see something done out here, not only George, the other property owners along 179th that would like the urban holding to be relieved. There is interest in both at the State and local to fund improvement on 179th, so we are hopeful that as soon as that improvement is made, the urban holding will be relieved.

STEWART: And what kind of a time frame?

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ORJIAKO: That's the --

STEWART: Estimate, rough estimate.

ORJIAKO: Councilor, I cannot say. That's what I mean that is a question of timing.

I know that some of the property owners out there, particularly George Killian, is interested in moving this forward quickly. I also am aware that there's discussion even at the State level that have already funded this, but I'm not sure when in terms of timing when that funding will be released.

STEWART: What will be the process for Mr. Espinosa to get relief from that urban holding, will it require an appeal on his part --

ORJIAKO: Well --

STEWART: -- or which jurisdiction will lift it?

ORJIAKO: -- it will be up to the County to release the urban holding, and when the County --

ESPINOSA: Ma'am, as much -- you know, it's become, seems to us,

to be a futile argument to ask again to be released from the urban growth boundary. That was our original request, I think, in 2008.

So now our biggest concern is, if we can't accomplish that, can we please be accommodated with the zoning that would be more compatible with our intended use of our property at the time of purchase and our lifestyle out there we would like to preserve, which is very urban -- I mean, very rural with, you know, all kinds of habitat. It's -- anyway, that's if we can have the zoning that we could live with, that would be fine. But, you know, other than that, I suppose our only choice is litigation.

MADORE: I have a couple of questions. What color, is there more than one color that you're speaking of on the map?

ESPINOSA: No, sir, it's all business park now north. I'm only concerned --

MADORE: You and your neighbors.

ESPINOSA: I can only honestly represent those north of 199th to 209th.

MADORE: And your neighbors, as best you understand, feel as you do. They would rather not be in limbo. They would rather have