

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

1

The Board convened in the Councilors' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Councilors Temple Lentz, Julie Olson, John Blom, Gary Medvigny, and Eileen Quiring, Chair, present.

PUBLIC HEARING: 2019 ANNUAL REVIEWS AND DOCKETS

To consider 2019 Annual Reviews and Dockets amending the 20-year Growth Management Comprehensive Plan Text and Map, Zone Map, and Clark County Code (Title 40).

QUIRING: We will move to the public hearing on annual review and dockets. And, Ms. Petersen, the first item is the item that you were talking about, did you actually want to come and testify about it or I think if it's explained you will have a better understanding.

PETERSEN: No, I'm just one person.

QUIRING: Okay. Would you like to come, you can come and state that since she was, she had signed in on the wrong sheet, I want her to be heard.

ORJIAKO: Good evening, Councilors.

QUIRING: One minute.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

2

ORJIAKO: Okay.

QUIRING: We'll let her make her statement about the parcel.

PETERSEN: Thank you. If I understand correctly, the Battle Ground School District which is the Pleasant Valley School on N.E. 50th, and there's much development going on up there with the new housing development and it's all great, you talk about steep slopes and how that affects, if that property at the Battle Ground School District up there on Pleasant Valley if the field, the soccer field, if there's any building up there at all, we risk even greater damage to our property.

I'm on Salmon Creek Avenue and what happens is we flood from that upper level and I've called the County a couple of times about it. When they approve, and I'm not against the growth, but when they approve the building plans what happens is they take into consideration not just the culvert but also the natural terrain for the runoff of water and what happened last year three houses on Salmon Creek Avenue were undermined to the point that they couldn't live in them any longer.

My house flooded from the backside, not from the creek, but from the backside. So any other building for example in that school

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

up there is going to, I'm going to lose my house, there's just no way about it. So I wanted to say that that needs, it looks pretty, it looks clean and that may not be the intent, but I would hope that you leave it as school and not convert it to single-family dwelling or multiuse.

QUIRING: I believe that's what's going to happen, we're just changing the name of it, but, Councilor Blom.

BLOM: So, yeah, I just wanted to make, because I was on the Planning Commission when they made this change, changing the zoning isn't going to change the school that's there. This was a decision made to zone all the schools with this public facility zone.

So this land was originally zoned residential and then a couple of years ago it was changed to schools and now it's just going to change back because there have been some problems about the zoning. So the change doesn't mean that houses are going to go there, the school district still owns that land, I pulled it up, the parcel you're talking about, so I know right where you're at.

The school district still owns all of it, to my knowledge the school district doesn't have any plans to sell any of it, so just because it changes doesn't mean that houses are going there, it's just a

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

note on a map.

PETERSEN: How do I follow up on that to make sure that that doesn't happen?

BLOM: With the Battle Ground School District, that would be their decision.

PETERSEN: Thank you very much.

HOLLEY: What was your name?

PETERSEN: I'm sorry. Jennifer Petersen, N.E. Salmon Creek Avenue.

QUIRING: Okay. Oliver.

ORJIAKO: Good evening, Councilors. For the record Oliver Orjiako, Community Planning Director, and with me this evening is Jenna Kay, who will be going through each of the items that we have for you this evening.

The first item is the public facilities zoning amendment. I think the Councilor is correct that the zoning occurred in 2016 as part

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

of the update. It was a good idea to identify sites that are owned by a school district and also by County Parks to identify them as public facilities or publicly owned facilities.

In the case of schools, what we didn't have was coming up with a code or design guidelines as to when schools are, intend to develop their property. So with the lack of that design standard, the school district approach us and want us to revert back to what their zoning was prior to the change. So no action this evening will impact any of the issues that the constituents raise.

However, I have to also be clear that if the school district decide to surplus their properties that they own, that will change, but as part of this action none of that is intended this evening. So with that, let me turn it over to Jenna. Thank you.

KAY: All right. Thank you. So this is CPZ2019-00010 regarding a public facility zoning amendment.

And as noted, this is a proposal to amend the zoning designations for 61 public school owned properties throughout the county. All properties are proposed to revert from their current public facility or PF zoning designation to the zoning designation they had prior to adoption of the 2016 Comprehensive Growth Management

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

Plan.

And as noted, you know, the reason for this reversal is because the code section on public facility zoning doesn't have these standalone development regulations, so the reversal was intended to make it easier for the school districts to not have to track previous zoning designations to know the standards they need to develop to.

So this proposal has three actions involved. One is to amend the zoning map to change the zones back to what they were before. Two is to amend the comprehensive plan designations so that they align with those zoning changes. And, three, is to amend a few chapters in Title 40 to remove any text related to the school public facility zoning that was added back in 2016.

The Planning Commission voted unanimously to support the map and code amendments and attached to the report you may have seen Exhibit A has a summary table of all those code changes, Exhibit B shows all those code changes, Exhibit C shows the spreadsheet and maps of where all the properties are and what the current zoning is and what it's proposed to change to as well as the comprehensive plan designations and Exhibit D includes a letter from the school district that explains why they made this request. And we are

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

7

available to answer any additional questions.

QUIRING: Are there questions?

OLSON: I had a question.

QUIRING: Councilor Olson.

OLSON: So just kind of to the letter from the school district. So when we first adopted this in the 2016 plan, we had plans to develop regulations that fit the public facilities zoning, but we actually didn't do it, is that I mean simply put?

ORJIAKO: Simply put that's correct. And it is difficult to come up with one standard that fits elementary or middle school or high school, so for that reason we didn't.

OLSON: So getting through the process it was obvious that it was better just to go back --

ORJIAKO: Yes.

OLSON: -- to what it was rather than go forward with trying to --

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

ORJIAKO: That makes more sense to go back.

QUIRING: Other questions? Councilor Medvigy.

MIDVIGY: So perhaps this gets to the constituents concern as well because when I first read through this I was wondering why in 2016 this was done and then not followed up with the code standards that we needed to have and then if we switched back, I did have the same concern, what stops this from potential development in the future should the school decide to shed some of its acreage.

So I guess my question is, what does protect the public and our planning capability to ensure these remain as school properties? I mean, is there anything to do in the zoning as it goes back to at least put some hurdles in place?

ORJIAKO: My response will be no. The zoning, if we hadn't made this change, the property will still have been owned by the school district so there is no affect in terms of the change that are being made.

What will happen in the future, like Clark County we do surplus land that we own when the need is no longer there, so I cannot speak for the school district, but I suspect that in the future if this

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

land become a surplus that they no longer need for a school site, they will make that decision them self, not the County because they own the property, and if there are any issues relating to flooding or those type of issues will be dealt with and followed by our code standards to make sure that the properties develop consistent with our own development regulations.

MEDVIGY: Thank you.

QUIRING: Councilor Blom.

HENESSEE: And it would be important to remember that, and correct me if I'm wrong, Oliver, this would still require rezoning irrespective of which zoning classification it is because if you were going to have for example single-family residential or multi-family, that's still going to require rezoning and they're going to have to go through that process inevitably before that can happen.

QUIRING: Councilor Blom.

BLOM: I just wanted to add a couple of things just to make sure we really address the concerns because it is a good one. First, surplus land is a public process, so whether it's the parks or the

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

10

school board there's an opportunity for citizens to be involved in that process and notice would go out to local property owners if this land was potentially being surplusd, am I correct in saying that? I'm looking at our legal staff.

COOK: I'm sorry. They would have to go through the public process, yes.

ORJIAKO: Yes.

BLOM: And then we did have an example I believe in the last year and a half where some parks land was surplusd that had the zoning and once that happened, then you had land that was zoned by the public or that was zoned by a private entity that had this public zoning, so we went through the same process to change the zoning for that lot, so the protection is through the surplusd process and through plan, this actually doesn't protect anything because if it were to be surplusd and sold, then we just do a rezone on an individual spot, so there's no protection that's going away as a result of this change.

ORJIAKO: That's true.

QUIRING: Okay. Any other questions of the Council for this

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

11

particular item? So Ms. Petersen already spoke. Marnie, did you want to come and speak to this? Good evening.

ALLEN: Good evening. For the record my name's Marnie Allen. My mailing address is 2500 N.E. 65th Avenue in Vancouver. I represented the nine Clark County School Districts and wanted to just testify in support of the proposed and Planning Commission recommended rezone of school properties back to the PF zone.

As was indicated, when the zoning was changed in 2016 it was supported by the districts with the understanding there would be consistent and common development standards, for example, landscaping, parking, lighting, setbacks, height limits and had the County been able to do that, that provides predictability for the consultants that work on approving and designing schools as well as the County's own staff that have to approve those applications, but coming up with standards that what's an appropriate height or setback for a school relative to every other public facility, is it the same as it would be for a jail or a park or a library.

So that proved too difficult for the County to come up with consistent standards for the school district and our consultants and for County development review staff going back and figuring

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

out how was this zoned before.

A little easy now because we're two, three years out, but in ten years it will be even harder to figure out what the zoning is and then figuring out how to design those schools, just didn't make sense. So we requested and we appreciate County staff and the Planning Commission recommending the rezone.

In terms of questions that were asked, it's very rare, I won't say it never happens, but I've been representing the districts for 20 years, I've not had a school district rezone and surplus property that has a school on it. Usually what happens is what's happening now in Evergreen and Vancouver, you go build the new school where the sports fields are and then you tear down the old school when the new school opens and put the sports fields back in.

It's just you have service areas where the community and the students are used to residing and going to a particular school plus the cost of finding and buying a new site that's big enough for the new school. So it would be very unlikely that Pleasant Valley or another existing school is going to be surplus and sold off.

Districts do own vacant undeveloped land because they're trying to plan in the future and figure out where they're going to need schools and sometimes growth changes and where they have property

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

13

they don't need a school. It's unfair to the taxpayers who would have to pay the cost to rezone property that's zoned for public facility that's vacant and it could be surplusd through a public process and sold off to give the district money to go buy property in an area where a school could go build.

So we wouldn't want to tie the hands of school districts when a vacant unused property from being able to sell it to go buy property where they need a school, but there is a public process, there's statutory requirements, a public hearing before a school board before that can happen, so the public will have an opportunity to comment on any of that when that happens. My time's up. Thanks for your support.

QUIRING: Okay. Thank you. That's the end of the list. Did you want to speak?

SHANMAC: Just here representing Hockinson School District.

QUIRING: Okay. Well, you can come up here later. So we're going to vote on these one at a time. So are there any other questions or comments from the Council? Okay. I would entertain a motion then.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

14

BLOM: Move to approve CPZ2019-00010.

OLSON: Second.

QUIRING: It's been moved and seconded to approve CPZ2019-00010.
Is there a discussion? Okay. Let's call a roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: Motion passes. Thank you. Moving on to Item Number 2.

ORJIAKO: Good evening again, Councilors. We have a series of school districts capital facilities amendment and the associated school impact fee increases.

As Councilors are aware, the school district, our code requires that at least every four years they update their capital facilities plan. This is one where we have about five with the exception of the City of the Ridgefield School District that is updating their capital facilities plan and their associated impact fees.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

15

The capital facilities plan for the school district includes plans for new capital projects schools that they have planned to build in the, up to 2025, that is included in their updated CFP and then using the formula that is in our impact fee section of our Title 40 to adjust their impact fees, that is what Jenna is going to go through each of the five school districts CFP.

QUIRING: Okay. Thank you.

KAY: Before I get started on the first one, I just want to note that each school districts proposal is considered a separate hearing item and so we'll present them one at a time for separate deliberation and voting on each.

QUIRING: Correct.

KAY: Okay. So first is the La Center School District Capital Facilities Plan update which is CPZ2019-00011, and before getting into the proposal, I just wanted to provide a quick overview for those who may be watching here at home on what these capital facilities plan updates are, what's in them and what an impact fee is.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

16

So the Growth Management Act enables school districts to develop capital facility plans and impact fee programs for new residential developments in order to offset the impacts of growth on a school district and their facilities. The GMA requires these plans and programs be reviewed and approved as part of the County and City comprehensive plans that overlap with the school district boundaries.

Specific criteria for consideration are defined in the GMA and in the County's Code and they outline things like a capital facility plan needs to identify the facilities needed to accommodate the growth expected and the cost of those facilities need to be calculated and a finance plan needs to be proposed on how to pay for those facilities, so things of that nature. And the financing plans typically consider three main funding sources.

Some districts are eligible for State funding through the common school construction fund, other funding sources include bonds which require a vote of people who live in the district and then there are impact fees which apply only to new residential construction in the school district, and those impact fees are calculated based on a formula that is very prescriptive in the County's Code and it's basically taking the cost of the public facilities that can be attributed to new growth and it's coming

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

17

up with what that number is per household. And then once you have that number, you subtract from it any State match funds, any tax credits and then you subtract an additional 15 percent to come up with the maximum impact fee amount that a school district can request, so that's the background behind all of these, I won't repeat that again.

And so with that, the La Center School District Board of Directors modified its capital facilities plan earlier this year and has requested that Clark County formally adopt its plan by reference in its 20-year Clark County Comprehensive Growth Management Plan and collect the recommended impact fee amounts of \$3,501 for single-family homes and \$3,104 for multi-family homes. No public comments have been received regarding this item and the Planning Commission did recommend approval of the modified capital facilities plan as well as the recommended impact fees, and we can answer any questions.

QUIRING: Are there questions? Councilor Olson.

OLSON: Just this is actually a really good example, we're going to see a lot of different numbers over as we go through these tonight, can you talk to or maybe Marnie can talk to it, just why these fees look, they're actually going down and other fees are

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

going up and what changes in a particular district over time that creates a different impact fee and why it would go up or down over time.

KAY: So Marnie will be able to talk about this in a lot more detail, but one of the main reasons for the change you're seeing in La Center is that some bonds have been passed in the school district, so that means a larger number is getting subtracted out in the impact fee calculation and so that lowers the number, so in this case that's one factor that's having a big impact.

OLSON: And I, just the reason I'm asking is that as we look at some of these others it's going to be important to keep that in mind as different districts have different needs we'll see the impact do that.

ORJIAKO: And in some cases the expected growth from both multi-family and single family changes depending on the number of average students coming from those housing types, if you will, and Marnie can speak to that again, but Jenna is correct, some school districts have been able to pass bond or levies, that has impact on the formula that is in the calculation that we use or the school district also use, so that's where some of the changes are coming from.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

QUIRING: Councilor Medvigy.

MEDVIGY: Thank you. I have two separate questions, but related. So the first one goes to what you just said about bonding, some districts weren't able to pass bonds. So in essence the cost because of the number of children at different school ages causes the burden to then shift to the new development that may be developed through these impact fees; is that correct?

So if a bond doesn't pass, you can expect impact fees to absorb additional cost, so voters turn it down but it gets passed over into impact fees for new development?

ORJIAKO: I wouldn't say that, Councilor. I think there are factors some support from the State, if you will, and while the bonding may play some role, recall that the impact fees are only assessed as a result of new growth.

MEDVIGY: So if I may get into the second then question because I anticipated that that was going to be your answer. So when you look at La Center and then Ridgefield which are probably the most dramatically apart as far as cost, can you just speak to the issue of are we now building in Ridgefield these beautiful schools while

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

La Center is going to have a lower standard for their schools, you know, how do you explain the vast difference in a single county between two school districts and their impact fees? I'm looking at equity here, I want to make sure we're not creating an unequal system of schools within our county.

ORJIAKO: Again, the school representative will speak to that issue, but each school district is different, their needs are also different, the growth that occur within those district are also different.

In the case of Ridgefield as you're aware, Ridgefield has been the fastest growing city in the entire State of Washington and that growth is evident. I think they have been able to pass some bond which has been helpful, if you will, so that growth in a sense is what is the reason for the increase, and the same is true for when you look at the formula itself, there is a maximum as a result of that formula that the school district could charge. In some cases the school board made a decision to look at a much lower rate that is what I may say really reasonable.

This is the first time I'm recalling in the case of Ridgefield that they're going to the maximum that the formula allows. So it depends on the vote of the school board what they would like the

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

21

local jurisdiction city and county in this case Council to consider. So each school district and their needs are different, that is what is forwarding the type of capital facilities plan that they provide to us and then using that because they have to look at their inventory of what they currently have, look at the land use that are within their district, if you will, and then their anticipated growth within that to help them formulate what their capital facilities plan is and then their impact fees.

MEDVIGY: So, Madam Chair, if you could just synthesize it. Are these vastly different TIF or impact fees rather --

ORJIAKO: Yes.

MEDVIGY: -- going to result in vastly different schools?

OLSON: No.

MEDVIGY: -- or not?

ORJIAKO: No.

OLSON: May I?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

22

MEDVIGY: Let me state for the record --

QUIRING: Councilor Olson.

OLSON: May I?

ORJIAKO: No.

OLSON: So the idea that La Center passed a bond means that they're building a school, correct me if I get this wrong, and because of that then their capital facilities needs are less so and their growth is less than Ridgefield.

So when you combine with the buildings that they've built, what they need to build in the future, I'm sorry, La Center, what they need to build in the future and the growth projections, that's going to equate to a smaller impact fee which is part of the reason I asked the question in the first place. Ridgefield's in a completely different situation when they have projected 1700 more kids over the next X number of years and they have to build more facilities.

MEDVIGY: Yeah. So what you just said though goes back to the first question then, if they don't pass a bond which is a voter

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

23

vote on what they want their schools and what they're going to support and their tax money, if it doesn't get passed, then it's just that burden is going to be --

OLSON: Then they don't build a school.

MEDVIGY: -- shifted over towards an impact fee.

OLSON: Well, they'll continue to collect those impact fees that have strings attached to them, but until they can pass a bond, they won't build a school, they'll buy portables with those impact fees.

QUIRING: Right. They will put up portables and this is for each individual student actually part of this formula is created on. So we're going to set that aside for a minute because we're not talking about Ridgefield right now, we're talking about La Center, and if you two are finished I'm going to call Marnie Allen up to speak to the La Center School District Capital Facilities Plan.

ALLEN: Chair, members of the Council, for the record Marnie Allen, 2500 N.E. 65th Avenue in Vancouver representing the La Center School District, the superintendent Dave Holmes had hoped to be here but he had a conflict come up at the school so he extends his apologies he couldn't join me.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

24

The La Center School District has updated its capital facility plan. La Center is a school district that currently has two schools, one school serves grades K-8, the other school serves grades 9-12. Their enrollment is just -- was over, just over 1700 students. Their need is to build a new middle school.

So back in February 2018 the voters approved a bond to build a new middle school and then they're going to convert capacity at the existing K-8 that serves elementary students into additional elementary capacity. Their forecast growth is approximately 400 students and that growth can be served by building the new middle school.

Their impact fees were calculated with the updated costs for a middle school which in four years ago when they prepared their plan, their plan contemplated building a new elementary school, but their community said, no, we want a new middle school and put the elementary in the current building with some improvement. So number one factor driving a change in the fees is the cost to build a middle school instead of an elementary school.

With their fees being updated and with their bond, Jenna was correct, when you look at the formula, it's the same formula applied

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

25

to every district, that formula includes some recognition for property taxes and a bond, and in the La Center School District before they pass the bond, their average assessed value and their tax levy rate was really low, their average assessed value has grown significantly, it's higher, their averaged assessed value for single-family homes district-wide is higher in La Center than it is in Ridgefield.

One of the things districts are seeing as new homes get built with really high average assessed values is not as many kids moving into those new homes, so the timing and need to build new schools in some of those communities is based on the cost to housing and who moves into those houses.

So the other factor for La Center and kind of to your question, I just want to reiterate that if voters don't approve a bond, it doesn't mean that school impact fees go sky high and new developers pay more, at the end of the day school impact fees is going to cover maybe ten percent of the total cost.

In the La Center School District the cost per student for their new middle school was about \$90,000 for one student, so they're not getting in that community compared to about \$60,000 per student in Ridgefield back when -- La Center's using new updated cost,

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

Ridgefield's current calculation is based on older construction costs.

So if you just look at the cost to build the new schools in the two districts, La Center's is going to be every bit as great as Ridgefield's. One of the driving factors for why their cost is so high is because of the property they're building it on has a lot of wetlands and so there are a lot of other costs associated with making that school, finishing that school. So I hope that answers some of your questions.

I want to respect your time. We're on behalf of the district requesting that you adopt the updated fees for the La Center School District, support the Planning Commission and staff recommendation.

QUIRING: So one of the other things that I just want to say because there is a formula, and correct me if I'm wrong, but it seems to me that this formula has been created so there is some sense of equity, but there are differing things that happen in schools whether it's growth, et cetera, and so it would seem to me that that formula is what actually helps equity in the school district.

KAY: That's correct.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

27

ALLEN: I agree. It's consistent, it's objective, it's applied the same way and it takes into account local preference for districts in how they design and build schools in their communities and what they want.

QUIRING: Right. Okay. Are there questions or comments by the Council on this particular item? Okay. I'd entertain a motion then.

OLSON: I'd move to approve CPZ2019-00011, La Center School District Capital Facilities Plan.

LENTZ: Second.

QUIRING: It's been moved and seconded to approve CPZ2019-00011 the La Center School District Capital Facilities Plan. Is there a discussion? Okay. Would you call the roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

28

QUIRING: Motion passes. Moving on to the next, Number 3, Evergreen School District.

KAY: This is CPZ2019-00020 regarding the Evergreen School District Capital Facilities Plan.

And the School District Board of Directors modified its capital facilities plan earlier this year and has requested that Clark County formally adopt the plan by reference in its Comprehensive Growth Management Plan and collect the recommended school impact fees of \$6,432 for single-family dwellings and \$3,753 for multi-family dwellings.

One of the main reasons for a shift in numbers for this school district has to do with where students are living. It's my understanding that the last time the capital facilities plan was updated there were many more students living in multi-family housing and it made that fee amount go up previously, and when updating the calculation they've seen a shift and there are now fewer students in multi-family housing than there was previously, so that's one of the main reasons for the shift in numbers that you're seeing for this school district. The Planning Commission recommended approval of the updated capital facilities plan and

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

29

the recommended impact fees and we are happy to answer questions.

QUIRING: Any questions from Council on this one? Marnie Allen.
Good evening. We have a new participant.

ALLEN: We do. Good evening again. Marnie Allen, 2500 N.E. 65th
Avenue in Vancouver. And joining me.

STEINBRENNER: I'm Sue Steinbrenner, Executive Director of
Facilities for Evergreen Public Schools, 13501 N.E. 28th Street
in Vancouver, Washington.

ALLEN: So thanks for the opportunity to speak to you about the
Evergreen School District updated capital facility plan. I'll
just touch on a few things associated with what's in the plan.

The Evergreen School District serves, well, when we did the plan
25,601 students, so compared to La Center at 1,750, Evergreen is
our biggest district in Clark County at 21 elementary schools, 6
middle schools, 5 high schools plus some alternative, Flex Academy
and other schools and facilities that they use to serve all the
kids.

The forecast growth in the Evergreen School District is at about

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

234 elementary students and 287 high school students, a very moderate slow growth compared to maybe ten years ago when they looked like Ridgefield and were putting up portables and bursting at the seams. So the Evergreen School Districts plan calls for the need to construct a new elementary school which is under construction now, right, or close, in '22 and then they're going to add capacity at Heritage High School to serve the forecast growth at the high school.

The district's impact fees were calculated using the updated construction cost, enrollment and facility needs and the single-family fee is going up slightly. The formulas got a lot of components and it's complex and I love to talk about it but you guys don't always love to hear about it. So construction costs have gone up but the single-family fees are not going up significantly, that's because of all the different factors in the formula like the tax levy based on their \$595 million bond that was approved and the schools they're building and the changes in the student factor.

So a driving factor in Evergreen's fee calculation and the biggest change that really we have seen is the demographic of who's moving into the new apartments that were built and that's why the multi-family fee is dropping in almost half because we had a point

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

31

in time with the housing crisis where apartments were built in Evergreen and a lot of kids moved into those apartments, so multi-family units were having a big impact on schools and it got reflected in the fee, that's kind of self-corrected.

So with that, we appreciate the County's support of school impact fees, it's an important source of funding and tool for all districts and we just ask that you adopt their capital facility plan and recommended school impact fees.

QUIRING: Did you want to speak?

STEINBRENNER: Just want to thank you guys for hearing the plan and here to answer any questions if you have any.

QUIRING: Are there any questions of Council? Nope.

BLOM: Move to approve CPZ2019-00020.

OLSON: Second.

QUIRING: It's been moved and seconded to approve CPZ2019-00020, Evergreen School District Capital Facilities Plan. Any discussion? Okay. Call the roll, please.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

32

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: Motion passes. Thank you.

STEINBRENNER: Thank you.

KAY: Next is CPZ2019-00021 regarding the Hockinson School District Capital Facilities Plan update and the School District Board of Directors modified its capital facilities plan earlier this year and has requested that Clark County formally adopt the plan by reference in its 20-year Clark County Comprehensive Growth Management Plan and collect the recommended school impact fees of \$7,790 for single-family dwellings and \$3,434 for multi-family dwellings.

The Planning Commission recommended approval 6 to 0 of the updated capital facilities plan and impact fees and we are happy to answer questions. Oh, actually, the main reason for the changes, you know, it's a few things, they're like Marnie has already mentioned,

the higher construction costs are factoring in here somewhat and also one thing about the Hockinson School District is the number of students per household is much higher than in other school districts so that drives the fee up per household as well in this district, so...

QUIRING: Okay. I don't think there are any questions of Council. Okay. Marnie Allen. Going to get your exercise. Actually, Nick Shanmac. Oh, there you are, Nick.

ALLEN: Good evening. Marnie Allen, 2500 N.E. 65th Avenue representing Hockinson School District. And joining me.

SHANMAC: Nick Shanmac, I'm with ESD 112 and also representing Hockinson School District.

ALLEN: So the Hockinson School District's updated CFP shows their current school facilities, they have one K-5, one 6-8 and one high school. Hockinson School District's unique in, well, Green Mountain also is all rural, but Hockinson School District does not have any city that it serves, it has the northern part of the Vancouver urban growth area is in the Hockinson School District, but it's primarily a rural school district with its schools being located near the Hockinson downtown area.

The student enrollment in Hockinson is 1,914 students and they are forecasting growth of about 400 students. They constructed a new high school I think it's been probably ten or more years ago and they just finished construction, improvements in middle school.

Their primary need they think they can serve their forecast growth out six years at middle and high school with the schools that have recently been constructed, but they need a new elementary school. Their current elementary school is full in the downtown area and I think they can add like one more portable and then they won't have any sewer or septic capacity.

So the biggest challenge for Hockinson is growth in the northern Vancouver urban growth area that's in the county that's also in their district and how to serve those students. So they'll be planning on and looking at a school site and building a new elementary school and needing to go out to voters asking for approval of a bond once they've flushed that out.

Their fees have been updated using updated construction costs, average number of students living in houses there and their fees are going up slightly, it's primarily due to increased construction costs and increase in number of students in their district. They

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

35

have a pretty high average number of students living in the Hockinson School District when you look districtwide. So we just would respectfully request approval of their updated CFP and the proposed impact fee, and Nick and I are happy to answer questions if you have them.

QUIRING: Did you have anything to say, Nick, or just there for questions?

SHANMAC: Just here for questions really.

QUIRING: Okay. All right. Thanks. Any questions? Okay. Hearing and seeing none.

LENTZ: Move to approve CPZ2019-00021.

OLSON: Second.

QUIRING: It's been moved and seconded to approve CPZ2019-00021, Hockinson School District Capital Facilities Plan. Is there further discussion? Would you call the roll, please.

LENTZ: AYE

OLSON: AYE

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: Motion passes. Thank you. Okay.

KAY: Next is CPZ2019-00022 regarding the Woodland School District Capital Facilities Plan.

The School District Board of Directors modified its capital facilities plan earlier this year and has requested that Clark County formally adopt the plan by reference in its 20-year Clark County Comprehensive Growth Management Plan and collect the recommended school impact fee amounts of \$5,900 for both single-family and multi-family dwellings. The Planning Commission recommended approval 6 to 0 for the updated -- recommended approval 6 to 0 of the modified capital facilities plan and recommended impact fees.

And a few of the factors impacting the numbers for this school district, there has been an increase in students living in multi-family in Woodland due to new multi-building that has gone on in the district. The maximum amount, impact fee amount for multi-family is actually much higher than is what is being

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

37

requested here, so the school board elected to keep the amounts the same for single family and multi-family. And other than that, you know, increased construction cost to accommodate the growth that they're seeing are impacting these numbers, and we are happy to answer questions.

QUIRING: Are there any questions?

BLOM: I do have one.

QUIRING: Councilor Blom.

BLOM: Just it's a really simple one I'm, just because I'm curious. So does their impact fee have to go to both Clark County, City of Woodland and Cowlitz County for approval?

ORJIAKO: I believe the City of Woodland, that's my understanding. I don't know whether it goes through the Cowlitz County. There's a very small portion of the school district that is in the County, so I have to look at the boundary to be able to say how much of the school district boundary is in the County, and my understanding is that there will be a portion of the City of Woodland because I'm not sure how far their school district extends to us, the rest of Cowlitz.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

BLOM: Okay. Thank you.

QUIRING: Councilor Medvigy.

MEDVIGY: Yes, briefly. With this 136 percent increase in the multi-family, during the planning process, and I know all of these fees on this entire sheet have been vetted and voted on, but in that vetting process and the planning process is the consideration of these increases and asked to how it may impact in the marketplace affordable housing I mean how is that considered?

ORJIAKO: My response will be that it will have some impact generally speaking, how much I cannot tell you, Councilor. The cost of housing, if you look at the impact fees it's very small because you're going to look at labor, land and construction cost. I can only say that we have in the past looked at what is the role of impact fees relative to the cost of housing, the majority of that cost is in land, acquisition, preparation and so forth and then labor. The impact fee, and I can provide you that, the impact fee is very, very minimal, that will be my response really.

QUIRING: Okay.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

MEDVIGY: Thank you.

QUIRING: Thank you. Marnie Allen and Michael Green.

ALLEN: Good evening again. Marnie Allen, 2500 N.E. 65th Avenue, Vancouver, here on behalf of the Woodland School District. And joining me, superintendent.

GREEN: Michael Green, Woodland Public School Superintendent.

ALLEN: For the Woodland School District, they have three K-4 schools, one middle school and one high school, they just finished construction of their new high school which is super exciting, it's an awesome building, you should go tour it, I recommend it.

Their forecast growth is for about 400, 500 students in the Woodland School District, they can accommodate most of the growth, they still have capacity at the high school and they can accommodate at the middle school, but they need to construct a new elementary school, that's where their need is.

So their plan includes the cost to construct a new elementary school and some of the cost for the capacity that exists at the new high school. They're in a unique and very fortunate position that other

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

40

districts are envious because they have some room at their high school to grow.

Their primary change in their fees is as Jenna explained to the question and comment about who adopts the Woodland School District capital facility plan, Michael can speak to this as well as I can because he's done a lot of work with Cowlitz County trying to get them to agree to collect some kind of fee for mitigation fee, but Cowlitz County's not required to plan under the Growth Management Act so they do not adopt impact fees.

So we'll keep approaching them if they're open and willing to consider it, the district pursues the request, but it's outside the district's control, the City of Woodland I think has heard and adopted --

GREEN: Correct.

ALLEN: -- the updated fees already.

GREEN: Yes.

ALLEN: So we just request that you approve and adopt their plan and their proposed school impact fees.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

41

QUIRING: Okay. I do have a question about the boundaries of the Woodland School District then in Cowlitz County versus Clark County. So only these fees are collected in Clark County?

ALLEN: Correct.

GREEN: And the City of Woodland.

ORJIAKO: And the City of Woodland.

QUIRING: And the City of Woodland. Okay.

ORJIAKO: Because the City of Woodland update their plan under GMA.

QUIRING: Okay.

OLSON: Can I ask a question?

QUIRING: Yes, Councilor Olson.

OLSON: Then so are there schools in the City of Woodland? Do you have any schools in Cowlitz County that aren't in the City?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

42

GREEN: One of our schools, Yale Elementary School up in the Yale Valley in Cowlitz County.

OLSON: Then how many students outside the city limits?

GREEN: We have, to the best of my recollection, we have about 19 percent of our students who live in Clark County, we have about another 60 percent who live in the City of Woodland limits and then the balance is in Cowlitz County.

OLSON: Cowlitz County. Okay.

ALLEN: That's similar to Washougal for next year when it comes up because they serve Skamania County and it's similar.

QUIRING: Oh, I see. Yeah. Okay. Are there any other questions from Council? Okay. I'd entertain a motion.

LENTZ: Move to approve CPZ2019-00022.

BLOM: Second.

QUIRING: It's been moved and seconded to adopt CPZ2019-00022, Woodland School District Capital Facilities Plan. Is there

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

43

further discussion? Call the roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: Motion passes. Thank you. Okay. Number 6.

KAY: This is CPZ2019-00027 regarding the Ridgefield School District Impact Fee Request.

The School District Board of Directors requested an increase to the district school impact fees under its existing capital facilities plan and this proposal is to readopt the Ridgefield School District Capital Facilities Plan by reference in the County's Growth Management Plan and collect the recommended impact fees.

This docket item is different from the previous four because it does not involve an updated capital facilities plan, it's just updated impact fees. So a bit more background on this one.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

44

The Ridgefield School District Board of Directors submitted a letter to both Clark County and the City of Ridgefield on June 20th, 2019, requesting an increase to the district's school impact fees effective in 2020 with an additional increase effective in 2021.

A copy of the letter is attached as Exhibit A to the Planning Commissions' report and it provides the school district's explanation for why they are making the impact fee request. A copy of the current capital facilities plan which was adopted by the County in 2016 is also attached to the Planning Commissions' report.

The school district's letter describes the high amount of growth in the Ridgefield School District and capital facility needs that include building a new elementary, middle and high school as some of the reasons that the district is requesting increased impact fees. The potential removal of urban holding near N.E. 179th and I-5 Interchange is also described as accelerating growth in the school district and the impact fee request is to bring school impact fees into alignment with the facility needs and costs in the school district's facilities plan.

The current plan does allow for impact fees higher than the amount that is currently being collected. And the district is requesting

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

45

an amount of \$10,100 for both single family and multi-family dwellings in 2020 and an amount of \$11,290 in 2021.

You may recall that there has been some previous testimony before you regarding the Ridgefield school impact fees in relation to the 179th and the I-5 Interchange area and there was a handful of people who testified during the Planning Commission hearing regarding this proposal in support of it and I think there was also one written comment that was submitted late this afternoon as well which was the only written comment we've received on this item.

Also of note is that the Ridgefield School District's request of \$11,290 for 2021, the Planning Commission is recommending a number that's 47 cents lower of \$11,289.53 and the reason for that is to just keep the impact fee amount at the max, that's the exact maximum for a single family dwelling based on the calculation, and so rather than rounding, we're being very precise with the Planning Commissions' recommendation, so that's what that is about.

And the Planning Commission recommended approval 6 to 0 for the re-adoption of the Ridgefield School District capital facilities plan and impact fee amounts of \$10,100 for single family and multi-family in 2020 and an amount of \$11,289.53 for single family and multi-family starting in 2021.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

46

QUIRING: Are there questions of the Council?

MEDVIGY: I do.

QUIRING: Council Medvigy.

MEDVIGY: So I guess I would characterize the formula it is what it is and, but I'm wondering, and this, you know, this piecemeal funding from different sources and the voters get to weigh in on some of it, but to see a spike of this magnitude, and you mentioned 179th Street and obviously these are based on forecasts, we won't see homes being built for years, we don't know how fast it will build-out.

And so I'm wondering how do these forecasts impact the need for these additional schools, is there some gap in planning that? I mean, how can we have such rapid growth in the Ridgefield area that they need such a tremendous spike, almost twice the fee, is it planning, you know, on the behalf of the City? I mean, how is this such a rapid change so fast?

ORJIAKO: Councilors, I wish I could answer that. I think Ridgefield is an attractive area and that's why you see the

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

47

significant growth in Ridgefield. They have made significant improvement at the interchange and that also has followed the growth that is occurring in Ridgefield. I am also anticipating that the anticipated growth inside the city limits and more broadly speaking within the district will continue to grow, we anticipate that opening up the 179th will also add to that.

Other than that, I think prior to the Council taking action on lifting the urban holding in the 179th corridor, Ridgefield remains the fastest growing city, as I indicated earlier in the state, what is following that is just the attractiveness of the area and the improvement that they've made. It's a very good school district, those are the issues as you know, people move to an area in some cases primarily because of the school and the quality of that is what is attracting folks to that area, that is my response.

QUIRING: I have another question, a couple of questions actually. So can schools request this increase on an annual basis or is it a longer period of time, is it on annual?

ORJIAKO: They're phasing it in in 2020 and then in 2021.

QUIRING: I see what they're doing, but can a school district generally come once a year?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

48

KAY: I believe they could, they could come back and request, you know, but they would max out at their maximum.

QUIRING: Correct. I mean, and I understand that, and I'm asking about the time element that a school, any school can come and I understood it was annually.

KAY: Yes.

QUIRING: You said it was annually. Has the City of Ridgefield accepted this particular fee?

ORJIAKO: I don't know, but I'm aware that they're, I don't think so, but I'm aware that the City fee goes up automatically, so I'm not sure where they are, but they've index their school impact fee going up annually so I'm not sure where they are, but this letter that the school district submitted also went to the City of Ridgefield.

QUIRING: I guess and then finally my understanding is that historically, you know, if you go back in history a little while, the Ridgefield School District has purposely kept their impact fee lower and I don't know whether that's a positive thing or a negative

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

49

thing looking at the jump here and maybe it should have been, maybe the decision should have been to actually be gradually raising this over time because this does seem like a really huge jump and it does affect affordable housing when you look at this amount of fee per single family or even multi-family unit, it is a huge jump.

ORJIAKO: I don't disagree.

HENESSEE: It's also compounded, Councilor, by the fact that you don't have existing housing stock in there which you can see in an older, Ridgefield is such fast growing that much of their housing product is new housing.

ORJIAKO: New, right.

QUIRING: But I mean I've seen some of it crop up over the last couple of years and last year what was their increase, do you recall?

ORJIAKO: I don't have the answer, but, you know, if you look at the population of Ridgefield it has tripled what it used to be.

QUIRING: Since when, do you know?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

ORJIAKO: Since 1990, you can go back to see what their population is in 1990 and what is now, and you can even go year-by-year to see how much they grow year-by-year.

QUIRING: Right. Okay.

OLSON: The school district, when I left the school district, the school board in 2013, I think there were like 2100 students, I think there are well over 3200 now-ish or 30 more, 3500 now, so that was in since 2013.

And I think too to talk about the old impact fees, you know, keeping them low purposefully was as much a, and I'm just going to say it, it was as much a difficult political decision for the exact reason we're having this conversation tonight that it's difficult to assess high fees for all the reasons that we know, at the same time we have to find ways to continue to fund infrastructure, and so trying to balance what the districts need in terms of financing and funding sources versus what's politically acceptable frankly is also goes into that equation.

So these fees are inside their current capital facilities plan that they presented in 2016 and yet they only asked for 6530 from the County in that plan when they could have asked for \$10,000.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

51

QUIRING: I think they maybe contemplated it.

OLSON: And now the City does, now we've never done this if I, we've never indexed our --

ORJIAKO: No.

OLSON: -- capital -- our school impact fees like Ridgefield does?

ORJIAKO: No, we do only traffic impact fees, but not school or parks.

OLSON: And I think the City's around 88 or 89.

ORJIAKO: It's more than around 8,000, it's 8800 plus now, right.

QUIRING: Yeah. And do you know what their automatic --

OLSON: I don't know specifically what they're going to do and maybe --

QUIRING: Yeah, Marnie.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

52

OLSON: -- Dr. McCann or Marnie can talk to it but I believe they're going to look to, they're going to take our lead and look to try to, to go where we go with it. Part of the reason we're having this discussion is because of their concern over the disparity and what the City charges and what we would be charging in the unincorporated areas, so it would seem to reason that they would get to where we're going if they're not there yet, but I can't speak for them.

QUIRING: Other questions? Okay. Ryan Makinster. I just know you by Ryan, I'm sorry.

MAKINSTER: Thank you, Madam Chair, and members of the Council. I'm Ryan Makinster, last name is M-a-k-i-n-s-t-e-r, I'm Government Affairs Director with the BIA of Clark County. I'm just speaking with you guys today, you guys had a bunch of questions, I think they're all very valuable and pertinent in this conversation.

There is a trade-off here that's very important to recognize, that there is some political will that needs to be had in this discussion. There's not always a decision by a community to pay for some of these things, you know, when a bond doesn't pass, things along those lines that the Councilor referenced a few minutes ago. And so one of those things to think about is housing affordability

which we've discussed multiple times, you guys have discussed multiple times here and we are looking at this number, it's a very large number, when you compile that on top of everything else that's happening it gets really large over time.

One thing to take into consideration is other places in Ridgefield, we've been talking about Ridgefield school impact fees in this conversation, a few people have, they're not paying a \$10,000 traffic impact fee, you add that along with this impact fee and the park impact fee for the Mt. Vista area for example, that's \$25,000 in impact fees, that does not include other fees or permitting that is required for these developments, let alone other regulations or requirements that add costs to the price of a house.

I'm just here to say and just basically making notice of that and raise a flag and say it's understandable, this is a discussion, it's a hard discussion, but how far are we willing to have a discussion about political will or expediency on charging the larger population for the cost of infrastructure at the price of housing affordability. This does not go to the developer, this will be passed on, I can guarantee you, this will be passed on to the homeowners and people buying houses.

I know Councilor Lentz had mentioned some very valid concern about

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

54

prices of housing with lifting the urban holding at 179th and that's a very valid concern with the TIF that you have in place, like I mentioned, and these other things, that number gets very high and so I am just asking you that when you make this decision just to consider that. Every one of these items is a small little chunk that gets higher and higher.

To answer the question, the recent study by NHB, I'll qualify that, shows in our area about for every \$1,000 in impact or increase cost is about 768 families that can't afford a home, so that's kind of what that number take it as you might, that's where that number sits.

In addition, I believe Ridgefield is about 8800 now.

They were looking at a CPI indexing, so that would probably be about over average the last five years about six percent, so you'd be looking at about 9400 this next year and probably about close to 10,000 the year after, so really similar but even 500 bucks or 1,000 bucks per home is, you know, that's a number that has to be considered. Thank you.

QUIRING: I have a question. Do you happen to know, you may not but I'm going to ask it, do you happen to know what it cost to pull a permit for residential dwelling in the City of Ridgefield?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

55

MAKINSTER: Madam Chair, I do not know any of those things. I wish I knew some of those off the top of my head, but unfortunately I do not.

QUIRING: I heard it was \$24,000.

MAKINSTER: I've heard a very large number, but I do not know what it is and I wouldn't be willing to say that without knowing for sure.

QUIRING: Okay. Thank you.

MAKINSTER: Thank you.

QUIRING: Marnie Nelson I mean Marnie Allen and Nathan McCann, McGann, McCann, okay, couldn't tell. Good evening.

ALLEN: Good evening, Chair, members of the Council. For the record, Marnie Allen, 2500 N.E. 65th Avenue, Vancouver, representing the Ridgefield School District. And joining me, superintendent.

MCCANN: Nathan McCann from the Ridgefield School District, 1903 N.W. 206th Street in Ridgefield.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

ALLEN: I think what I want to touch on just in the limited time that we're going to spend talking about this is just a couple of things.

One, the district as has been stated did not update its capital facility plan and will be doing that next year because it will be four years from when they last adopted, so we'll be back with an updated capital facility plan next year, but the district did request and is asking you to follow the Planning Commissions' recommendation to increase the fees eventually to the full amount under the formula.

I think it's fair to say, although I'll defer to Dr. McCann, that the primary driver of this is the community expectation that new development pay for the cost it has on the public infrastructure to serve the families and kids that are going to live in that new development.

So the district heard loud and clear, and I think the Planning Commission heard it, those people that did come testify, no one came and testified in opposition to this district's request. There were people there that testified in support of it and said new development needs to pay its share, growth has taken off in

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

57

Ridgefield and growth has taken off.

No doubt \$11,290 is a large amount, \$70 million to build schools is even larger and \$11,290 is only going to pay a fraction of that cost. It takes all the funding sources to pay for schools, a bond will have to be approved, and in order to get a bond approved, we need to listen to and respond to the constituents that are going to vote on that bond and decide the schools that get put into that community.

So understand it's a difficult decision, affordable housing, a lot of political and policy issues to weigh, but on behalf of the district we think it's the right thing to do given the growth that's happened and the lifting of urban holding on 179th, the fact that you don't have developers here tonight from 179th who are going to be building saying we can't afford this, we think the fees should be increased to the amount allowed under the formula.

MCCANN: A couple of comments to add to that. Several districts have been referenced in respect to the Ridgefield district request today, one of which is La Center, I think that's a fair place to start.

Just to give you an idea, there's 295 school districts in the state,

we all have different situations that we're currently in. For Ridgefield it would be like in the next five years taking the La Center School District and plunking that down in the Ridgefield School District, that 1760 kids that we're expecting over this next five years we desperately need the infrastructure, that's the story of Ridgefield right now.

It is a fastest growing city in the state, it is a destination community but it's also a community that's infrastructurally speaking relatively young, it has a lot of infrastructure needs. One of my school board members said just a couple of weeks ago at a meeting, it's kind of ironic and perhaps even a little sad, that you can have a moratorium around growth and building when there isn't adequate sewer capacity, but there's been minimal regard with respect to school capacity, that struck a cord with me and I thought that doesn't seem right.

We've also had a talk tonight it sounds like around kind of politics is the art of the possible. I can assure you that the one thing that is politically acceptable in Ridgefield, the one place where folks would near unanimously say yes is please increase impact fees. This is an expectation in the Ridgefield community. Perhaps, and we're a district that has passed bonds but it's also had a bond in February that didn't pass, that might be one thing

that's causing some concern amongst voters is this idea that new development is not paying formulaically speaking the maximum that it should be.

I point out that even the multi-family housing still is not quite at the maximum of what the request could be and I would also say there's not a law that I'm aware of that requires the developers to automatically pass the impact fee cost on to the resident, it's not a requirement, and I've listened to this, this discussion for a number of years, the district has tried to be a really good partner with both the City and the County in this, I welcome discussions around affordable housing in Ridgefield.

We'd like to see a more diverse set of housing options, but the school district's primary responsibility is to make sure that we have facilities to serve the students in the district, and the City of Ridgefield's own survey shows that the number one reason families are moving in Ridgefield and moving in droves is the quality of the schools in Ridgefield.

I can promise you that the goal is not to build Taj Mahal's in Ridgefield, but it is to build learning environments that will reap a return on that investment for years to come. Part of what they get when they get a school in Ridgefield too is a building that

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

60

we try to operate as close to 24/7, 365 as possible allowing as many partners as we can to come in to occupy those spaces during non-learning hours. It's been a core, a core focus of the school board in my five plus years as superintendent.

QUIRING: Who are some of those partners?

MCCANN: Everything from the faith-based community to young youthful organizations like a Ridgefield Main Street and the Ridgefield Chamber of Commerce that don't necessarily have the capacity on their own. Obviously the sports partners that come and use our fields and our gymnasiums, etc.

QUIRING: Okay. I just want to comment on the community wanting, affirming the need for these impact fees. Those people that are in the community now are saying we want somebody else to pay some impact fees when they come in here, so they're not actually paying this, it's going to be the future occupants of those homes that are paying it, and when the community says we want the future occupants to pay this, it's a little different than the people themselves who are already there saying, yeah, let us pay an additional 10, \$11,000.

MCCANN: I don't doubt that at all. I will say that there are a

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

number of families that move up from say one price point home to another and in many cases end up paying that impact fee several times during their lives in Ridgefield.

QUIRING: Do you have any idea what those statistics are?

MCCANN: That would be conjecture on my part.

QUIRING: Any other questions?

OLSON: Go ahead.

MEDVIGY: Thank you. Yes. So these are, sometimes we just don't know what the impacts are going to be on development and we can certainly readily agree at some point -- at some price point these fees are going to absolutely impact affordability of homes, it's unavoidable, but going to the point you just made and it's, you know, we're not necessarily always talking about other people coming here, I mean we have how many high school graduates do we have every year in the county, they're going to want a home some day and so at some point we're just pricing affordable housing out of the market for the entire county and certainly it may be an impetus for people to vote down bonds pretty consistently when they see the price of everything going up in the county.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

There's no question we want schools that are second to none, not only in the county, but in the state and perhaps in the nation, we want, you know, funding for schools is sacrosanct and it's the funding models that we have in place that are really giving us no option here and I think ultimately for the building industry this will be kind of self-leveling, at some point they're going to, we're going to throttle back on development because of all the fees and the cost raising -- rising, and starter homes not being available, you know, the data that was just given to us by the last constituent is very telling and we've heard them before.

So it is a tough policy decision and we want great schools, there's no question about it, we want adequate schools, we don't want a whole lot of temporary structures out there, it's just at some point we have to realize these are our children, the next generation that we're also pricing out of the market too as we increase these fees, you know, our own local Clark County families.

QUIRING: Councilor Lentz.

LENTZ: While I hear what the Councilor is saying, I think that also we need to recognize that development does have impacts and we can talk about wanting great schools and great parks and roads

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

that we can drive on, but then if we don't actually step up and pay for those, we don't get them.

We've seen incredible growth in Ridgefield and as the superintendent said a lot of that is because of an incredibly quality school district, and while I regret that this is such a huge jump so quickly because there will be some sticker shock, if people are moving to Ridgefield because there are great schools, then we should keep those schools great and right now there's a very big risk that they will take a turn, we're seeing kids packed into portables, we're seeing the great need for schools, and I do hear and support the idea that if we aren't charging development its fair share, how can we go to the voters and ask them to pay more to support a bond as well.

QUIRING: Councilor Olson.

OLSON: And I'll just kind of pick up from there. I mean, that's what we heard when we started talking about urban holding from the Ridgefield community was the City is already charging \$8900 and the County was charging \$6500 and that discrepancy spoke to them and at this point I've not seen where those impact fees have scared away developers or home buyers.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

64

I see multi-family going up as you drive into Ridgefield now right by the grocery store and, you know, having been a part of the Ridgefield community for 26 years and serving my eight years on the school board, this is a community that supports its schools and it's amazing to see how the city's changed and the community's changed just in the last five and six years as growth has occurred, that has not changed, it's even gotten stronger I think over the last five years.

So that community, the Ridgefield community is asking us in the challenge of this affordable housing discussion that we're having all over the West Coast, all over the coasts in this country they're asking us to make sure that new development helps pay for the schools needed to take care of those new students and that's the way we fund things in Washington State through impact fees, new growth pays for infrastructure to support it.

And I would say in addition to the schools, the reason people are moving to Ridgefield is because it's a fricking great city and it's got a great city council and it's got a great form of government, it's a community, a real community and they're asking us to do this, so that speaks a lot.

QUIRING: Any other questions? Councilor Blom.

BLOM: I would just, I think we've heard two opposing viewpoints kind of about this and I think if it's possible to agree with both that's kind of where I'm at.

I mean, this does make an impact on the affordable housing and it either gets passed onto the buyer because no builder is going to build a house if they can't pay their subs, pay their costs and still make a living at the end of the day or it gets passed onto the landowner and I think that's where this ties into our whole housing affordability issue with GMA is that either landowners are going to have to take less for their money because or this or the projects just won't go forward and houses will either way continue to cost more.

But what I really wanted to say though about this I think this is probably the biggest challenge facing to Councilor Olson's point the entire West Coast is that we have become a very desirable area for people to live and to work and with that comes costs and there are not a lot of ways that we can spread those costs around and so how do we on one hand deal with the issue of housing affordability and on the other deal with the desire for people they want to be here because of the schools, because of the parks, because of the roads, because of infrastructure trying to balance that.

So I think probably the hardest thing that, the thing that I struggle with on this Council, this jump does bother me, it is significant. I think the disparity in projects that are already vested that are going to be being built under these lower fees compared to a project that comes in right after and doesn't get that vesting, to me that's an issue that with the formula and how these things can swing wildly. So I am supportive nervously of this, but I think it highlights one of the challenges of living in a beautiful area where people want to live.

OLSON: And if I could ask another one.

QUIRING: Councilor Olson.

OLSON: And I'm not suggesting this but I'm just going to bring it up for discussion is, you know, we're presented with a 2020 impact fee and a 2021 impact fee.

QUIRING: What if?

OLSON: We don't have to accept it as it's presented, we could adopt an impact fee until Ridgfield comes back for their next capital facilities plan update, so I just --

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

67

QUIRING: I was kind of going in the same direction actually thinking about what the City is collecting at this point. In the long run really what's going to happen if we adopt this, the market will tell us what's going to happen. I mean, some projects will not be built just because of the cost and that cost is passed on to, the developer doesn't take that hit, they will probably take less of a profit but it is passed on to the home buyer no matter what but, you know, I was wondering about too whether we don't, we could actually say, okay, something is more palatable than this.

BLOM: And I would just say to that I think if, with this tiered approach what you would almost guarantee to see is a whole rush of applications to get in and get the vesting in 2020 before that rate goes up which may not be the best thing for either the City of Ridgefield or the schools to have everyone rush, get their land entitled at that lower fee and then just sit on those entitlements for a couple of years and not build, but they're still going to be locked into that lower rate, so I'd be very supportive of -- I don't know if you had a number.

OLSON: Well, I wouldn't advocate anything less than the 10,100, that's the number that I would --

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

68

QUIRING: And so what are you suggesting then, not having the 12 percent the following year?

OLSON: That would be an option that we could consider. Is adopt the fee of 10,100 and have that be the new year without another increase the next year and then they're going to come back with another capital facilities plan anyway in 2020.

QUIRING: Right. Thoughts? Comments?

MCCANN: I appreciate the creative thinking. I also think it's important because I think the County Council is, I think your comments were spot on and this is, this is still a good problem to have. The Rust Belt would kill for the problem that we're all debating here tonight.

And I will share as well that this same request is being made of the City of Ridgefield and they're using a Bucknall Rider Price Index that's been going up roughly at that six percent rate, but the school board has said it is imperative that we reach the maximum and the constituency, the board members have said it's really important.

And I would, I guess my final thought on this is I'd still point

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

out that 10,100 that could have been the \$11,289.53 that we could have asked for several years ago. I do get the pain that can cause when a cup of coffee was \$1 for a long period of time and then you have to raise it all the way to \$2 in a fairly short period of time, perhaps you underpriced that cup of coffee for a period of time.

The increases though still percentage-wise while the dollar value is larger aren't the percentage increases that we saw with the multi-family like in the Woodland School District for example probably with minimal impact to the amount of multi-family that's being built in unincorporated Clark County that serves the Woodland School District admittedly.

QUIRING: So what is your projection for the school population for next year?

MCCANN: We'll add 1760 over this next five years, so that's roughly nearly 400 kids a year that we're looking at, 350 kids or so a year.

ALLEN: If you went to 10,100 now --

QUIRING: I'm sorry. What?

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

70

ALLEN: -- we're doing that next year with an updated capital facility plan. So the district, I won't know till we update their plan and I calculate the fee, but it's an opportunity for the district then and for the County and frankly the City to look at what is the new plan, what is the growth, what is payment of the \$10,100 fee done to development in that community in terms of applications for new people coming in and request and make the case for the 11,290 next year since we're going to be here anyway or more if the calculated formula suggests more is needed or it will drop if the calculated formula produces a lower amount.

So I think that recommendation of just going with 10,100 now and not locking in 2021 when we have to do a new plan and come back anyway makes some sense.

OLSON: And you have a bond on the ballot in February; correct?

MCCANN: Yes.

OLSON: And would that impact, the new calculations if that bond passes and you update the capital facilities plan and that will have --

ALLEN: Yeah, it will, any tax levy rate will which is in the fee

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

71

calculation and updated average assessed values of properties in Ridgefield, all of those factors will be different.

OLSON: And so that might be why I would even be a little bit stronger in terms of just adopting one fee tonight and wait for the next capital facilities plan and the bond in February.

QUIRING: Okay. So I'm looking at the numbers that I kind of scratched down as I listened to the various districts that came forward. So La Center has a school growth, a student growth of 400. The Evergreen School District is a little over 400, maybe more closer to 500. Hockinson I didn't write that one down, 400, I did 400 students. Woodland has a growth of 4 to 500 students and you're saying that it's going to be 400 students a year for three years or 1760 over five years; right?

MCCANN: Over the next five school years, yeah, counting this school year, and I believe that might be stretched over a six-year period.

ALLEN: So 400 over six years versus 400 a year.

QUIRING: Okay. So you're saying these other school districts are over six years.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

72

ALLEN: That was their six-year forecast growth.

QUIRING: Okay.

ALLEN: 1760 and Ridgefield --

QUIRING: Thank you for clarifying that, that helps. Any other questions?

MEDVIGY: So I just want to make it clear, I don't think there's anyone up here that wants to shortchange our schools in the least. I mean, we want schools that are the best in the country that we can be proud of and --

ALLEN: I want to say I really appreciate the debate, the dialogue, it's been great, I commend the County Council for having the discussion and weighing everything and also County staff. I've been doing this a long time with Oliver, Jenna's fairly new and she seems like a pro at it, so we have a great relationship and a great partnership as the superintendent said and we value that, so thank you.

OLSON: Madam Chair, if I might.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

73

QUIRING: Okay.

OLSON: Let me see if I can do this right. I would move that we approve CPZ2019-00027, Ridgefield School District Impact Fee Change to \$10,100. Does that get us there?

QUIRING: With no -- with no --

OLSON: With no --

ORJIAKO: With no increase in 2021.

OLSON: With no increase in 2021.

BLOM: Second.

QUIRING: Okay. It's been moved and seconded to approve CPZ2019-00027 for \$10,100 for 2020 and no bump up in 2021. Did I state that okay? Is there any further discussion?

OLSON: No. I just want to say thank you for, I hope, we're working on this, and again Ridgefield is a great place to live and that's why people are moving there and the schools are that's why people

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

74

are moving there, so...

QUIRING: Okay. We can call the roll.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: Motion passes. Okay. Moving on to CPZ2019-00030,
Shoreline Master Plan.

ORJIAKO: Councilors, with my staff, this is, we are not amending
the Shoreline Master Program, we are just asking you to approve
the public partition plan that we are putting in place to help us
in engaging the community as we update the Shoreline Master Plan
that is required by State due June of 2020. We've had a work
session with the Council on this.

KAY: So this is CPZ2019-00030 regarding the Shoreline Master
Program Periodic Review Public Participation Plan.

As we discussed in our work session, Clark County is undertaking

a periodic review of its Shoreline Master Program as required by the Washington State Shoreline Management Act in RCW 90.58.080. The Shoreline Management Act requires each Shoreline Master Program be reviewed and revised if needed on an eight-year schedule established by the legislature. The review ensures the Shoreline Master Program stays current with changes in laws and rules, remains consistent with other Clark County plans and regulations and is responsive to changed circumstances, new information and improved data.

A Public Participation Plan is required to describe how Clark County will encourage early and continuous public participation throughout the process of reviewing the Shoreline Master Program and the plan describes the steps that Clark County will take to provide opportunities for public engagement and public comment as well as Clark County contact information and web addresses.

And the plan includes open houses, meeting with advisory boards such as the Development & Engineering Advisory Board, the Clean Water Commission, the Parks Advisory Board and the Planning Commission as well as meeting with any neighborhood association or interest group who is interested in meeting to discuss the project.

The plan also includes selecting the joint comment period for the

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

76

Department of Ecology as well as providing opportunities for testimony during Planning Commission and Council hearings.

So today we are requesting Council approval of the Shoreline Master Program Periodic Review Public Participation Plan & Associated Resolution so that we can move forward into the outreach and proposal development plan this fall followed by the adoption process in 2020.

QUIRING: Okay. Richard Dyrland.

DYRLAND: Richard Dyrland, 27511 N.E. 29th Avenue, Ridgefield, Washington. I have three brief shoreline related comments to make.

One, we need to have more effective enforcement of existing shoreline regulations, and I raised that twice, in the future changes that may come up through this process here and I'm encouraged to see that kind of a step-by-step logical layout of the process. Second, we need to make sure that we don't have inadvertently use shoreline regulations to stall or prevent good stream protection and restoration progress or projects, again this is primarily related to reviewers and the amount of field experience they have. Third, we need to put more emphasis to on

the ground training of staff specialists.

We have too much going by the book versus field experience and training and I think what we see coming with the development and expansion and the other possible situations that may arrive and if we get another bridge, these things become even more important to reflect the quality of life that you folks have described so well here in the last hour or two. Thank you.

QUIRING: Thank you. Carol Levanen.

LEVANEN: Carol Levanen for Clark County Citizens United. If I remember right, this Shoreline Management Plan there was conversation, I don't know if it was either at work session or possibly at some sort of hearing, regarding the DNR cutting permits. And if I remember right there was language that was proposed and maybe I'm thinking of the wrong document, but proposed that would say that the, in the DNR cutting permit that people can cut their timber but they can't put any logging roads and they can't put access roads and they can't put landings and they can't put all of these things that are all part of logging and I remember that the DOE and the Department or DNR and DOE also warned Clark County not too step on their toes more or less.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

78

Always remember that there's State law that controls those things that the County didn't have jurisdiction to make those kinds of changes. I just came across some documentation that, and I think I forwarded it to the Council regarding this of what the State law actually says and all of those kinds of activities for logging activities are exempt under the shorelines unless they actually directly affected a Class V, I think a Class V is the big one or Class I, you never know.

But, anyways, so I'm hoping that what you're going to be reviewing in this language of this document that you're going to be putting forward to the public doesn't include that because we gave testimony against, some pretty extensive testimony against including that portion. We've also alerted the forest industry folks and they're not happy with this and they said they've got a fight, if the County tries to do something like this they've got a fight on their hands.

So that's part of logging, those logging roads, those landings, those culverts that they have to put in, all those kinds of things, the State requires that, they require them to pave, they actually prefer that they pave it, let alone, at least they require quite a bit of rock, but they prefer if they log -- if they pave those roads and of course those roads are used for everybody else after

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

79

the logging is over with. So to put that under a county jurisdiction it's not a good idea and hopefully you've taken it out of this draft. Thank you.

QUIRING: Thank you. Actually, Jenna, I think we talked about this at some, would you like to comment on that.

KAY: Sure.

QUIRING: Are these roads -- I don't --

KAY: Yeah. This came up with, we did an amendment to the Shoreline Master Program Code I guess last year --

ORJIAKO: Correct.

KAY: -- and, but there were some comments submitted regarding that amendment regarding we were adding some clarifying language around forestry practices too, we were trying to clarify what is considered development and not under the Shoreline Management Act which I believe what was just being referenced, so that was part of the previous amendment. I don't know if you want to add anything, Oliver.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

80

ORJIAKO: No. The only thing I will add is that with respect to Carol that is not what is before you, that was the discussion that as Jenna indicated happened when we made the limited amendment to the shoreline and during the comment they submitted a comment, we reviewed it concurrently with Ecology and they approved that amendment and the amendment that was made was consistent with the rules put out by Ecology, so I believe that Ecology have resolved that issue.

QUIRING: Okay. Any other questions? Okay. Then moving along to the actual item at hand here, the Shoreline Master Plan Periodic Review Public Participation Plan.

BLOM: Move to approve CPZ2019-00030.

OLSON: Second.

QUIRING: It's been moved and seconded to approve CPZ2019-00030. Any discussion? Call the roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

QUIRING: AYE

QUIRING: Motion passes.

ORJIAKO: Councilors, I believe we submitted a resolution and I think we would like the Council to approve this by resolution. Is there a resolution? No?

KAY: Was it attached to the staff report?

QUIRING: Not here.

LENTZ: It's a secondary document.

BLOM: Oh, I have it maybe.

LENTZ: It doesn't have a number yet.

OLSON: It's 2019-09-10.

ORJIAKO: Thank you. Thank you, Rebecca.

OLSON: Move to approve Resolution No. 2019-09-10.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

82

BLOM: Second.

QUIRING: It's been moved and seconded to approve Resolution No. 2019-09-10. Is there any further discussion? Call the roll, please. This could be a voice; right? All in favor say aye.

EVERYBODY: AYE

QUIRING: Opposed? Hearing and seeing none the motion passes. Right.

ORJIAKO: Thank you, Councilors.

QUIRING: Thank you. Okay. Clark County Unified Development Code Amendments.

ORJIAKO: Councilors, quickly, there are two items under this CPZ2019-00014, one dealing with the new Bill that the legislature passed and the governor signed dealing with extension of sewer pipeline to serve schools that are in the rural area with some restrictions, if you will.

And then the second item is an amendment to Title 40 dealing with allowing a cemetery that is attached to a church and limited in

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

83

scope. And Jose Alvarez who is our project lead on these two items will give you the presentation and the recommendation of the Planning Commission.

ALVAREZ: Okay. So the Planning Commission approved what Oliver just laid out unanimously 5 to 0. I'll show you the, let's start with the changes for the resource district.

Essentially this would add cemeteries in the forest FR-80 zone -- FR-40, I'm sorry, as a conditional use and then this Footnote 11 essentially says that a cemetery would be subordinate to a church in existence as of January 1, 2019, may be permitted subject to the conditional use permit approval.

Again, this came through us through the Apostolic Church just outside of Yacolt where they have an existing church but didn't have a cemetery. There are a couple of other jurisdictions in the state that do allow them in the forest zones and those are in the staff report. I think that's, I think this would be the only property that would be affected also.

QUIRING: And it's in a forest zone?

ALVAREZ: Yes.

ORJIAKO: Yes, FR-40.

QUIRING: Okay. Thank you. Any other questions? Anybody have any questions?

ALVAREZ: And then the sewerage regulations. We had language that we're cleaning up in Numbers 2 and 3 where we did have some language about extending sewer which shouldn't have been there but, so we're cleaning that up and then essentially reflecting what's in the Bill that the legislature passed in 2017 that allows for the extension of sewer to serve schools in the rural area.

There is a provision that also allows properties intervening between there to connect to the sewer, but based on sort of approval of the school district the provider and the jurisdiction, so the County would have some say in that and it also has to comply with, well, this is the RCW that established the new code and in that it also references RCW 36.70A.110 Subsection 4 that pretty much has the rules for where, when and where sewer can be extended outside of an urban growth boundary.

QUIRING: That says Subsection 3.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

85

ALVAREZ: Right. That's the new law.

QUIRING: Okay.

ALVAREZ: In that section --

QUIRING: It was in 4. Okay.

ALVAREZ: In that section it refers to the section I just talked to you.

QUIRING: All right. Thank you. Okay. Any questions of Council? I want to go back to the other one just for one second. You've been in contact with the people who requested this and they know that this is happening, do you know about the cemetery?

ALVAREZ: I believe I got a call from them I think asking about when it would take effect.

QUIRING: I mean, I can look back a couple of years in my e-mails to find out exactly who it was, but I'm --

ALVAREZ: I think it was the Apostolic Lutheran Church.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

QUIRING: It was and there was a particular individual, an elder or something.

ORJIAKO: They've been asking us when will the change become effective, we indicated that we are going through the hearing process.

QUIRING: Okay. Okay. Great. Thank you so much.

ALVAREZ: Yeah. And this is tied to the once a year amendment, so it would go into effect in February.

QUIRING: Yes, exactly.

ALVAREZ: Right.

QUIRING: Any other questions? Okay. Let's see, Carol Levanen. Almost forgot.

OLSON: I was about to make a motion.

QUIRING: I know. I hope it's good, we did something for your church.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

87

LEVANEN: Carol Levanen for Clark County Citizens United. I support this document for both reasons for the schools and for the cemetery. All of our churches, I don't know if you know, we're going to be building another church here and all of our churches are wanting to do cemeteries right next to the church so that we don't impact the roads and other public cemeteries. So anyways, thank you for that.

QUIRING: Yes. Thank you. Okay.

OLSON: Move to approve -- I'm sorry.

QUIRING: Oh, Oliver.

ORJIAKO: Councilors, if I may, I would like you to take these two items individually, please.

QUIRING: Oh, all right.

OLSON: So --

QUIRING: Let's see.

ALVAREZ: Make reference to the code section I think would probably

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

be --

OLSON: Okay. So rather than a CPZ?

ALVAREZ: Right.

OLSON: Okay. So move to approve Clark County Unified Development Code Amendment CCC 40.370.010.

LENTZ: Second.

QUIRING: It's been moved and seconded to approve Code Section 40.370.010. Is there a discussion? This is a roll call. Call the roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

QUIRING: AYE

QUIRING: And the next one.

OLSON: Move to approve Clark County Code Update 40.210.010.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

LENTZ: Second.

QUIRING: It's been moved and seconded to approve Code Update to 40.210.010. Is there any discussion? Call the roll, please.

LENTZ: AYE

OLSON: AYE

BLOM: AYE

MEDVIGY: AYE

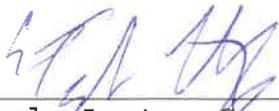
QUIRING: AYE

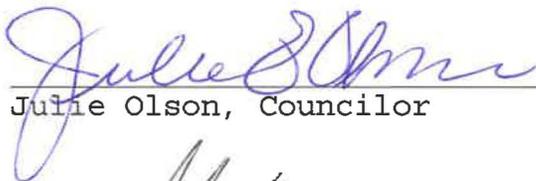
QUIRING: Motion passes. Thank you.

CLARK COUNTY COUNCILORS
MINUTES OF Sept. 3, 2019
ANNUAL REVIEWS & DOCKETS

CLARK COUNTY COUNCIL


Eileen Quiring, Chair


Temple Lentz, Councilor


Julie Olson, Councilor


John Blom, Councilor




Gary Medvigy, Councilor

ATTEST:


Rebecca Messinger, Clerk to the Council

Minutes Transcribed by:
Cindy Holley, Court Reporter/Rider & Associates, Inc.