



proud past, promising future



## COMMUNITY PLANNING

### STAFF REPORT

TO: Clark County Planning Commission  
FROM: Matt Hermen, Planner III  
DATE: June 18, 2015  
SUBJECT: TIF Program Update

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### BACKGROUND

Traffic Impact Fees (TIF) are a development charge to recover the cost incurred in order to provide the public facilities required to serve new development. In September 1990, Clark County adopted its first TIF program. The implementation of the program provided a subsidy for road improvement projects that supported population and economic growth.

There have been a number of updates to the program since 1990 with the most recent one being in July of 2010. Clark County and the City of Vancouver have had a joint program since 2001. In 2014, the City of Vancouver adopted a TIF program solely for inside the city limits. This action leaves the county with several districts that partially remain within the city limits. It is necessary to update the program to account for growth solely in Clark County and not the City of Vancouver. The Clark County specific TIF Program provides a simplified program for staff to administer and developers to interpret, while maintaining a legal connection between vehicle trip generation and facilities funded for each district (RCW 82.02). In addition to updating the TIF program, amendments to CCC Subtitle 40.6 (Development Impact Fees) are proposed to reflect case law and maintain consistency.

Over the last seven months, staff has been reviewing all the elements of the current TIF program. We have reviewed and addressed numerous policy issues, process related issues, and computational approaches embedded in the current program. Based on those activities, work sessions, and cooperation from technical and stakeholder advisory committees, staff has developed a proposed updated TIF program. This proposed program is consistent with the adopted Capital Facilities Plan (CFP) and the Comprehensive Growth Management Plan.

### PROPOSED ACTION

The primary elements of the updated TIF program are described in the sections below:



RESOLUTION NO 2015-11-16

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A RESOLUTION amending Resolution 2015-04-05 and other planning assumptions and policies relating to Clark County's comprehensive land use plan 2016 update pursuant to RCW 36 70A

WHEREAS, the Board has diligently engaged in a thorough process involving numerous duly advertised public meetings including work session, open houses, and hearings, and;

WHEREAS, the Board took public testimony from interested parties, considered all the written and oral arguments and testimony, and considered all the comments presented to the Board, and

WHEREAS, the Board has considered and adopted an evolving set of assumptions, definitions, parameters, documents, maps, and policies based on a continually increasing body of knowledge provided by diligent research, historical records, arguments, testimony, comments, and a draft SEIS, and,

WHEREAS, these processes served to define, correct, refine, and optimize the draft assumptions and plans in order to incorporate identified improvements and to mitigate identified concerns, and,

WHEREAS, the Board at a duly advertised public hearing on November 24, 2015, finds that adoption will further the public health, safety and welfare, now therefore,

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COUNCILORS OF CLARK COUNTY, STATE OF WASHINGTON AS FOLLOWS

The Board hereby adopts choice B of Exhibit A to amend the previously adopted assumptions and policies for Clark County's comprehensive plan 2016 update

Furthermore, the Board adopts Exhibit B to document the proposed rural forecasts and planned rural capacity as significantly more conservative than the approved 2004-2024 GMA compliant Comp Plan update

Exhibit A - Planning Assumption Choices - Rev 1 09  
Exhibit B - Rural Comparison of the 2004-2024 and the Proposed 2016-2035 Comp Plan Update

ADOPTED this 24th day of November, 2015

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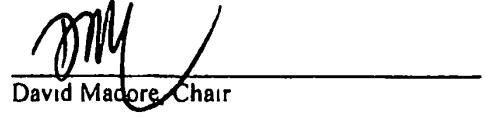
Clerk of the Board

~~REVIEWED AND~~  
~~APPROVED~~ AS TO FORM ONLY

Anthony F Golik, Prosecuting Attorney

By   
Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
FOR CLARK COUNTY, WASHINGTON

  
David Madore, Chair

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Jeanne E Stewart, Councilor

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Tom Mielke, Councilor

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Clark County

2016 Comprehensive Growth Management Plan Update



CHECKING IN ON OUR FUTURE

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## Exhibit A – Planning Assumption Choices

### Rev 1.09

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**An Evidence Based Proposal to the Community**

**11/18/2015**

This document focuses primarily on the rural assumptions of the 2016 Comp Plan update, particularly Alternative 1 and Alternative 4. The proposal contrasts existing choice A with the proposed choice B and provides the factual basis for each. Table 1 provides the assumptions that define the methods for calculating the capacity for rural parcels to accommodate population growth. Table 2 provides the general planning assumptions for population growth, accommodating that growth, GMA considerations, and logical conclusions. The Reference Section provides relevant evidence, the historical basis, and supporting calculations for the two assumptions tables. The purpose of this document is to present the compelling need to revise the original draft assumptions with more accurate, appropriate, realistic, and evidence based assumptions and to apply the insight gained from staff, cities, citizens, the GIS database, and actual historical records to the planning methods and process. Rev 1.09 incorporates the November 18, 2015 corrected Alt-4 Choice B Rural zone total.

**Table 1: GIS Rural Vacant Buildable Lands Model (VBLM) Assumptions**

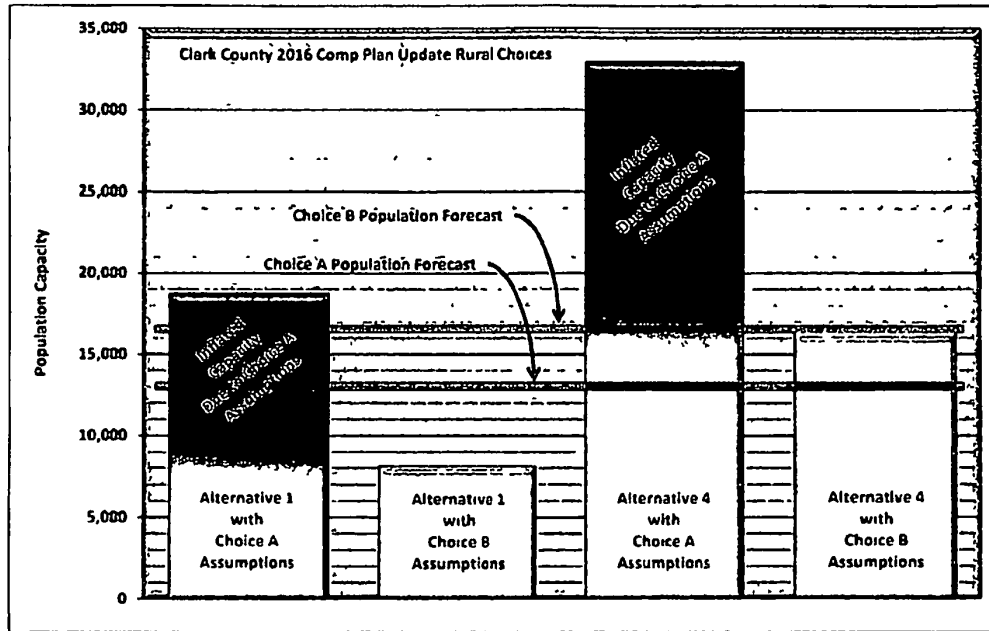
Ref	A (existing)	B (proposed)
1	Every possible rural parcel shall be counted as a parcel that will develop regardless of conditions that would likely make such development unlikely	These rural VBLM assumptions should be used not to reflect what is possible, but to reasonably plan for what is likely. Parcels that cannot reasonably be expected to develop should not be counted as parcels likely to develop. Cluster development remainder parcels that are known to be prohibited from further development should not be counted as parcels likely to develop.
2	Rural parcels located in areas far from basic infrastructure with continuous long term commercial forestry operations should be counted as parcels that will develop	Parcels located in areas far from infrastructure with long term commercial forestry operations likely to continue should not be counted as likely to develop. These assumptions are not used to authorize or to prohibit the development of individual parcels. Rather, these assumptions should only be used for tallying parcel totals for general planning information.
3	Rural parcels including 100% of environmentally constrained areas that lack sufficient area for septic systems and well clearances shall be counted as rural parcels that will develop	Rural parcels that have less than 1 acre of environmentally unconstrained land sufficient area for septic systems and well clearances should not be counted as likely to develop.
4	History shows that about 30% of dividable parcels with homes and 10% of vacant dividable parcels do not develop further. So those deductions have been applied to urban planning totals for years. But every rural parcel shall be counted as a parcel that will divide to the maximum degree possible.	History shows that about 30% of dividable parcels with homes and 10% of vacant dividable parcels do not develop further. So those deductions have been applied to urban planning totals for years. These same deductions should be applied to rural planning totals as well.
5	As long as county code allows, lots that are up to 10% smaller than the minimum lot size should be considered as conforming lots and counted as parcels likely to develop.	Same
6	Although county code prohibits most nonconforming parcels from developing, all nonconforming parcels with 1 acre shall be counted as rural parcels that will develop.	Due to some exceptions from the norm, 10% of nonconforming parcels with at least 1 acre of unconstrained area will likely develop.
7	A 15% urban Market Factor provides some margin for the law of supply and demand to comply with the GMA requirement to provide a sufficient supply and achieve the affordable housing goal. But a 0% Market Factor shall be used for rural areas.	A 7.5% rural Market Factor should be used to provide a reasonable margin for the law of supply and demand to comply with the GMA requirement to provide a sufficient supply and achieve the affordable housing goal. Implementation of this rural Market Factor is accomplished by deducting this percentage of parcels from the total available rural parcels. Note that this rural Market Factor is half of the urban Market Factor of 15% in order to also satisfy the GMA goal of reducing low density sprawl.
8	A 27.7% infrastructure deduction for infrastructure including roads, storm water, parks, schools, fire stations, conservation areas, lakes, streams, protected buffers, Etc. A 0% deduction shall be used for rural areas.	Same

**Table 2: Planning Assumptions**

Ref	A (existing)	B (proposed)
1	The 20 year urban population is forecasted to increase by 116,591	Same
2	The actual urban/rural split has consistently been 86/14 for decades. But a 90/10 split shall be used instead to lower the rural population growth forecast to only 12,955 persons.	The actual urban/rural split has consistently been 86/14 for decades and is a viable policy option. The 1994 approved plan used 80/20. A more moderate policy of 87.5/12.5 forecasts 16,656 new rural persons for this plan update.
3	The annual county-wide population is forecasted to grow by 129,546 from 448,845 in 2015 to 578,391 in 2035 which calculates to an annual growth rate of 1.28%.	The county-wide population is forecasted to grow by 133,247 from 448,845 in 2015 to 582,092 in 2035. That is a 1.31% annual growth rate. That total is 0.6% higher than choice A. The annual rate is 0.03% higher than choice A.
4	The choice A assumptions assert that Alternative 1 would add 18,814 new persons in the rural area which is 45% more impact than necessary since choice A forecasts a need for 12,955 new persons in the rural area.	The choice B assumptions show that Alternative 1 can fit 8,182 new persons which is 51% too low. Thus Alternative 1 is not a viable option since it cannot comply with the GMA requirement to provide for the forecasted growth (8,182 / 16,656).
5	The choice A assumptions assert that the original draft Alternative 4 map would add 32,987 new persons which is 155% more impact than necessary since choice A forecasts a need for 12,955 new persons in the rural area.	The choice B assumptions assert that the updated Alternative 4 map can accommodate 16,332 new rural persons. That falls within 2% of the forecasted rural population growth of 16,656 persons. Therefore, Alternative 4 is the appropriate choice.
6	No improvements or mitigations that were identified in the public process should be allowed. Each draft alternative must be accepted or rejected as is. Any revisions would require the process to start over and result in missing the required deadline.	The Alternative 4 updated maps include mitigations that increase the variety of lot sizes including AG-20, preserve large parcels near the UGBs for future employment, and better preserve the rural character. These revisions and planning assumptions should be allowed as proposed.
7	Cluster options are not necessarily included in any Alternative and therefore may not be available to preserve open space or large areas of habitat.	Rural cluster options are to be integrated into Alternative 4 within the limits of the law per previous direction given by the Board for R, AG, and FR zones to provide flexibility, to preserve open space, and to better provide for larger aggregated areas of habitat.
8	The existing Alternative-1 map defines 57% of existing R parcels as nonconforming, 76% of existing AG parcels as nonconforming, and 89% of existing FR parcels as nonconforming. It is not realistic since it does not fit the already developed patterns that actually exist.	The updated Alternative-4 map should be adopted to correct the mismatch between Alternative 1 map and the already developed patterns that actually exist, to respect predominant lot sizes, to resolve some spot zoning problems, and to best accommodate the forecasted population.



**Graph 1: Rural Population Capacity and Forecast**



Note that the existing Comp Plan approved in 2008 planned for a rural population increase that was higher than both choice A and choice B. That 2008 Plan approved for 19,263 new people to be accommodated in the rural area. That plan also approved a higher county-wide population increase to 584,310 persons by the year 2024. – 2004-2024 Comp Plan, chapter 3, page 3-3.

It would be logically fallacious to assert that the proposed choice B with lesser rural population growth and rural impact is somehow not compliant with the GMA after the existing Comp Plan with higher numbers and more impact was approved and found to be GMA compliant.

Assumption choice A counts on developing significant percentages of environmentally constrained land and critical areas. In contrast, choice B better respects the environmentally constrained land and critical areas to better preserve the environment.

**Table 3: The Actual Urban / Rural split for the past 20 years**

Year	County-wide Population	Rural Population	Percent Rural Population	Urban / Rural Split
1995	279,522	43,254	15.5	84/16
1996	293,182	44,882	15.3	85/15
1997	305,287	46,409	15.2	85/15
1998	319,233	48,104	15.1	85/15
1999	330,800	49,429	14.9	85/15
2000	346,435	51,182	14.8	85/15
2001	354,870	52,002	14.7	85/15
2002	369,360	53,548	14.5	85/15
2003	375,394	54,146	14.4	86/14
2004	384,713	54,869	14.3	86/14
2005	395,780	56,009	14.2	86/14
2006	406,124	57,551	14.2	86/14
2007	414,743	58,608	14.1	86/14
2008	419,483	59,042	14.1	86/14
2009	424,406	59,623	14.0	86/14
2010	427,327	59,858	14.0	86/14
2011	432,109	60,544	14.0	86/14
2012	435,048	60,845	14.0	86/14
2013	443,277	61,489	13.9	86/14
2014	446,785	61,948	13.9	86/14

Source Clark County Assessor GIS records.



The following table documents the actual capacity of the rural area to accommodate the potential population increase for Alternative 1 and Alternative 4 using proposed choice B assumptions compared to the existing choice A assumptions considered in the DSEIS. The revised Alternative 4 map with Choice B assumptions is the proposed Choice B policy.

**Table 4: Rural Capacity to Accommodate Population Growth**

	Alt-1 Capacity per DSEIS Choice A (existing)	Alt-1 Actual Capacity Choice B (proposed)	Alt-4 Capacity per DSEIS Choice A (existing)	Alt-4 Actual Capacity Choice B (proposed)
Rural Zone	5,684	2,570	9,880	4,610
Agriculture Zone	970	286	1,958	733
Forest Zone	419	162	563	1,097
Nonconforming likely		183		74
Other Rural Zones		124		124
Gross potential growth home sites	7,073	3,325	12,401	6,638
7.5% Market Factor deduction	0	-249	0	-498
Net potential growth of home sites	7,073	3,076	12,401	6,140
Potential population growth	18,814	8,182	32,987	16,332

Source: Clark County GIS:

**Correcting the population growth planning assumptions:**

The following table lists the population, growth rates, and urban/rural split options for resolving the differences between the tables in the DSEIS, the adopted resolutions, and planning assumptions. Reference 4 is proposed Choice B policy

**Table 5: Variations in Population Forecast Documentation**

Ref	Starting population in the year 2015	20-year county-wide population projection	Planned county-wide population growth	Planned urban population growth	Planned rural population growth	Stated annual growth rate	Actual annual growth rate
1	448,845	578,391*	129,546*	116,591	12,955	1.12%*	1.28%
2	447,865	577,431*	129,566*	116,609	12,957	1.25%*	1.29%
3	448,815	577,431*	128,616*	115,754	12,862	1.26%*	1.27%
4	448,845*	582,092	133,247	116,591*	16,656	1.31%	1.31%

\* indicates a directly specified parameter that drives the other parameters.

The calculations for each of the table entries are as follows:

Ref 1 The most recent population growth projection was adopted on April 14, 2015 via resolution# 2015-04-05

<http://clark.wa.gov/thegrid/documents/2015-04-05.pdf>

2015 starting population = 578,391 – 129,546 = 448,845

The Urban/rural population growth split = 90% urban, 10% rural

2035 urban population growth = 129,546 \*0.9 = 116,591

2035 rural population growth = 129,546 \*0.1 = 12,955

County-wide annual growth rate = 578,391 / 448,845 = 1.2886208

The 20<sup>th</sup> root of 1.2886208 = 1.012759, annual growth rate = 1.28%

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Ref 2. DSEIS table S-1 on page S-2

<http://clark.wa.gov/cgrid/images/DSEISTableS-1.JPG>

2015 starting population = 577,431 – 129,566 = 447,865

The Urban/rural population growth split = 90% urban, 10% rural

2035 urban population growth = 129,566 \* 0.9 = 116,609

2035 rural population growth = 129,566 \* 0.1 = 12,957

County-wide annual growth rate = 577,431 / 447,865 = 1.289297

The 20<sup>th</sup> root of 1.289297 = 1.012859, annual growth rate = 1.29%

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Ref 3. DSEIS table 1-1 on page 1-2

<http://clark.wa.gov/cgrid/images/DSEISTable1-1.JPG>

2015 starting population = 577,431 – 128,616 = 448,815

The Urban/rural population growth split = 90% urban, 10% rural

2035 urban population growth = 128,616 \* 0.9 = 115,754

2035 rural population growth = 128,616 \* 0.1 = 12,862

County-wide annual growth rate = 577,431 / 448,815 = 1.286568

The 20<sup>th</sup> root of 1.286568 = 1.0126786, annual growth rate = 1.27%

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Ref 4: Corrected starting population and urban population growth to original resolution# 2015-04-05 with 87.5/12.5 urban/rural split.

For 87.5/12.5 urban/rural population growth split, the numbers are as follows:

2035 urban population growth = 116,591 (from resolution# 2015-04-05).

Keeping the same urban growth, the rural population growth is calculated as follows, where X = the rural population growth:

$X = 116,591 * 12.5 / 87.5 = 16,656$

County-wide population growth = 116,591 + 16,656 = 133,247

County-wide 2035 population = 448,845 + 133,247 = 582,092

County-wide annual growth rate = 582,092 / 448,845 = 1.2968664

The 20<sup>th</sup> root of 1.2968664 = 1.01308238, annual growth rate = 1.31%

**Exhibit B**

**Rural Comparison of the 2004-2024 and the Proposed 2016-2035 Comp Plan Update**

Comp Plan changes should be based on compelling reasons and be understood in the context of already approved plans that have proven to be GMA-compliant. The following documentation explains the compelling need to address the chronic problems that have plagued the rural community for more than 2 decades.

The Comp Plan that was first adopted in 1994 created a gross mismatch between the actual ground-truth of already developed rural patterns and an unrealistic zoning map. Subsequent Comp Plan updates have failed to address the chronic mismatch problems.

The unrealistic zoning map persists to this day and would continue to persist if Alternative 1 was selected for this Comp Plan Update. The current rural zoning map is not appropriate as demonstrated by the gross mismatch between the existing zoning map and the existing R, AG, and FR zones of the rural community. That zoning map creates the following problems:

**Table 1 – Mismatch between the existing rural zoning map and the real world**

<b>Rural zone</b>	<b>Proportion defined as non-conforming</b>
<b>R Zoned Parcels</b>	<b>6 out of 10</b>
<b>AG Zoned Parcels</b>	<b>8 out of 10</b>
<b>FR Zoned Parcels</b>	<b>9 out of 10</b>

This mismatch is not a result of the rural community creating nonconforming parcels. Rather, the mismatch was created by an incompatible zoning map that was created in 1994 that made the vast majority of rural parcels nonconforming. That mismatch continues to harm the rural community by increasing the cost and complexity of permits for most rural citizens.

Further, such wide-spread negative impacts have restricted the reasonable improvements that would otherwise be appropriate for existing homes in the rural community. The needless extra cost and complexity of permits impacting the majority of rural citizens, not only disregards the specific goals of listed in the GMA, but the negative impacts hamper the fulfillment of those goals.

**Table 2 – Fulfilling the goals of the GMA:**

<b>GMA Goal</b>	<b>Alternative 1</b>	<b>Alternative 4</b>
<b>Affordable Housing</b>	<b>Higher cost</b>	<b>Lower cost</b>
<b>Economic Development</b>	<b>Disadvantaged</b>	<b>Supported</b>
<b>Variety of rural densities</b>	<b>6 total</b> R 5, 10, 20 AG 20 FR 40, 80	<b>10 total</b> R 1, 2 5, 5 AG 5, 10, 20 FR 10, 20, 40, 80
<b>Property Rights</b>	<b>Diminished</b>	<b>Respected</b>
<b>Permits</b>	<b>Costly, burdensome, overly constrained</b>	<b>More affordable, straight forward, simpler, more flexible</b>

**Table 3 – Population Growth and Proposed Densities**

<b>Ref</b>	<b>2004-2024 Plan as approved in 2007</b>	<b>Proposed 2016-2035 Plan</b>	<b>Difference</b>
Forecasted Rural Population Growth	<b>19,264</b>	<b>16,656</b>	<b>13.6% less</b>
Rural Population Capacity	<b>19,132</b>	<b>16,332</b>	<b>14.7% less</b>
Forecasted Rural Parcel Growth	<b>7,438</b>	<b>6,262</b>	<b>15.8% less</b>
Forecasted Rural Parcel Growth	<b>7,387</b>	<b>6,140</b>	<b>16.9% less</b>
Planned County-wide Population Density (persons / Sq Miles)	<b>889</b> (584,310 / 656 6)	<b>887</b> (582,092 / 656 6)	<b>same</b>
Planned Urban Population Density (persons / Sq Miles)	<b>3184</b> ((328,123 + 173,371) / 157 5)	<b>3224</b> ((386,640 + 116,591) / 156 1)	<b>1.26% more</b>
Planned Rural Population Density (persons / Sq Miles)	<b>166</b> ((63,552 + 19,264) / 499 1)	<b>158</b> ((62,205 + 16,656) / 500 5)	<b>4.8% less</b>

**Exhibit B**

The above calculations for population densities are based on the following data  
**Table 4 – Population Growth and Proposed Densities**

Square Miles	2004-2024 Base Year	2016-2035 Base Year
County-wide	656.6	656.6
Urban (cities + UGAs)	157.5	156.1
Rural	499.1 (500.6 – 157.5)	500.5 (656.6 – 156.1)

**Show your work:**

The following math show how the forecasted population numbers were calculated with GIS data

Per the 2007 plan for the target 2024

County-wide population  $391,675 + 192,635 = 584,310$

Urban Population  $328,123 + 173,371 = 501,494$

Rural population  $63,552 + 19,264 = 82,816$

Per the proposed plan for the target 2035

County-wide population  $448,845 + 133,247 = 582,092$

Urban Population  $386,640 + 116,591 = 503,231$

Rural population  $62,205 + 16,656 = 78,861$

**Exhibit B**

**What the proposed rural plan does:**

The proposal provides a more realistic and sensible plan that is consistent with the ground truth of already developed parcels and rural conditions. In contrast to unlikely scenarios that may be theoretically possible, but unlikely to unfold, the proposal corrects unrealistic assumptions to better align with realistic expectations.

Rather than proliferating smaller rural parcels, the proposed plan recognizes predominant patterns that already exist.

**What the proposed rural plan does not do:**

The proposed rural plan does not de-designate any resource land.

The proposal does not increase rural density compared to the existing plan approved in 2007. Rather, the above facts show, the proposal is for a lower rural density than the existing 2007 plan that was approved as GMA compliant.

The proposal does not propose a higher rural population or more rural lots than the existing plan approved in 2007. Rather, the above facts show that the proposal forecasts a lesser rural population growth and accommodates fewer new persons than the existing 2007 plan that was approved as GMA compliant.

**Conclusion:**

Some have argued that we cannot afford the time to correct the known problems and suggest that perhaps in 8 to 20 years, we can conduct in-depth studies to get it right. Some shrink back from the responsibility for fear of lawsuits and prefer to kick the can down the road because it would be easier.

The GMA does not excuse counties from doing their due diligence or from fulfilling their responsibilities to complete the required task of submitting the most realistic and best plan for their community.

Every effort has been made to meet or exceed all appropriate processes. That investment should not be abandoned because it is too hard or too risky. In contrast, we can now select a concise and optimized plan and complete the task in the allotted time. Our community's future is worth the effort.