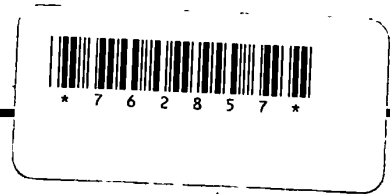


Wiser, Sonja



From: Orjiako, Oliver
Sent: Friday, February 19, 2016 10:36 AM
To: Albrecht, Gary; Alvarez, Jose; Anderson, Colette; Hermen, Matt; Kamp, Jacqueline; Lebowsky, Laurie; Lumbantobing, Sharon; Schroader, Kathy; Wiser, Sonja
Cc: Cook, Christine
Subject: FW: Comments for the February 16 Land Use Plan Reconsideration Hearing
Attachments: CompPlan_RecordComments_CGreen.pdf

FYI and for the record. Thanks

From: Chuck Green [<mailto:sjclgreen@yahoo.com>]
Sent: Monday, February 15, 2016 9:39 AM
To: Boldt, Marc; Stewart, Jeanne; Olson, Julie (Councilor); Madore, David; Mielke, Tom; McCauley, Mark; Orjiako, Oliver; Euler, Gordon
Subject: Comments for the February 16 Land Use Plan Reconsideration Hearing

Good morning, councilors, Mr. McCauley, Dr. Orjiako, and Mr. Euler

Attached please find my written comments for Tuesday's hearing on the Land Use Plan Preferred Alternative Reconsideration in support of the council taking action to revise the preferred alternative to the Planning Commission's recommended preferred alternative.

If you have any questions, please feel free to contact me at 360-449-2132 or email at sjclgreen@yahoo.com

Thank you for your re-consideration

Sincerely,

Chuck Green

February 15, 2016

Clark County Councilors
P.O. Box 9810
Vancouver, WA 98666-9810

Oliver Orjiako
Gordy Euler
Director, Clark County Community Planning
P O. Box 9810
Vancouver, WA 98666-9810

From: Chuck Green

Comments submitted electronically for the Record for the February 16, 2016 hearing.

Dear Clark County Councilors, Dr. Orjiako and Mr Euler:

Please accept my comments to support the County Council's reconsideration of the preferred Land Use alternative. I am recommending the Council adopt the Planning Commission's Recommended Preferred Alternative, adopted September 17, 2015 and reconfirmed November 19, 2015.

For those who don't know my background, I was the county's Transportation Manager in the 1990s, when the first Comprehensive Growth Management Plan was adopted in 1994. I have been involved in every comprehensive plan update since then, whether serving as county staff, a transportation consultant, or, in 2015, as a candidate for county council and a citizen.

I attended the February 12, 2016 Alternative 4 town hall hosted by Clark County Citizens United (CCCU). My statements below in support of the Planning Commission's preferred alternative (which I'll call the PC Alternative for brevity) are based on my expertise and experience with planning, as well as incorporating statements heard at the Alternative 4 town hall.

- **The PC Alternative can easily be incorporated into the Supplemental EIS process as well as the Comprehensive Plan development process without threatening the June 30, 2016 state-mandated deadline.**

The PC alternative incorporates much of the 2007 Comprehensive Plan (alternative 1) which was deemed by the Western Washington Growth Management Hearings Board and the state court system as being compliant with the Growth Management Act. It also incorporates work by

several subarea plans and the Rural Lands/Centers Task Force, which have been publicly vetted and some of which already have had SEPA analyses completed

- **Farming has not died and moved to Eastern Washington.**

One of the main arguments in support of Alternative 4's smaller lot sizes is that larger lot farming is dead in Clark County. **That is not true.** During my campaign for county council last year, I had meetings with several farmers who either own, or tenant farm, on larger lots of 20-40 acres, and in one case, the Dobbins Family in Ridgefield, a couple of hundred acres. Farming technology has changed, and many farmers now do greenhouse farming where they need land but bring in their own soil (or compost to make their own). I was endorsed by the Farm Bureau, and during that process and getting to know the Farm Bureau members, they are very concerned that Alternative 4 would put them out of business. Bill Zimmerman of Bi-Zi Farms is an active opponent to Alternative 4.

I frequently take my dog to the Brush Prairie dog park from my home in Mount Vista, and see several horse/sheep ranches (10-20 acres), a strawberry farm (20 acres), and even a multi-crop farm (probably over 40 acres). The Ackerland Dairy Farm next to the dog park, an active farm, also appears to be on the Canada Geese flyway.

- **RW Thorpe and Clark County Citizens' United's own expert agree that several planning assumptions created by David Madore in support of Alternative 4 are invalid..**

At the February 12 open house, Councilor Madore stated Thorpe has not completed the work they were supposed to do and was going to issue his own "errors and omissions report" (which, by the way, is an engineering term). Councilor Madore objects to the findings of the consultant he hand-selected and was on the phone with minutes after the November 24, 2015 land use plan hearing. According to Thorpe's contract, their scope was: "Step 1: Review the Planning Assumptions introduced on November 4, 2015 and provide professional opinion on the validity of these assumptions and whether they should be applied to the Vacant Buildable Lands Model for the rural lands." **Which they did, and presented to the Council on January 13, 2016.**

Councilor Madore objected then to their findings and now wants them to review the original Planning Assumptions which were fully vetted and adopted in 2014. **You can't change the rules in the third quarter just because you don't like the score.**

Nevertheless, I did my own analysis of the Planning Assumptions supporting the PC Alternative and that is in **Attachment 1**. I also added to the Thorpe analysis for both sets of assumptions. As you can see, **for Councilor Madore's assumptions, 7 of 11 of them are partially or wholly**

invalid: For the PC Alternative using the vetted Planning Assumptions, all 11 are partially or wholly valid.

Lonnie Moss, a CCCU Board member and their own land use expert, agreed that Thorpe's analysis is "probably correct." That is included as **Attachment 2**.

- **Property Rights are maintained with the PC Alternative**

Those supporting Alternative 4 claim that it is the only alternative that respects rural citizens' property rights. **That is not true.** Each alternative respected property rights. While there is generally a constitutional right to property, **I am not aware of any constitutional right to subdivide your property or do whatever you want with it.** There are many lots that were legally created under the pre-1994 plan zoning and the county already has a process to determine if they are legal lots, even if they are less than the current zoning size: <https://www.clark.wa.gov/community-development/legal-lot-determination>. The PC Alternative included a recommendation to examine these pre-1994 lot issues on a case-by-case basis. If the County Council wants to adopt a beneficial fee waiver program, **it could easily adopt a one-year program where property owners could apply for legal lot determination and the county could waive the \$800 application fee.**

- **Alternative 4 would have a substantial, negative impact on the county's infrastructure**

The County has already needed to scale back by almost half the Transportation Capital Facilities plan list originally included in the 2004 plan update because it faced a substantial funding shortfall. The Job Creator Fee Waiver program has created a \$10 million budget hole in that Transportation CFP. I conducted my own analysis and submitted it to the council in September 2015. That analysis is in **Attachment 3** and shows the impact Alternative 4 would have on the county's Transportation infrastructure. The PC Alternative's impacts would fall between those of Alternatives 1 and 2, would be much less impactful compared to Alternative 4.

- **Many rural residents' wells ran dry in 2015 and the cost to extend public water is exorbitant**

During my campaign in 2015 I met with several residents outside of La C enter, who saw their wells run dry. One stated they had drilled a well as deep as 600 feet and it still ran dry. Another had to truck 1,000 gallons of water in to fill their water tank, which would last them a month (and they are a farmer). More rural houses would compete for the same groundwater.

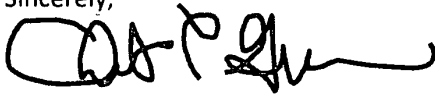
At the February 12 CCCU town hall, it was mentioned that Clark Public Utilities could easily extend public water lines up to the homes and farms of residents like these. What they didn't

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mention? **The cost to extend water lines can be as much as \$2.5 million per mile¹**, plus the cost of right-of-way and road repair. That makes it pretty unaffordable for most.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Green', with a large, stylized initial 'C'.

Chuck Green
Ridgefield Area Resident
sjclgreen@yahoo.com

¹ Based on http://www.homewyse.com/services/cost_to_install_water_line.html

ATTACHMENT 1

COMPARISON OF PLANNING ASSUMPTIONS FOR ALTERNATIVE 4 TO THOSE OF THE PLANNING COMMISSION RECOMMENDED PREFERRED ALTERNATIVE

Planning Assumption	Alternative 4 Thorpe Findings Madore's Planning Assumptions	Planning Commission Preferred Alternative, Green's Findings, Originally Adopted Assumptions
<p>1: Vacant and Buildable Lands Model (VBLM): Assumptions for parcels which are vacant or have redevelopment potential. Review whether or not to exclude set-aside parcels from cluster developments which are prohibited from developing.</p>	<p>Exclude remainder "set-aside" parcels in cluster developments from being able to develop. VALID State WACs, RCWs and GMA deem remainder parcels as permanently protected undevelopable areas save for a few exceptions so these areas should not be counted as likely to develop</p>	<p>Without a parcel-by-parcel assessment, it is difficult to distinguish cluster parcels that may be prohibited from developing from those which could PARTIALLY VALID Assume a reasonable level of development of rural parcels, further analysis needed to remove set-aside cluster parcels (not a substantial amount of rural area) Probably could be strengthened by excluding those cluster-development set-aside lots which are not legally allowed to develop</p>
<p>2: Whether or not to include or exclude parcels located in areas far from any infrastructure with long term commercial forestry operations as likely to develop.</p>	<p>Exclude those remote, commercial forestry parcels from being developable. VALID Though some development may happen in limited cases, lands that are deemed to have long term commercial forestry operations should not count as likely to develop.</p>	<p>Remote from infrastructure and current and likely future commercial forestry operations were not considered in whether or not a lot was buildable in the model. PARTIALLY VALID The VBLM assumes current zoning so those with forestry operations which meet the zoning lot size have limited development potential Could be strengthened by assuming these won't develop or include a market factor for future development if not enough parcels available to meet rural projections.</p>
<p>3: Whether or not to count smaller, rural parcels with environmentally unconstrained land as likely to develop.</p>	<p>Small rural parcels with environmental constraints should not be considered developable. INVALID In some cases, county health regulations, state code, and recent technology make it permissible to develop environmentally constrained lots of less than 1 acre of suitable land.</p>	<p>Small, rural parcels with environmentally constrained areas shall be counted as likely to develop VALID As Thorpe states, local and state regulations may still allow these lots to develop and they should be counted.</p>

Planning Assumption	Alternative 4 Thorpe Findings Madore's Planning Assumptions	Planning Commission Preferred Alternative, Green's Findings, Originally Adopted Assumptions
<p>4: Amount of dividable or vacant land assumed to develop further.</p>	<p>History shows that about 30% of dividable parcels with homes and 10% of vacant 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. INVALID: The 30% and 10% "Never to Convert" assumption would not be applicable to rural parcels as rural lands develop at different rates when compared to those located within the UGA.</p>	<p>Count a percentage dividable or vacant land as assumed to develop further but assume some percentage will not further develop. VALID As Thorpe states, the 30% and 10% "Never to Convert" assumption would not be applicable to rural parcels as rural lands develop at different rates when compared to those located within the UGA. The original planning assumptions did not make Madore's "never to convert" assumption.</p>
<p>5: Whether or not to count lots that are non-conforming, legal lots and lots that are up to 10% smaller than the minimum allowed lot size as developable.</p>	<p>As long as county code allows, lots that are up to 10% smaller than the minimum lots size should be considered as conforming lots and counted as parcels likely to develop. PARTIALLY INVALID: All nonconforming lots that are found to be legally created shall be considered likely to develop, not just those that meet a lot area percentage threshold. However, not all lots may utilize this provision.</p>	<p>Non-conforming, legal lots and lots that are up to 10% smaller than the minimum allowed lot size are developable. VALID As Thorpe states, all nonconforming lots that are found to be legally created shall be considered likely to develop, not just those that meet a lot area percentage threshold.</p>
<p>6: Whether or not to set limits on the number of nonconforming parcels with at least 1 acre of unconstrained area as to whether they will likely develop.</p>	<p>Due to some exceptions from the norm, 10% of nonconforming parcels with at least 1 acre of unconstrained area will likely develop. INVALID: There is no public data that supports this assumption. State code allows some discretion if there is historical data is consistent. Although, this would likely not be applicable to rural parcels as rural and urban parcels develop at different rates.</p>	<p>Count all nonconforming parcels with at least 1 acre of unconstrained area as likely to develop. VALID There is no data available to assume otherwise.</p>
<p>7: Assume a market factor as to the number of lots that will be allowed to develop in the future (beyond 8 years or so). Note that this rural Market</p>	<p>Deduct 7.5% from the rural buildable lots as unlikely to develop. INVALID The Market Factor in the Washington State code allows counties to use a reasonable supply and demand factor.</p>	<p>A market factor equivalent to an increase of 15% of the number of lots (both urban and rural) is assumed for long-term, future allowances for development. VALID</p>

Planning Assumption	Alternative 4 Thorpe Findings Madore's Planning Assumptions	Planning Commission Preferred Alternative, Green's Findings, Originally Adopted Assumptions
Factor is half of the urban Market Factor of 15% in order to also satisfy the GMA goal of reducing low density sprawl.	when sizing Urban Growth areas. This would not necessarily be applicable to rural growth projections.	The market factor is not a deduction, it's an assumption that policies will change in the future which could allow certain, larger lots to develop into smaller lots.
8: The adopted VBLM used for urban areas includes a 27.7% infrastructure deduction for urban parcels for roads, parking, storm water, buffers, etc.	Because rural parcels are much larger than urban parcels, no infrastructure deduction shall be used for rural parcels. PARTIALLY INVALID: The population density of the rural areas lends to a reduction of necessary services in the rural areas. It is reasonable to assume that the rural deduction would be less than the 27.7% urban infrastructure reduction would be significantly larger but a zero deduction would likely be false as some land area is necessary for infrastructure to support future development.	Rural infrastructure deductions do not affect the number of rural lots assumed to develop in the VBLM; instead, deduction of number of parcel allowances are made for code allowances. VALID Because of the larger size of rural lots, allowing for infrastructure like roads and stormwater do not affect the number of lots. The rural infrastructure deduction accounts for infrastructure needs.
9: Urban/Rural Population Split: amount of future growth divided between the urban and rural areas.	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 is to be used. INVALID The population growth split has historically averaged 89% urban and 11% rural for the past 20 years. The 2004 and 2007 comprehensive plans have used the 90/10 growth projection which is accurate	90/10 Urban/rural split. VALID The population growth split has historically averaged 89% urban and 11% rural for the past 20 years. The 2004 and 2007 comprehensive plans have used the 90/10 growth projection which is accurate.
10: Clark County average household size is assumed to remain at 2.66 persons per household.	The assumption that 2.66 individuals per household requires between 4,835 and 4,870 new rural housing units to accommodate population growth over the next two decades. VALID ASSUMPTION INVALID APPLICATION Based on these projections, all four alternatives, detailed on Page 1-3 of the Draft Supplemental EIS, which were considered exceed the number of units	Alternative 1 plus Planning Commission recommended Alternative 2 and 3 provisions allow for between 7,000 and 8,000 new rural dwelling units, which meets the rural growth projections. VALID Based on these projections, all four alternatives, detailed on Page 1-3 of the Draft Supplemental EIS, which were considered exceed the number

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Planning Assumption:	Alternative 4 Thorpe Findings Madore's Planning Assumptions	Planning Commission Preferred Alternative, Green's Findings, Originally Adopted Assumptions
	needed to accommodate the growth.	of units needed to accommodate the growth.
THORPE DID NOT REVIEW THESE ITEMS – THEY ARE MY PERSONAL OPINION		
11: Rural lot development.	<p>Essentially reverts to pre-1994 zoning policies for those properties, regardless of individual situation, without consideration.</p> <p>PARTIALLY INVALID</p> <p>While consistent with some Growth Management elements contained in RCW 36.70A, Alternative 4 is inconsistent with the following mandatory elements contained in RCW 36.70A.070(5)(c) <i>Rural Element, measures governing rural development</i>:</p> <ul style="list-style-type: none"> • (i) Containing or otherwise controlling rural development • (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area; • (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; • (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170 • (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. 	<p>Allow flexibility for those pre-1994 rural landowners impacted by 1994 to possibly divide their property, on a case-by case basis.</p> <p>VALID</p> <p>On a case-by-case basis, the state's GMA goals and mandatory elements can be considered and applied appropriately.</p>

ATTACHMENT 2

LONNIE MOSS EMAIL TO SUSAN RASMUSSEN CONCURRING WITH THORPE'S ANALYSIS

From: Lonnie Moss <mossback44@gmail.com>
To: susan rasmussen <sprazz@outlook.com>
Cc: Carol Levanen <cnldental@yahoo.com>, DONALD MCISAAC <donaldmcisaac@msn.com>
Sent: Tuesday, January 12, 2016 6 32 PM
Subject: Re Reader

Susan,

I have looked over Thorpe's draft I thought it was poorly written and much of it was hard to follow. Having said that, however, I hate to admit that most of the conclusions are probably correct. For example, all legal non-conforming lots can obtain building permits in rural Clark County if they can get septic and water supply approval. They don't even have to meet the same setbacks as legal lots, but can use setbacks for the zone they most closely fit for size.

Even the conclusion about urban-rural split being closer to 90-10 than 86-14 is correct. While the existing population split is 86-14, the population growth (looking at any individual year) is closer to 90-10. To illustrate, the urban population grew by just over 100,350 between 2000 and 2014 while the rural population grew by 10,766. The total population increase was 111,116 and 90.3% went to urban areas while only 9.7% went to rural. The numbers in the right hand column are simply incorrect because they reflect the total population, not the rate of growth.

Lonnie

On Mon, Jan 11, 2016 at 8 23 PM, susan rasmussen <sprazz@outlook.com> wrote
Hi Lonnie,

Happy New Year to you. Would you please give this a look over and tell us what you think?

Thanks,
Susan -

Sent from Windows Mail

ATTACHMENT 3

IMPACT ANALYSIS OF TRANSPORTATION MEASURES

Measure	2014-2015	2035			
	Current	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Cross-Columbia River Trips	284,327	356,700	Likely >380,000	Similar to Alternative 1	Likely >380,000
Hours/weekday over capacity, I-5 Bridge and approaches	4-5 hours	10-11	Likely 10-13	Similar to Alternative 1	Likely 10-13
C-TRAN accessibility (walk/bike access to bus routes)	Urban Good Rural only selective service	Urban Good Rural only selective service, 7,000 new lots not within transit access	Urban Good Rural only selective service, 8,220 new lots not within transit access	Urban Good Rural only selective service, 7,000 new lots not within transit access	Urban Good Rural only selective service, 12,400 new lots not within transit access
C-TRAN operating costs	Balanced	Moderate budget impacts if rural service extended	Moderate-to-high impacts if rural service extended, may require tax increase	Moderate budget impacts if rural service extended	Moderate-to-high impacts if rural service extended, may require tax increase
Walk/Bike impacts		Moderate impacts on rural bike/walk	Higher traffic on rural bicycling corridors	Moderate impacts on rural bike/walk	Higher traffic on rural bicycling corridors
Major Facilities at LOS E/F (Clark County only)	I-5, 2 miles I-205, 2.5 miles SR-14, 1.5 miles 4 th Plain, 2.5 mi 18 th Street, 2 mi	I-5, 5 miles I-205, 3 miles SR-14, 2 miles 4 th Plain, 3 miles 18 th Street, 4 mi SR 503, 7 miles 134 th Street Andresen Road, SR 500 to 78 th Street Mill Plain 162 nd /164 th La Center Road	I-5, 6 miles I-205, 3.5 miles SR-14, 2 miles 4 th Plain, 3 miles 18 th Street, 4 mi SR 503, 7 mi. 134 th Street Andresen Road/72 nd Avenue, Dollars Corner to 78 th Street Mill Plain 162 nd /164 th La Center Road 182 nd Ave Lakeshore/NW 36th	I-5, 5 miles I-205, 3 miles SR-14, 2 miles 4 th Plain, 3 miles 18 th Street, 4 mi SR 503, 7 miles 134 th Street Andresen Road, SR 500 to 78 th Street Mill Plain 162 nd /164 th La Center Road	I-5, 6 miles I-205, 3.5 miles SR-14, 2 miles 4 th Plain, 3 miles 18 th Street, 4 mi SR 503, 7 miles 134 th Street Andresen Road/72 nd Avenue, Dollars Corner to 78 th Street Mill Plain 162 nd /164 th La Center Road 182 nd Ave Lakeshore/NW 36th
Impacts to Roadway Capital Facilities Plan	---	Moderate, relatively financially	Moderate-to-substantial Rural	Moderate, relatively financially	Moderate-to-substantial Rural

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		constrained	improvements not funded	constrained	improvements not funded.
Freight	Substantial delays to regional and interstate freight on I-5 and I-205. Hanjin pulling out of Port of Portland has increased truck traffic on I-5 by as much as 400-500 per day	Substantial delays to regional and interstate freight on I-5 and I-205 Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will double, increasing the cost of goods	Substantial delays to regional and interstate freight on I-5 and I-205, even higher than Alternatives 1 and 3 Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will more than double, increasing the cost of goods over that of Alternatives 1 and 3	Substantial delays to regional and interstate freight on I-5 and I-205 Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will double, increasing the cost of goods	Substantial delays to regional and interstate freight on I-5 and I-205, even higher than Alternatives 1 and 3 Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will more than double, increasing the cost of goods over that of Alternatives 1 and 3
Safety – High Accident Locations	23 intersections	Likely slight increase in collisions at high accident locations	Likely moderate increase in collisions at high accident locations, higher risk of increased vehicle & bike collisions on rural arterials	Likely slight increase in collisions at high accident locations	Likely moderate-to-high increase in collisions at high accident locations, higher risk of increased vehicle & bike collisions on rural arterials

Sources: RTC Traffic Counts, RTC Congestion Management Monitoring Report, RTC 2014 Safety Management Assessment, Current Clark County Comprehensive Growth Management Plan, DSEIS, ODOT reports by Cambridge Systematics, RTC Model runs (extrapolations by C Green)