

Schroader, Kathy



From: Orjako, Oliver
Sent: Tuesday, November 17, 2015 8:07 AM
To: Euler, Gordon, Alvarez, Jose, Anderson, Colete, Albrecht, Gary, Hermen, Matt, Kamp, Jacqueline; Lebowsky, Laurie, Lumbantobing, Sharon
Cc: Schröder, Kathy
Subject: FW: Mayor's Letter To The Clark County PPlanning Commission
Attachments: Mayor's BOCC Public Hear 10 20 15 with all Exhibits pdf
Importance: High

FYI and for the record Thanks

From: Jim Irish [mailto:Jirish@ci.lacenter.wa.us]
Sent: Monday, November 16, 2015 4:32 PM
To: Wiser, Sonja
Cc: Orjako, Oliver; Euler, Gordon; Jeff Sarvis; Eric Eisemann; Jim Irish
Subject: Mayor's Letter To The Clark County PPlanning Commission
Importance: High

Dear Chair Morash and Members of the Clark County Planning Commission:

I am forwarding my previous October 20, 2015 Board of County Councilors testimony with attachment letter from Globalwise Inc. This additional executive level letter explains more clearly the findings necessary to support La Center's modest UGA expansion request.

I appreciate your time and consideration. I am available at 360-263-5123 or by email to answer any questions that you may have.

James T Irish
Mayor
City of La Center
(360) 263-5123 - Office
(360) 608-3445 - Cell
jirish@ci.lacenter.wa.us

Disclaimer: Public documents and records are available to the public as provided under the Washington State Public Records Act (RCW 42 56). This e-mail may be considered subject to the Public Records Act and may be disclosed to a third-party requestor.



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214 East Fourth Street • La Center, WA 98629

October 20, 2015

Clark County Board of County Councilors
1300 Franklin, 6th Floor
Vancouver, WA 98666

Dear Councilors;

I am here tonight with one simple request; please honor your commitment to bring jobs to Clark County and approve an alternative that includes a 56 acre expansion of the La Center UGA at the I-5 interchange.

You have heard me or La Center representatives say this many times over: "La Center needs to create more jobs". Not everyone agrees on what should happen on the adjacent Tribal Reservation but I have never heard anyone speak out against La Center's desire to create jobs at the I-5 interchange. An additional 56 acres of employment land in the La Center UGA at the I-5 Junction could yield hundreds of new jobs which would benefit all of us.

On September 17th the County Planning Commission considered our UGA expansion and they ended in a tie vote. The record of the meeting shows that at least one of the Commissioners felt that the Commission had "*not done its homework*" on the La Center request, in particular some members were concerned that the 2015 AG De-Designation report Globalwise, Inc. prepared for these three properties was just a re-hash of the Ag De-designation report Globalwise prepared for the 2006 County-wide comprehensive plan update. We all know, and none more painfully than La Center, how the 2006 AG de-designation turned out.

Consequently, I asked Globalwise to compare the de-designation work they did for the County in 2006 and the 2015 work they submitted on behalf of our 56 acre expansion request. Their letter as well as the two 2015 reports are part of the record for this hearing.

The Globalwise letter provides two significant conclusions. First, the level of site-specific detail in the 2015 AG reports is far more detailed than their 2006-2007 county-wide studies. In 2006 they conducted a planning level analysis; in 2015 they walked the sites, talked to the owners, and studied the decline of each farm's agricultural production.

Second, the La Center interchange is a far different place in 2015 than it was in 2006. The difference between the urban character of the La Center Junction in 2006 and today is dramatic and subsequent decline of agriculture around the junction is on-going and profound. Since 2006 Clark County has approved land use applications for public and quasi-public development on AG-20 Land immediately



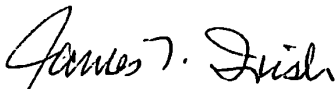
adjacent to the 56 acres we want to add to our UGA. The KWRL school bus complex, CPU well fields and the CPU electrical sub-station are built or permitted. Those facilities are there for one purpose – to serve urban-style development.

In addition, our staff is in conversation with CPU staff about the new hi-voltage transmission lines to be built between the Ridgefield sub-station to the new Paradise Park substation. Our staff is also in direct conversation with WSDOT staff about the realignment of the I-5/La Center Road intersection which will impact not only I-5 but will also physically impact the 56 acre expansion area.

And of course, if you have been to the La Center interchange this week you have seen, or at least heard of, the tremendous amount of soil being moved around on the Tribal Reservation which abuts our City limits.

We all know that development is occurring and will continue to occur around the La Center interchange. We also know that La Center needs to create a jobs base of its own. The simple solution, which the City of La Center will defend, is to approve our request to add this small amount of employment land to our UGA.

Thank you for your time.



James T. Irish, Mayor
City of La Center

Attachment



globalwise inc.

marketing and economic services

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October 19, 2015

Clark County Board of Councilors
P.O. Box 5000
Vancouver, WA 98666-5000

RE: La Center Employment Land UGA Expansion

Dear Councilors Madore, Mielke and Stewart:

On September 17, 2015 the Clark County Planning Commission conducted a hearing on the four (4) Alternatives for the 2016 Comprehensive Plan SEIS. During deliberations on the La Center request to add 57 acres of AG land into the La Center UGA for industrial purposes, a Commission member acknowledged that the Planning Commission had "not done its homework" relating to the AG De-designation request.¹ Consequently, on the motion to add the 56 acres into the La Center UGA the Planning Commission recorded a tie vote. Because the Planning Commission had "not done its homework" they were wise to not forward a recommendation to the County Councilors.

The purpose of this letter is to help the Council understand the distinction between the County-wide 2006 AG-Designation and the site-specific La Center request now before you. I urge you to carefully review the 2015 reports I prepared for the de-designation of agricultural resource land

¹ Clark County Planning Commission minutes, September 17, 2015 at p.88; Barca, "...but from the Planning Commission, I don't think we've done any kind of homework to see that we've got it right and we're voting on it because we like it or don't like it."

Letter to Board of Councilors

at the La Center Junction.² I also reviewed agricultural resource lands and prepared reports for Clark County in 2006-2007 for the County's 2007 Comprehensive Plan Review³ As author of all of these documents, I am most qualified to compare and contrast the scope and facts in these documents

The 2007 and 2015 analysis and reports differ in very significant ways:

- Today, conditions in the immediate vicinity of the Fudge and 3B NW LLC properties (Fudge/3B), the La Center UGA expansion request, have changed significantly compared to 8 - 10 years ago. Most notably, significant investments are being made in freeway, local roads, sewer, water, and electrical power infrastructure that I did not take into consideration in my 2007 work.
- Agricultural use of land around the La Center Junction continues to decline as more residential development has occurred to the west of I-5 and east of I-5. Clark County has approved development of public facilities and infrastructure on land in the immediate vicinity of the Fudge/3B properties. Notably the County's approval of the Kalama, Ridgefield, Woodland and La Center (KWRL) School Bus Facility
- The 2006-2007 reports and table summaries I authored for the preferred alternative to Clark County's 2007 Comprehensive Plan did not specifically evaluate the Fudge or 3B properties because they were aggregated with 29 other parcels in the subarea analysis. The Fudge/3B properties were a small portion of subarea LB-1, these two properties total 56.6 acres out of the 459.4 acres in the LB-1 area. At that time I also analyzed 18 other subareas with agricultural resource lands. However the 2015 reports I prepared for the Fudge/3B parcels present in-depth analysis of each property using all criteria required under the Growth Management Act for de-designation of agricultural lands

Conditions in 2007 were far different from what currently exists at the La Center Junction. First, in 2007 the federal government had not established the 152 acre Cowlitz Indian Tribe Reservation, now abutting the La Center City limits. In 2007 my reports did not foresee and acknowledge the re-alignment of the I-5/La Center Road interchange and it did not acknowledge the pending construction of Clark Public Utilities water and electrical infrastructure facilities needed to serve development on the Reservation and surrounding areas. All of these approved urban-style road, water and electrical infrastructure improvements will physically affect the Fudge and 3 B NW LLC properties and their reasonable land use

² The reports are titled Agricultural Resource Land Analysis of the Fudge Property at the La Center Junction and Agricultural Resource Land Analysis of the 3B NW LLC Property near the La Center Junction and were submitted to Clark County on April 30, 2015)

³ My analysis resulted in these reports: Attachment B - Assessment of Resource Lands and Attachment E - Agricultural or Forest Zoned Properties in Preferred Plan Urban Growth Boundary Expansion where are included with the County memo "Bringing Resource Lands in to UGAs" dated May 21, 2007 by Marty Snell to the Clark County Board of Commissioners

Letter to Board of Councilors

In 2007 I did not foresee the flurry of development activity on land zoned AG-20 adjacent to the Fudge/3B properties.

- Clark County-approved siting of the KWRL Transportation Cooperative complex immediately north of the Fudge/3B properties ⁴
- Clark County issued use multiple land use approvals for the Clark PUD regional well field and associated water transmission line and water treatment facility on land adjacent to the 3B property ⁵
- Clark County issued several land use approvals for the Clark PUD electrical utility substation abutting the Fudge properties. ⁶

The realignment of Paradise Park Road and La Center Road to meet expanded traffic volume are clear indications of the change in character to urban development and away from rural and AG use of properties. The Fudge/3B properties are centrally located next to the existing commercial development (Paradise Truck Stop) and have extremely good road access that is favorable to commercial uses but very unfavorable for agricultural use

The 2007 with the 2015 reports themselves differ in substantive ways

- The 2007 analysis reported only in general terms and briefly on the characteristics of 32 parcels totaling 459.4 acres. Due to this broad area coverage, in 2007 I spoke to very few property owners and I did not speak to the owners of the Fudge or the 3B NW LLC properties. The 2015 Fudge report has 23 pages of description and analysis and the 3B NW LLC report has 19 pages of description and analysis. I spoke to both property owners in the 2015 analysis
- There was no specific evaluation of the net income from the land based on crop and livestock budgets in the 2007 reports, in 2015 the reports included enterprise budget analysis to determine expected net income (which is negative)
- The 2007 analysis covers 11 elements (most but not all) that are required in GMA for de-designation of agricultural land. The 2015 analysis covers all 14 elements called for in GMA
- Only general conditions related to infrastructure such as roads and sewers for the entire subarea were reviewed in the 2007 reports. In 2015, in-depth analysis was presented on the specific infrastructure currently available or soon-to-be available for the Fudge/3B properties. The 2015 analysis drew on interviews with city officials, WSDOT, Clark PUD and other officials

⁴ Between 2006 and 2014 Clark County processed development permits for parcel #209699000 <http://gis.clark.wa.gov/gishome/property/?action=FindSN&account=209699000> and for parcel #.20974900, <http://gis.clark.wa.gov/gishome/property/?action=FindSN&account=209749000>

⁵ Between 2010 and 2015 Clark County processed development permits for parcel #986028840 <http://gis.clark.wa.gov/gishome/property/?action=FindSN&account=986028840>

⁶ Between 2009 and 2011 Clark County processed development permits for parcel #986027200, <http://gis.clark.wa.gov/gishome/property/?action=FindSN&account=986027200>

Letter to Board of Councilors

- The 2015 reports included maps showing soil types, slopes, newly approved road infrastructure under construction or in place, and aerial photography with delineations of adjoining and nearby property uses. None of this information was available in the 2007 analysis at the individual property level

In conclusion, there have been tremendous changes in land use, traffic, infrastructure in-place or planned in the vicinity of the Fudge and 3B NW LLC properties due to urbanization and expansion of public facilities. There has also been a corresponding decline in agricultural land use. The agriculture use of these two properties has been greatly degraded while their potential for commercial development has increased dramatically.

I hope this brief letter helps the Councilors with their homework and I urge you to carefully consider my 2015 reports. As I stated therein, the AG-20 land near the Fudge and 3B NW LLC properties is now characterized by urban development and the Fudge and 3B NW LLC properties themselves satisfy the criteria for Agriculture De-designation.

Sincerely,



Bruce Prenguber, President
Globalwise, Inc.

Copy Oliver Orjiako, Clark County Community Planning Director
 James T. Irish, Mayor of La Center
 Jeff Sarvis, La Center Public Works Director
 Eric Eisemann, E² Land Use Planning Services, LLC
 Steve Horenstein, Esq., Horenstein Law Group



BUSINESS
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REAL ESTATE
ESTATE PLANNING
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October 16, 2015

VIA EMAIL

Councilor David Madore, Chair
Councilor Jeanne Stewart
Councilor Tom Mielke
Clark County Board of Councilors
Public Service Building
1300 Franklin Street
Vancouver, WA 98660

Re: Proposed LaCenter Urban Growth Boundary Expansion
3B NW LLC Property

Dear Councilors:

As I previously testified, I represent 3B Northwest LLC. We renew our request for inclusion of the 3B NW property (Property) in the Urban Growth Boundary of La Center. Attached to this letter is a photograph identifying the location of the Property.

We support the request of the City of La Center to bring this Property into its UGA with a comprehensive plan and zoning designation of Commercial. This Property creates a significant opportunity for La Center to provide commercial services to its residents. The Property is located so as to have prime frontage on and visibility from Interstate 5. It is also within 800 feet of Interstate 5, Exit 16.

A significant portion of the southern boundary of this Property touches the municipal boundary of La Center. The southern boundary of the Property touches an existing commercial development known as Paradise Truck stop (gas, groceries and fuel Facilities for cars and trucks.) You may recall that the Board included this Property in Alternative 3 with the provision that the UGA extend only to the Boundary of this Property and not to and across Interstate 5. We support this limitation.

We have submitted for the record an Agricultural Resource Land Analysis for the Property. This report concludes that for a number of reasons the Property does not meet the criteria for agricultural land as provided for in Growth Management Act law and regulation. Although you can access the entire report in the record, we have also attached the conclusion from the report to this letter for your review.

Clark PUD is presently expanding both water and power facilities on the east side of Interstate 5. This will facilitate development of the City's newly expanded

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Councilor David Madore, Chair
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Councilor Tom Mielke
Clark County Board of Councilors
October 16, 2015
Page 2

boundary to Interstate 5 south of the LaCenter Road, as well as this Property and the neighboring Fudge property if it is brought into La Center's UGA as well. This will create the ability of La Center to significantly expand its tax base for sales and property tax.

La Center's request to expand its UGA is modest. It is attempting to only add 56 acres of property (including the 3B NW and Fudge properties) all strategically designed for commercial development that is critically needed in the City.

We support the City's UGA expansion request and with particular reference to the Property owned by 3B NW LLC.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen H. Horenstein". The signature is fluid and cursive.

Stephen H. Horenstein

SWH:kj
Enclosures

Figure 2
3B NW Property With Key Nearby Land Uses, Zoning
and New Interchange Roads



WGS 1984 Web Mercator Auxiliary Sphere
Clark County WA GIS <http://gis.clark.wa.gov>

Future interchange alignment shown courtesy of
Kittelson & Associates

This map was generated by Clark County's
"MapsOnline" website. Clark County does not warrant
reliability or timeliness of any information on this
map, and shall not be held liable for losses caused
by using this information.

Persons seeking a rural lifestyle with farming are largely excluded from purchasing the 3B NW property due to the amount of acres involved and its prime frontage when NW Paradise Park Road is realigned through this property. The demand for land for development and this property's attractive location have pushed the value of the subject property well beyond what farmers could reasonably pay to operate it for crop or livestock production.

14. Proximity of Markets

Distance to markets for agricultural products is highly variable and depends on many factors. As stated earlier, the grass hay production is an incidental by-product of the owners wishing to keep noxious weeds off the land. Mr. Kane, who cuts the grass and bales it, reports that he feeds it to his cattle that are nearby or the excess is sold in the local area.

Conclusions

For many reasons the 3B NW property does not meet the criteria of agricultural land as defined by the GMA. The main factors are:

- The property's excellent current location vis-a-vis I-5 exit 16 and La Center Road will soon have even more prime road frontage when NW Paradise Park Road is relocated on this property.
- The new road location for NW Paradise Park Road will split the 3B NW property into two parcels. In addition to losing land for the roadway, the 3B property will lose net usable acreage due to placement of a proposed storm water drainage system. The sizes of the remaining parcels are not precisely known but clearly dividing this property with a major road makes each parcel even less feasible to farm than currently. Economic analysis included in this report shows that the current property is already economically infeasible.
- In 1994 Clark County has placed an Industrial Urban Reserve overlay on the 3B NW property as well as many nearby properties to the east and north. This is a strong signal that county sees this area as best suited for urban, non-agricultural use. As further evidence of that view, the county has approved developments for a school bus facility, a public water treatment plant and an electric substation that are further from the La Center city limits than the 3B NW property. These developments, in conjunction with the La Center city limits and long approved truck stop land use to the south, are all urban-attracting land uses near the subject property. None of these uses are compatible with prospective agricultural land use of the 3B NW property.
- The Industrial Urban Reserve overlay also "freezes" the property out of investment for agricultural improvement. Farmers would not invest in placing farm buildings, drilling an irrigation well or building new livestock pens, etc. because of the risk that the investment would not be recovered due to expected near-term land conversion to development use.
- The City of La Center has a clear economic development strategy to encourage and support commercial and retail businesses in the vicinity of the subject property with the primary purpose of increasing employment opportunities for La Center residents. This is stated in the La Center Comprehensive Plan, the proposed La Center Junction Subarea Plan and the Economic Development Strategy Action Study for La Center. The city has already annexed land that adjoins the 3B NW property. Nearby the city entered a rezoning agreement with Circle C properties to assist them in bringing new business and employment to the area.

- La Center has a sanitary sewer agreement with the Cowlitz Tribe to provide this service to their reservation by 2017. This in turn is going to make such utility services easily accessible to other properties, including the 3B NW property.
- In addition to sanitary sewer service, other major infrastructure including road improvements at the I-5 interchange, new water supply lines and expanded electrical service are planned for placement along La Center Road. This makes these services readily accessible to the 3B NW property. These major infrastructure improvements should all be available in 2017 or possibly sooner.
- The current owners of the subject property, who have no farming interests, have not been approached by anyone wanting to buy, lease or rent this land for farming use. The lack of interest in farming this property is compounded by the fact that no agricultural improvements exist thereon.
- Recognition by the federal government of the Cowlitz Tribe's trust land status is a major signal that ultimately the Tribe will establish their 152 acre site west of the I-5 interchange as their cultural and business home. This is another major factor that will add to development of the 3B NW property as well as other surrounding property in many commercial and related urban land uses.

Revision of the La Center UGA to include the 3B NW property and the rezoning to de-designate this land as non-agricultural should not be denied on the basis that this property is productive agricultural land resource land or that it has long term significance for commercial agriculture.