

Schroader, Kathy

From: Euler, Gordon
Sent: Wednesday, March 23, 2016 8:52 AM
To: Schroader, Kathy
Subject: FW: Cluster Ordinance - new policy



Here you go

From: McCauley, Mark
Sent: Wednesday, March 16; 2016 3:14 PM
To: Boldt, Marc; Cook, Christine; Euler, Gordon
Subject: Fwd: Cluster Ordinance - new policy

Can you provide all this?

Sent from my iPad

Begin forwarded message

From: "Madore, David" <David.Madore@clark.wa.gov>
Date: March 16, 2016 at 1:09:45 PM PDT
To: "McCauley, Mark" <Mark.McCauley@clark.wa.gov>, "Madore, David" <David.Madore@clark.wa.gov>
Subject: Cluster Ordinance - new policy

Mark,

Following up on the Cluster Ordinance Work Session this morning, please provide the following

Staff and our PA Office asserted that clustering for AG-10 and FR-20 zones are not optional. They stated that they are required and that those zones would not be legally defensible if clustering was not required.

Please provide the legal references to applicable RCWs, WACs, Hearing Board decisions, and case law that confirm the staff's assertion.

Staff asserts that a management plan is also required for the remainder lots of those cluster developments. Please provide the relevant specifications, examples, RCWs, WACs, Hearing Board decisions, and case law that confirm the staff's assertion.

I also ask for relevant legal references that limit the percent of the density bonus we can use for cluster developments on R, AG, and FR parcels.

Staff also asserted that the ordinance must be passed before the preferred Alternative is submitted to the state. Please confirm this. I thought that such county code amendments did not need to be finished ahead of that submission. I thought that in years past, that county code updates followed the submission of the Comp Plan Update.

Staff also asserted that they have been working very hard for some time now on the Cluster Ordinance. I was surprised because the BOCC rescinded the Cluster option in our February 16 Comp Plan Hearing. The BOCC removed the cluster ability for AG and FR zones entirely. When did staff start working on the resource Land Cluster ordinance?

Please share the draft policy work with me. As a policy maker, I believe policy making is my responsibility. My goal as a policy maker is to create policy that not only lawful, but flexible and supported by the rural citizens. It would be inappropriate for the executive branch to create policy that the policy makers find out about just before the Planning Commission considers it. I feel that the wrong agents are driving this process in place of the policy makers. Do you agree? I ask that you open the door to my participation up front. I have specifics to incorporate into a cluster ordinance.

I look forward to your timely response to help us move forward.

Thank you,

David