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Clark County Planning Commission

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**CLARK COUNTY PLANNING COMMISSION
MINUTES OF PUBLIC HEARING
THURSDAY, NOVEMBER 19, 2015**

Public Services Center
BOCC Hearing Room
1300 Franklin Street, 6th floor
Vancouver, Washington

6:30 p.m.

CALL TO ORDER & ROLL CALL

MORASCH Good evening. Welcome to the November 19th Planning Commission meeting. I'd like to call the meeting to order. And, let's see, can we get roll call, please

MORASCH: HERE
BARCA HERE
BLOM. HERE
JOHNSON: HERE
QUIRING. HERE
BENDER. ABSENT
WRIGHT HERE

MORASCH: Thank you. All right.

GENERAL & NEW BUSINESS

A. Approval of Agenda for November 19, 2015

MORASCH: The first item on the agenda is approval of the agenda, and there's actually an amendment to the agenda. The first public hearing item, designation of a rural industrial land bank, is being moved to December 17th. So can I get a motion to approve the agenda as amended

JOHNSON: I move that we approve the agenda as amended

QUIRING: Second.

MORASCH. All in favor.

EVERYBODY AYE

MORASCH Opposed? All right

B. Approval of Minutes for September 17, 2015

MORASCH: Moving on to approval of the minutes, does anyone have any comments or changes to the minutes from the September 17, 2015, meeting? If not, I would take a motion to approve the minutes.

QUIRING So moved.

BARCA: Second.

MORASCH: All in favor.

EVERYBODY AYE

MORASCH Opposed? Okay.

C. Communications from the Public

Now we're on communications from the public. This is on matters not on the printed agenda. Is there anyone in the audience today that wants to speak on a matter not on the printed agenda, please come forward? None.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION

B. 2016 COMPREHENSIVE PLAN UPDATE SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Clark County is updating its comprehensive plan to meet the 2016 Growth Management Act deadline. As part of the update process, the county is required to analyze growth alternatives through the SEPA process. The county has re-adopted the environmental impact statement (EIS) prepared on the 2007 update and prepared a supplemental EIS (SEIS) to look at potential growth alternatives for the 2016-2035 time horizon. Four alternatives are reviewed in the draft SEIS.

The Board of County Councilors and the Planning Commission heard public testimony at a joint public hearing on September 3 and 10, 2015, and the Planning Commission made a recommendation to the Board on a preferred alternative at a hearing on September 17. The Board held a duly noticed public

hearing on October 20 on the Planning Commission recommendation, and that hearing was continued to November 24

The Planning Commission will consider and may take action on a broad range of options and revisions related to the comprehensive plan and related documents including revisions to the planning assumptions, VBLM methodology, population projections, urban/rural split ratio, corrections to the SEIS, revised maps, documents to be included or excluded from the comprehensive plan, and the definition of a preferred alternative

Revised maps of Alternative 4 and additional documents relating to planning assumptions and population projections have been posted on the county website under the October 20 Public Hearing entry of the Grid at <http://clark.wa.gov/thegrid/>.

The Planning Commission at the November 19 hearing will consider materials related to these and additional materials to be considered at a November 9 joint work session with the Board and the Planning Commission.

The Board of County Councilors has asked the Planning Commission to consider those documents and to make a recommendation on them.

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MORASCH We will move on to the public hearing item of the night, the 2016 Comprehensive Plan Update Supplemental Environmental Impact Statement. Is there a staff presentation?

BARCA Mr Chair, may I please address the Chair first. I would like to table this motion, and I'm asking that we do not hear any public testimony this evening based on the fact that we have already heard this and the Planning Commission has deliberated and passed a motion on to the Board of Councilors, so we have heard this issue.

MORASCH Is that a motion?

BARCA I would like to make the **motion** is to table the agenda item.

WRIGHT. **Second.**

MORASCH Well, it's been moved and seconded. Is there any discussion on the motion?

JOHNSON Yes, there is. Can I get some clarification on this, Chris --

COOK: Possibly.

JOHNSON: -- as best I can, I understand. So I had this same concern that I'm reading, you know, just the legal point of taking a vote, any vote, on an issue, do we have to -- if, in fact, would we have to rescind what we did and then redo it, or do we just move on and whatever we had pushed forward before just goes away? It's just a question.

COOK. Thank you, Commissioner. This would not be the first time that the Board of County Councilors or the Board of County Commissioners has sent back to the Planning Commission a matter on which the Planning Commission has already voted and sent a recommendation to it. And in my experience with those sorts of incidents, the Planning Commission has never formally rescinded its prior recommendation. I search in vain for something specific in the rules of procedure to answer your question. So in general, I think that this is something that the Chair could rule upon.

But as I say, this is not the first time; it probably won't be the last time. And my understanding is that the substance of what you're asked to consider this evening is somewhat different from what you considered previously. So I don't know how much that helps, but that's the best I can do.

JOHNSON I understand. Okay. Mr. Chair, if I may go, just reading something from Procedural Orders, to Rescind, Repeal, or Annul. Any vote taken by the assembly, except those mentioned further on, may be rescinded by a majority vote, provided notice of motion has been given at the previous meeting; or it may be rescinded without notice by two-thirds vote, or by a vote of the majority -- or excuse me -- let me make sure I get this right -- or by a vote of the majority of the entire membership, of which we don't have tonight.

So if a vote is taken, correct me if I'm wrong, that would be by procedure two-thirds of a vote required; is that correct?

BARCA To rescind.

JOHNSON: To rescind.

MORASCH: I would defer that question to legal counsel.

QUIRING We're talking about rescinding versus the motion that's at hand, which is to table what we're doing, so they're two different things.

COOK: That is correct.

JOHNSON: Okay. I'll withdraw the question.

MORASCH. So my question to legal counsel is do we have authority not to take public testimony today and instead table the entire matter, is that within the Planning

Commission's authority?

COOK: This is a duly noticed public hearing. The public has been invited to come and give testimony. The Board of County Councilors has put this on the agenda of the Planning Commission, and I would advise against saying that there will be no hearing. It's been noticed. There's a quorum present. I don't know what the basis would be for canceling the public hearing at this point.

MORASCH Okay. You would advise against it. Does that mean it's not within our authority to do so or --

COOK: I don't know what authority exists for you to do so.

MORASCH Okay. And do I need to allow a vote on the motion that's been made and seconded?

COOK: My advice is that that is not substantively a motion that this body should be governed by. As it has been made and seconded, perhaps it's something that could be done as an advisory sort of vote to state the sense of the body, the sense of the Planning Commission, and that would go forward then to the Board of County Councilors as a sort of a communication.

MORASCH Okay. Is there any other discussion on the motion?

QUIRING Isn't this a parliamentary procedure question?

BARCA It is. We have a motion. It's been seconded.

WRIGHT I would add that I'm in sympathy with the motion from the standpoint of best use of time available and reflecting at least my sentiments towards what we're supposed to be discussing tonight. On the other hand, there's a number of folks that have come and would like to give testimony.

So in light of what Counselor has advised, has given us, it might be best to hear the testimony and then move forward with discussion of how we're going to proceed at that point. I do --

QUIRING Are you rescinding your second?

WRIGHT No.

MORASCH Any other discussion? All right.

Well, I would tend to agree that we don't want to tell people that drove all the way down here that they can't present at the public hearing so, and I think that's what's legally

required in this case, but we'll go ahead and have an advisory vote on the motion as Counsel for the Planning Commission has suggested. And if there's no other discussion, let's go ahead and have the roll call.

ROLL CALL VOTE

BARCA: AYE
BLOM: NO
JOHNSON: AYE
QUIRING: NO
WRIGHT: NO
MORASCH: NO

MORASCH: All right. The motion does not carry, so we will have public testimony. But before we do that, I think I will turn it over to staff to see if they have a staff report or any response to the many comments that have just come in, some of them quite recently.

ORJIAKO: Good evening, Planning Commission members and the Chair. For the record, my name is Oliver Orjiako, Clark County Community Planning Director. Yes, I will have a very brief opening remarks and I will then turn it over to my staff, Jose Alvarez, to go over some section of the staff report.

There are comments that came in today. We have provided all the comments we received as of, I will say, 4.00 p.m. today. They're all in your packet. There are also two open houses that staff conducted on November 16th, and that was at Hockinson High School and then on the 17th at the Ridgefield High School. All the comments received are also included in your packet along with the sign-in sheet. So let me briefly make a remark and then turn it over to Jose who, I believe, if you have questions, we have GIS staff here, they will help us to answer any questions that you may have.

So the purpose of this hearing is for the Planning Commission to consider or reconsider changes to the planning assumptions and new methodology for estimating capacity in rural Clark County. Also in your packet you will have proposed a document entitled Proposed Changes to Planning Assumptions, An Evidence Based Proposal to the Community. That's the same material and it's dated 11/15/2015. That is the same document that was presented at the two open houses that I spoke of.

So that document is dated, again, November 15, 2015, Version 1.08, and I don't know whether -- I can't say what the 08 means. It could mean that it's been revised eight times. And the Revised Alternative 4 maps, Rural, Agriculture and Forest maps.

Before I go further, let me just briefly provide you some background. Following your September 3rd and 10th joint PC and BOCC, Board of County Councilors hearing, the Planning Commission on September 17th, 2015, held a public hearing at which a recommendation was made to the Board of County Councilors on a preferred

alternative. The Board of County Councilors held a public hearing on October 20th to consider your recommendation and decided to continue that hearing to November 24th

During that time frame, new documents titled Need to Correct Clark County Population Growth Rate Forecast, the Need to Plan for Realistic Rural Population Growth and Revise Alternative Four maps were introduced. A proposal to change the planning assumptions including a new methodology for estimating rural lots was presented to you at your work session November 5th. Some of you participated in a joint Planning Commission and BOCC work session, that was on November 9th, to discuss the proposed changes to the planning assumptions, including the new methodology for estimating rural lots and their revised maps. All these documents are posted on the County Grid.

At your work session, at that joint work session, the Board give direction to staff to seek public comment on the new materials which we took out to the two open houses that I mentioned and ask that we have this hearing tonight, so that's why we are here

Upon reviewing the methodology and the planning assumptions, my staff for the past week and a half have engaged GIS staff to help us understand the methodology and the assumptions as was presented to you at your joint work session. And the reason for that is for staff to understand the factors or the planning assumptions that led to the exclusions of lots in the rural area that resulted in the numbers that you saw

So I will turn it over to Jose to go over the methodology, our best understanding of that, and then if you have questions, myself, Jose and Ken Pearrow and I believe Barbara Hatman, they're all here to help us answer questions that you may have. So, Jose.

ALVAREZ: Thank you, Oliver.

Go to Exhibit 2, Barb, Exhibit 2. So Exhibit 2 in your package, the staff report, could you go to the first page The first page. So essentially this is an overview of how we estimate potential lots in the rural area. We do a classification for each of the properties in the rural area.

As you can see, there's essentially six categories. Built, Vacant, Vacant Undersized, which we call nonconforming lots, just essentially a lot that is below the minimum lot size required for that zoning designation, Underutilized which is a parcel that's large enough to be further divided, again based on the minimum lot size requirements There's some parcels in the rural area that are Not Residential. There's some industrial and commercial areas, so those are Excluded from the residential component of the model, and then the Exclusions and the following page is a list of those exclusions.

The first column, the DSEIS are the exclusions that were applied using that methodology for estimating the number of lots when we did the comparison in the DSEIS. I won't run through those. Just to highlight two real differences. The DSEIS

excluded forest zoned lands, so FR-40, FR-80, and whether if they were in current use for timberlands or designated forest land. So in the DSEIS model, those were excluded.

There was no count of potential development on those lands. The Proposed methodology excluded some of those, but not all of them, so that's one difference and that will come up in a minute when we talk about the numbers.

The other difference is the Proposed has what we would call overrides. They're site-specific properties that were determined not buildable for various reasons. We don't have a detailed accounting of what those are.

Looking at the maps, you can see that some of the things that were excluded from that are essentially the areas that the cities have asked to be expanded to include. The rural industrial land bank was excluded, as were the -- some it looks like cluster remainder lots. That's by no means a definitive list, but just looking at that you can come to those conclusions

The Residential Planning Assumptions, once we run the model to exclude those, we apply these additional factors. And as you can see in the critical lands layer in the DSEIS, there was no exclusion for that. We didn't apply a never to convert factor. We assumed that you could get development on at least -- you needed to have at least 1 acre was the minimum threshold to be counted, and that's basically, as a rule of thumb, if you have an acre, you have enough room to have septic and all of those other things that you need to be able to develop in the rural area. We didn't have an exclusion for undersized lots. The nonconforming lots were assumed, again, if they were at least an acre, they could be built.

A lot of the nonconforming lots, there's really kind of two types. We've had a long history of zoning in the rural area where you could have smaller parcel sizes. In 1994 that changed, and so there's an existing supply of lots that are currently nonconforming because the zoning change and so they're now smaller than the minimum lot size.

In addition, we have an ordinance in the Rural, R-5, R-10 and R-20 zones that allow you to create nonconforming lots through the cluster development. And so nonconforming lots are not a finite number. They can continue to grow as development comes in. The 10 percent variance factor, part of our code if you want to subdivide a piece of property, for example, you have 10 acres in a 5-acre zone, one of the lots, if it's within 10 acres, will allow that, so 5 and a 4 and a half would allow you to divide those, so you'd only really need 9 and a half acres to divide that, and so we're accounting for that there.

In terms of estimating the number of lots, it's a pretty simple formula where you just the housing capacity is the total acres over the minimum lot size for each parcel. And then we apply a population capacity of 2.66 persons per housing unit. So on the Proposed side, all constrained lands that are in our environmental constraints layer were removed.

The never to convert factors, 10 percent for vacant and 30 percent for underutilized were applied to housing units, that's a factor that we currently use in our urban model. In the staff report, we talk a little bit about that in terms of the data to support that

We did a survey several years ago with rural property owners to ask them if they wanted to have smaller lot sizes, this is primarily in the ag and forest designation, to see if they were supportive of smaller parcel sizes. I believe it was 72 percent, 73 percent said that they were in favor of smaller lot sizes, so essentially 27 percent were not in favor of that.

So if you were -- that's the closest point of data that we have that would kind of give you a comparison to this never to convert factor. It's a survey. It's for what it's worth, but that's essentially the sole piece of information that we have related to that

The Proposed also has a requirement that you need to have at least 1 acre of land that doesn't have any of the environmental constraints on it in order to be counted towards the capacity. We have some information that we'd like to show you about specifically that model and what goes into that model that creates that constraints layer and applications where parcels do develop that have less than 1 acre of unconstrained land.

So the undersized lot which the nonconforming lots, the assumption in the Proposed is that 90 percent of those parcels won't develop. There was some data submitted that showed sort of historical built information, we haven't been able to verify that. It's completely inconsistent with the building permit data that we have. I believe that data asserts that we have had 18,000 -- what was it? -- 15,000 lots that have been built for nonconforming lots in the last 20 years. We are only showing I believe it's 6800 rural building permits that we've seen in 20 years and 3400 of those are on nonconforming lots. So there's a very large divergence in the information that we have related to that. The 2.66 persons per housing unit and accounting for existing units on underutilized parcels were the same in both methodologies

So on Page 3, the first chart is just the number of lots that could be created for Alternative 1 using the DSEIS Methodology, and Alternative 4 the revised map, and then the under the Proposed Methodology. The Planning Commission had asked the question more specifically is, what do these assumptions, how do they account for getting from one, the 12,400 to 6600. So I'm just running you through this.

What was done here was we looked at -- or GIS staff looked at the original Alternative 4 map and used the Revised Methodology to kind of to run that through to show where the differences were. So the first, the first thing we had to do because the DSEIS Methodology excluded the timberland, those weren't included in the Revised Methodology, so we had to add those lots back in, and that's what that 1278 number is doing.

The other rural zones, the methodology in the DSEIS in what was reported didn't

include rural center, Gorge properties and urban reserve and the ag wildlife that essentially accounts for the 127. So essentially we're starting with 13,806 potential lots for Alternative 4 with the Revised Methodology

So the first -- the first planning assumption was the Constraint or Critical layer, and when we looked at that, it reduced the capacity by 3594 lots. The Undersized Never to Convert, the nonconforming lots, was reduced by 90 percent and that was -- that's the 590. The Vacant where 10 percent was taken out accounted for 407 lots. The 30 percent Underutilized accounted for the 1157. Of those nonconforming lots where only 10 percent were assumed to develop, the Never to Convert factor of 10 percent was then applied to that and that's accounting for the 7.

The site-specific Overrides that I mentioned earlier, rural industrial land bank, the cities, is what accounts for those 772. Again, we don't have the detailed documentation of what all of those were. And then the Land Use Changes from the map, the Revised map of Alternative 4 and the original Alternative 4 accounts for a reduction of 629 lots. And there were 12 lots that we couldn't identify where the differences were. Do you have any questions before I go on?

BARCA Oh, you're ready? Are you ready for questions?

ORJIAKO Let him finish. While he's here, what I want to draw the Planning Commission members to is as I was reviewing this myself, I have problems knowing that, and I've asked the question, can this methodology and this reductions be replicated if we were to apply it to any of the other alternatives? My answer is no, because the maps are not the same.

That's one of the issues we are going to have in replicating this methodology into maybe Alt 2, for example, or even Alt 3 because some of the -- you have to have the same map to be able to do this, and I shared this with my staff and they agree So I will leave it at that. Continue, Jose.

ALVAREZ Okay. So I think the next area I wanted to show you was the Page 4 is the Constrained Lands, something we had a bit of conversation about at the -- I think the November 5th work session. So the Constrained layer is made up of all of these bulleted items. It's the 100-year floodplain or flood fringe, wetlands inventory, slopes greater than 15 percent, landslide areas, designated shorelines, hydric soils with buffers, habitat areas with 100-foot buffers, species areas with 300-foot buffer and the riparian streams. And then in the table you can see what the buffers are for those streams

Do you want to run through the layers so we can show? So as you go through the layers, you can see what the effect it has on the map individually, and then at the end, what I'll have Barb do is turn on the cumulative environmental constraints layer and then show you some site-specific examples.

So one of the things you'll notice is that the wetlands layer, the county's quite wet, but is not as prevalent as this map would indicate. Could you go to the cluster. I think I've got it bookmarked in order.

So this is a cluster subdivision, Deer Haven Estates. So as you can see on the sort of the north side of that, on the northeast side of that subdivision, there are several lots that appear to be 100 percent constrained, a couple of those lots are, so these are lots that are in platted subdivisions.

So when we go through, when we identify these, this is a flag for staff when we're going through that process to say we need to look at these areas. Usually delineation is done either by our environmental staff or a consultant working for the property owner will look at the property and see what's actually there and what they can -- what can be developed. These lots would not be created if there were not buildable areas on them and they've been vetted

Some of these are going to be small. They're 100 percent -- they show as 100 percent constrained. But if you look at the actual plat, there are building envelopes that are placed on those to identify the areas that can be developed specifically and that's what the processes is for. Removing 100 percent of these or assuming that these won't develop is not based on what's actually happening on the ground.

QUIRING So when that plat is created, you're saying that those lots would not have been drawn as they are if they were not buildable?

ORJIAKO No. What he's saying is that if you, as you're looking at this map, and this is area where we have had significant conversation both when you look at the map or our critical area coverage, you will assume that on this property like this that there will be no utility out of it. But what Jose is saying is that it's not, that's typically not the case

When application comes in or a developer buys this property, what they will do is that they will either work with County staff or they will hire their own consultants to go and delineate the site, and when that is done, they will then, you know, show us what the building envelope will look like

Often, as you can see in this case, the majority of the lots that abut the greenways shows you that you don't have to exclude any of them, typically. So what Jose is also saying that assuming that 100 percent of a property that has environmental constraint is not going to develop or you treat it differently without actually submitting a proposal and having us run it through our development regulation process is not the best way to calculate or exclude lots

MORASCH Did that answer your question?

QUIRING: Thank you. I think so.

MORASCH: I think the issue is that when these critical areas are delineated, you get a biologist to map them in a more specific way than the County's GIS maps which are very general and kind of done at a 30,000 foot look. And so when you actually map it with a biologist, the map may not quite look the same as -- is that, Jose, is that fairly an accurate --

ORJIAKO: That's correct.

ALVAREZ: And when they do those delineations, we incorporate those into our model to try to make it more reflective, but when you compile these multiple layers with the environmental constraints, the habitat and the buffer, it just makes it look a lot bigger than what's actually out there.

QUIRING: So just to follow up, the green hash tagged marked places are sensitive areas and those lots would be further delineated so that they could be built upon?

ALVAREZ: Correct. Yeah

QUIRING: Thank you.

ALVAREZ: And, again, it's a model that's estimating --

QUIRING: Yes.

ALVAREZ: -- the sensitivity to have us look at it in more detail and on a site-specific basis

ORJIAKO: This is just one example, if I may add, and I know Bill was here during the time that we had a similar issue in the 134th corridor, if you'll recall, we ran a very similar model and took out so many areas we said wasn't going to develop until applications start coming in, and what did the County do? They put a moratorium on 134th and we have to go back and reassess our model

And working with GIS, we determined that our assumption that because some of this area has some environmental constraint on, it wouldn't develop. And I remember that vividly because it took the County quite some time to work those issues through and lift the moratorium on 134th, but particularly some of the issues was underestimating the capacity that was out there just as an example. Jose, continue.

ALVAREZ: Can you show the Exhibit 3 .pdf. Okay. So I made references earlier, this is the data provided to justify the nonconforming lots, the 90 percent reduction. Again, it shows that there's 15,810 lots that have been built since 1995, and this is sort of what's used for the premise of that assumption. We could not corroborate that.

We do have on Exhibit 4 the building permit data. The purple line on the top shows the total rural single-family development from 1995 to 2014. The blue line is the building permits on nonconforming lots. The green is the building permits on nonconforming lots that are not in a subdivision or short plat. And then the red is the building permits on nonconforming lots in a recorded subdivision or short plat.

The purpose for this was just to show that the trend for development on nonconforming lots seems to be similar to that of rural lots in general and to have a planning assumption that's that much out of line doesn't seem reasonable, and there's further information in the text that supports that in this exhibit, but that's all I wanted to say about that.

On the urban/rural population split, that's a policy decision that the Board can make, but I just wanted to point out on Page 3 of the staff report. The population that was considered, the rural population that was considered in the DSEIS was 12,956. On November 9th, the Board gave direction to consider 16,325, which is a 26 percent increase. The overall population was of a much smaller increase, but the increase in the rural area was 26 percent between those two numbers. And then since the work session we had on the 9th, there's been a revision to bring that rural total to 16,656, which is a 29 percent increase from what was studied in the DSEIS. I just wanted to let make you aware of that.

Again, I think I've already covered the never to convert factor. And the market factor essentially is a tool to size urban growth areas and that's how we've used it in the past. I just wanted to point out one correction in the Alt 4 map in the rural. There's one parcel that has an R-10 zoning and that's the only parcel we would recommend not having one zoning designation for a sole parcel.

BARCA: Would you consider that spot zoning?

ALVAREZ: That might meet the definition.

BARCA: Good. Very nice. Thank you.

ALVAREZ: That's all I've got. If you have any questions.

MORASCH: I do have one question, and this relates to a comment that was submitted by Futurewise. I'm not sure if it's for you or for Oliver. I just want to know what you think of the math.

As I read the Futurewise letter, they've added up the total number of current vacant lots, not new ones but current vacant lots in the rural area is 5,042 and they've included some WRIA amounts from Ecology, and they've added up some numbers and they've said that the total number of wells that the rural area can support is 4,859, so they're

saying there's currently not enough water to support the existing lots much less any new ones. Do you agree or disagree with their math and can you explain what the answer is on that?

ORJIAKO. We also received that and have not been able to verify that. It will require us consultation with Ecology and then review this to be able to provide you a clear answer, I can't.

MORASCH. You can't answer it?

ORJIAKO Right. Yes.

MORASCH: Okay. All right. Fair enough I think we just got that two days ago.

Any other member of the Commission have questions for staff at this time?

BLOM. Yeah. On the rural/urban population split, question for Counsel, does that 29 percent increase, that seems like a pretty big jump, do you think, would that create a legal requirement for a new Draft Environmental Impact Statement with that large of a jump?

COOK The more significant the changes that are entailed in what goes forward, the more likely that analysis is required As to whether that is itself sufficient to require analysis, that is something that we are researching, thinking about, considering. I can't give you an answer on it now, but it raises that question

BLOM So that along with other changes that have been made I guess is what I hear you saying?

ORJIAKO Yes.

COOK In general, yes.

BLOM: Okay. Thank you.

BARCA. To stay on that line for process, the SEPA document that went out in 2014 does not have this information in it, does it?

ORJIAKO: No. You're referring to the '07? Are you referring to the --

BARCA: Yes. When we came back to the public and said that we were considering this a determination of nonsignificance and we used the three initial alternatives to go and publish and get public comment on.

ORJIAKO. That's correct.

BARCA Okay. So we're putting ourselves in a position of not having gone through the full SEPA review and expecting this change to just come in under the wire.

COOK Well, there's -- when you look at SEPA and you look at both the statute and the regulations, you know, there's nothing where it says if you have X percent, then you need to do this, if you have Y percent, then you're okay omitting that. That would be really great. It would make our decision-making a lot easier, but it's not that simple. So it is a matter of reviewing the various changes and making a determination of how substantial and significant they are.

WRIGHT I have a question regarding a letter we received this morning from all the cities. It was one letter signed by all the representatives of each of the incorporated cities. Have you and staff had a chance to review that letter?

ORJIAKO: Yes.

WRIGHT: Okay. Is there anything you would specifically dispute in the conclusions that are reached in that letter?

ORJIAKO: No. There's a separate letter also submitted by the City of Vancouver, so, and I wouldn't make a distinction, both the letters signed by all the cities dated October 18th, I'm sure that's the one you're referring to.

WRIGHT: It's actually dated November 18th.

ORJIAKO: November 18th.

WRIGHT: That's relating to just the process issues, not any of the assumptions specifically, but the process impacts of changes at this late date in the assumptions as an aggregate.

ORJIAKO That concern's expressed by our city partners. I have no basis to disagree with them at this point

WRIGHT: Thank you.

MORASCH: Any other questions for staff? All right

Staff, do you have any other presentation at this time or are we ready to open it up?

ALVAREZ I do not have any more

ORJIAKO We don't have anything more unless you have questions, we'll answer, otherwise, you can open it up for public testimony.

BARCA I think I do have one more question, please.

MORASCH. One more Okay.

BARCA: So there is a document that's been put out. It's called Proposed Changes to Planning Assumptions, 11/15/2015. It's got the Clark County logo on it, so I'm assuming this is an official document from the County Was this the document that was shown at the open house dated 11/15/2015?

ORJIAKO That's correct, yes. That's the document. I did receive some, but I couldn't tell what's changed, but this was what was handed out to the public at the two open houses. I don't think the change was significant, so we've already made 300 copies from the print shop and run with it without going back to making any edits. So this is what was presented to the public at the two open houses

BARCA Okay. Thank you.

MORASCH: Thank you. Any other questions?

Okay. Well, we're going to open up the public testimony, and we have a lot of people here tonight, so we are going to use our little timer. Everyone will have three minutes and I'll ask that you please try to keep it to the three minutes so that we all have an opportunity to speak and also so the Planning Commission has some time left in the evening to do adequate deliberation on this matter.

BARCA: Mr. Chair, are the cities going to get first chance at coming up?

MORASCH Yeah, that was my next --

BARCA: Okay Thank you.

MORASCH: Traditionally in these hearings, elected officials get to come up first and talk, and I guess did you want to open it up to city staff people or it looks like they signed up, but, yeah, we can go ahead and do that So we'll start with elected officials first and then we'll take city staff and then we'll go through the rest of the sign-in sheet.

So are there any elected officials that would like to come down and present to us tonight? Yes, please. Please state your name and who you are for the record.

PUBLIC TESTIMONY

MALINOWSKI. My name is Jim Malinowski. I grew up in north county. I'm currently the PUD Commissioner serving north county. I'm past president of Clark County Citizens United I'm current president of the North Clark Historical Museum and the

Mountain Valley Grange Treasurer and I'm a board member of Fish First.

I want to assure you that I'm convinced that rural citizens strongly support reversing the massive downzoning that resulted from the '93 comp plan. No other counties have such large lot zoning and the courts have repeatedly upheld the rural zoning of the type that's in Alternative 4.

The current comp plan process that people have said is very flawed, you're right, it is flawed, but it was partly flawed because staff refused to provide a reasonable range of alternatives. Alternative 4 partially corrects that failure, and correcting the assumptions that are proposed tonight would further correct the flawed process. GMA has 13 goals. Those balancing goals are required, and I think you have to consider that.

Judge Poyfair in his decision that withheld that we were able to get indicated that the '93 comp plan violated several provisions of the GMA. One of the major ones that it failed to consider existing parcel size and that's why we have so many nonconforming lots. What I'd like to ask you tonight is please consider supporting Alternative 4. If you did, you'd honor the intent and the letter of the GMA and you'd also honor the rights of rural citizens of this county.

MORASCH: All right. Thank you. Any questions for Mr. Malinowski?

BARCA: Mr. Malinowski, you're here as an elected official. Are you representing the PUD this evening?

MALINOWSKI: I am not representing the PUD. We're neutral. We discussed this at a board meeting and we neither support nor opposed any of the alternatives.

BARCA: So as a water provider, you don't have a position towards wells?

MALINOWSKI: What we've discussed -- I've discussed this with staff. We already supply water to Amboy and Yacolt. We have 20 satellite systems. I happen to be a customer of one of the satellite systems. We stand ready to supply water to the -- and we -- to the citizens of the county when they ask for it. We have supplies that will provide us water for at least 50 years.

BARCA: Thank you.

MORASCH: Any other questions? All right. Thank you for coming.

Are there any other elected officials that would like to come and give us testimony tonight? Commissioner.

BARCA: Councilor.

MORASCH. Councilor, that's right. I have to learn your new title.

MADORE: Yes, they all work.

Hello. I just want to give a little perspective. First of all, thank you very much for continuing with this so that you can hear the citizens. I'd like to make two points tonight. One is that, let me just read here, I've been doing research on the current plan, so let me just read what that says.

Note that the existing comp plan, the existing comp plan that we're living with today, in 2008 planned for a higher rural population increase than both Choice A and B of the current plan, of the proposed plan. That plan approved 19,263 new people to be accommodated in the rural areas. That plan also approved a higher countywide population of 584,310 persons by the year 2024. That's from Page 3-3 in Chapter 3. It will be -- it would be illogical and fallacious to assert that the proposed Choice B with lesser rural population growth and rural impact is somehow not compliant with the GMA.

The existing comp plan with higher numbers and more impact was approved and found to be compliant with the GMA. Assumption A counts on developing significant percentages of environmentally constrained land and critical areas. In contrast, Choice B respects the environmentally constrained land and critical areas to better preserve the environment. So the current plan already complies with GMA with higher numbers more impact to the rural area.

The second point I want to make is that all of the parameters that make up the VBLM or the Vacant Buildable Lands Model, all of those are policies and it's been the practice of this Board and previous Boards to approve those parameters by resolution. These parameters that are being presented tonight and the parameters that have been used so far have not been approved by the Board. In fact, they have not even been revealed to the Board or to the Planning Commission.

The fact that we haven't had them visible does not imply that we have not had them. They have been in use and this process makes it obvious that we need to apply the, shine the light on, know what they are and approve those policies, then we can establish the facts. Those VBLM parameters are parameters that should be set by policy and they establish the facts. So those are the two points. Thank you very much.

MORASCH. Thank you. Any questions for Councilor Madore?

MADORE: Okay. Thank you.

MORASCH: No. All right. Thank you for coming.

Are there any other elected officials who wish to speak to you tonight? No? Okay.

Are there any city staff people representing their cities that would like to come down and speak to us tonight?

ERDMAN: I'll start. I'm Erin Erdman with the City of Battle Ground.

We just wanted to express that we had some concerns that this may jeopardize the process. As we stated in our joint city letter, we're concerned that this goes against the public process. We're concerned that this goes against GMA. We're also concerned that these alternatives are outside of the existing Supplemental Environmental Impact Statement. As staff stated before, a 29 percent increase seems to be a substantial change in our mind.

On a second note, we're concerned about the methodology and how this was brought forth. It's been -- it's not very clear. I feel like the work really hasn't been shown and it seems like it's been a struggle to try and figure out how we got to this point.

And lastly, I just want to state that we were here last time at the Planning Commission when you guys went through the alternatives and I feel like you spent a great deal of time, took in everybody's perspective, asked the right questions and made a very solid referral and I think you should stick with that.

MORASCH: All right. Thank you. Any questions? Any questions for Erin? All right. Thank you.
Bryan, I guess you're next.

SNODGRASS: Good evening, and thank you for the opportunity to speak before you. I'll be brief and I will want to agree with everything that Erin has said as well as everything that County staff has said thus far.

I think that a lot of talk about new numbers that have been recently introduced, and certainly we have a number of substantive questions about those, in almost all cases, they don't have building permit data to back them up. But I think more to the point of your earlier recommendation in September regarding the preferred alternative, even if all of the proposed new assumptions are correct, based on the information provided in the staff report today, you'd still be looking at the capacity to create about 6600 new lots. That's a little bit less than Alternative 2, which the EIS -- about 8200 lots which the EIS found would have a number of negative consequences in terms of potentially prohibitive costs, changes to the rural character and so forth.

So, again, even if all of these assumptions which we do not believe are accurate were to be incorporated, you would still be faced with a historically large rezone that the EIS has drawn some fairly dramatic conclusions about and I think as I recall from your discussion in September, there was a lot of concern too particularly about traffic and not just the cost but about some of the public safety implications as well, so... I think with that, I will turn it over to Eric.

MORASCH. All right. Well, before we move on, are there any questions for Bryan Snodgrass from the City of Vancouver?

QUIRING: Yes. Where are you from and what's your last name?

SNODGRASS. Sorry. Bryan Snodgrass with the City of Vancouver.

QUIRING Thank you.

MORASCH: Any other questions? All right.

EISEMANN My name is Eric Eisemann, I'm the planning consultant with the City of La Center.

So I could talk to you a little bit about the La Center urban growth boundary request, the expansion, but that's all in the record. I could talk to you as we have before about the potential impacts that further parcelization of lands around our urban growth boundary, what kind of impact that would have on our community, but that's already in the record as well. We are concerned about transportation impacts from further parcelization and we've raised that question before

What I really want to talk to you about tonight is we had a long Planning Commission meeting last night. We've had multiple city council meetings, and the message and the methodology that we practice in our city is early and continuous opportunities for public participation and to show our work every step of the way. And with that in mind, we're about ready to wrap up our planning process.

We've adopted, we're ready to adopt new planning policies. We're working our way through capital facilities. In particular, we're concerned about transportation and the impacts that rural development will have on our city. We're trying to get to the end of this process. We'd like to meet the County deadline and we're thinking right now we're going to have a difficult time of doing that.

We've consulted with our city attorney. We've consulted with our commissions and our council. And in the city letter, we've expressed and we agree with the other cities that we are very concerned that if we change the process right now, if we change the basic assumptions, we're going to throw us all back into court. And we've been there before. We've been there with the 2007 plan. We don't want to have to do that again. We want to be consistent with the County. We believe we can be consistent with the County planning assumptions that were adopted by resolution earlier.

And with that, we would encourage you to show your work and provide early and continuous opportunities for public comment and don't throw us back into court again. Thank you

MORASCH. Thank you. Are there any questions? All right. Thank you.
Jeff.

NITEN Thank you. Jeff Niten with the City of Ridgefield.

And I would like to reiterate what my colleagues to my left have said, we are also concerned about the internal consistency requirement of GMA. Should the assumptions be changed, that would require a lot of change on our behalf as well. And as Eric mentioned, we've worked through all of our capital facilities plans. We've worked through all of our comprehensive planning policies. The work's almost completed and the deadline is fast approaching.

MORASCH: All right. Thank you. Any questions for Jeff? All right. Thank you all.

Okay. Now we're going to open it up to the general members of the public that have come tonight, and the first person on our list is Susan Rasmussen.

RASMUSSEN: Hello, Commissioners. Susan Rasmussen for Clark County Citizens United.

I want to bring to your attention Table 3 of An Evidence Based Proposal to the Community, 11/15/2015, and there's a very clear graph here that shows the urban/rural split from 1995, 84/16 going down to 86/14 in 2014. So I believe that the proposal to change it reflects what's currently on the ground

The buildable land study as written in the Draft SEIS is eye opening. It's eye opening not because it blatantly appears to prove that developable land is plentiful in Clark County, but because it reveals just how fragile the process is that supports the findings.

This fragility discloses that the foundation underlying most of the findings is subject to manipulation. I'm guessing that this has been ongoing for 20 years in order to further enable dominance and advance the agendas of the cities, all while discretely diminishing rural concerns and degrading rural culture for generations to come.

Councilor Madore's work under the guidance of GIS presented November 9th is best defined as a review and check of the work of the planners. Since it does concern the draft version of the SEIS, it is entirely appropriate to make necessary corrections and appropriate revisions to this document when errors and inconsistencies are brought forward.

The planners and the Planning Commission are the fact-finders, the researchers. The BOCC is tasked with providing responsible oversight and a policy direction. The draft is meant to be revised when inconsistencies and errors are noticed as evidenced in his work.

However, the Final SEIS needs to be error free. The facts and figures included in the analysis need to be -- need to fully support the preferred alternative plan and advance that forward in the process. This is where it is important to show your work in the process. The work must pass muster. Unfortunately, the draft falls short.

I'll ask you some questions. Would you agree that counting the remainder lots as fully buildable in the Draft EIS is a correct methodology to use? Would you agree that the 90/10 ratio of the urban/rural split is an accurate ratio? Would you agree that the criteria for the rural lot census --

COPPEDGE (Inaudible.)

RASMUSSEN: -- should be the same as the urban draft census?

MORASCH: Sir, will you please sit down. Her three minutes is not up yet.

COPPEDGE: Well, adhere to the minutes, the three minutes.

MORASCH: Her three minutes is not up yet, sir. And since you've interrupted, I'm going to give her an additional 30 seconds.

RASMUSSEN: If the data is incomplete and doesn't accurately support the policy position of the Board, it needs to be fixed. Any attempt at discrediting any concerns of the rural communities should be alarming. And most of these corrections do discredit the rural concerns.

One of these is how the overlays have been imposed for 20 years over many privately held lands. These landowners have been, in essence, put in a building moratorium, an illegal moratorium for 20 years on their lands.

MORASCH: Okay. Ms. Rasmussen, I gave you an additional 30 seconds. I apologize for the interruption and thank you for your testimony. Before you leave, are there any questions for Ms. Rasmussen? All right. Thank you.

RASMUSSEN: Thank you. You all have my e-mail and I'd be more than welcome to answer any of your questions and concerns.

MORASCH: Thank you.
The next person on our list is Grace Harris.

HARRIS: Well, I would like to show you --

BARCA: Grace

HARRIS -- on the map --

BARCA: Grace.

HARRIS: -- can I put it up there?

BARCA Grace, before you start, please sit down, give us your name and spell your last name for us.

HARRIS Which, do I push one of these buttons?

BARCA: No.

MORASCH No. It will start automatically for you. Just tell us your name and maybe spell your last name and then you can show us your map.

HARRIS: I'm Grace Harris, H-a-r-r-i-s

MORASCH Thank you.

HARRIS I would like to direct your attention to the gray area of the Clark County UGA comprehensive plan map at NE 50th Avenue and 139th Street. That's less than four miles from Costco. We bought 20 acres in 1969 and have lived there since.

At the time the zoning was one house, 1 acre. Then in 1994, the state and county passed laws to take control of our private property passing the GMA comp plan. We have been in the gray concrete area for 21 years zoned agriculture land.

The property is within two blocks of Pleasant Valley School in Battle Ground School District and within one block of the Highlands development on 50th Avenue on the west side. The Highlands, which was developed after 1994 on one-acre lots, then a lesser size for the next subdivision. I went to the meeting on the 17th and I was told by Oliver that to get out of the concrete area, I would have to see an attorney and petition, they'll let me out of the R-10.

I don't know if you understood that I started out with one house, 1 acre, now I'm one house, 10 acres. They took away 2 and a half acres, then they took away to 5 acres, then you took away to 10 acres, and I believe I'm the only one on the street that has 10 acres. Everybody else is 5 or less than 1. So I'm not included in your plan anywhere.

I'm supposed to be in ag. I lost my husband about eight years ago. The baler quit a few years ago The tractor broke down this year We're still making hay, but, you know, there's not much profit in it. Every five years I'm supposed to make a profit in my ag business The only crop I can think of that I could make enough money to pay the taxes is probably cannabis, but that's not a legal ag crop. I checked into that. Anyway, I'm

going to skip to the end.

In the draft statement, Environmental Impact Statement Alternative 2, all it takes is Vancouver removing reference to Three Creeks Special Planning Area which is indicated by the red dot on the map to the southeast corner of the 139th Street and 50th Avenue and Alternative 4 agriculture and forest land changes. Your Commission voted to deny Number 4.A, rural lands estimated R-10 and R-20 zones and less public property.

MORASCH: Ms Harris, your time is up. Thank you. Thank you for coming.

HARRIS: It says four seconds.

MORASCH I'm going by mine right here It's beeping at me. Does anyone have any questions for Ms. Harris?

QUIRING. I just would have a question. Does this mean you're for Alternative 4, is that the bottom line?

HARRIS: Where's my reference person?

BARCA. Just shake your head yes.

HARRIS Am I Alternative 4? I'm in the gray. You're not going to do anything with me for the next 20 years.

QUIRING. All right. Okay Thank you

MORASCH Thank you.

HARRIS: I have gas and water and I'm probably \$100,000 away from sewer.

MORASCH. All right. Any other questions for Ms. Harris? All right. Thank you for coming
Val Alexander.

DYKES I would, with your permission, I'd like to speak for Val. She has a larynx problem.

MORASCH: Okay. Please. Please do.

DYKES And she's written this so this represents her. I believe I'm next on the list, so I'll just stay up here

MORASCH Okay. Dennis?

DYKES I'm Dennis, yes.

ALEXANDER: I have submitted a letter to you today describ- --

DYKES. This is Val.

ALEXANDER: -- today describing my problems with the shortage of water in our rural area. I want to share with you a statement by one of my neighbors about living with a limited water supply. We also helped two other neighbors since they were completely out of water.

From Bianca Benson. Our well cannot sustain a four-person household during the months of August to October. We would typically run out of water each day by midafternoon. We invested in a \$5,000 holding tank and pump. This summer we were unable to farm for food -- farm for food, water our lawn or even have a kiddie pool for our 3-year-old or face -- or face running out. She lives up north of La Center slightly west of town.

MORASCH Okay. Any questions for Val? All right.

Then can we get the clock reset for Dennis. And can you please state your full name and spell your last name.

DYKES: Okay. I'm Dennis Dykes. My last name is D-y-k-e-s. I actually went to the meeting last week ago Monday to see what it was about and I actually came tonight not really prepared to speak, but I wanted to see more how you guys dealt with what was presented there and how staff and others dealt with it too.

I'm very concerned with process. I think back in the '90s I was involved with this. I was chair of the Rural Clark County Preservation Association which we believe in living in a rural area in the rural lands. We've kind of went on with our lives living rurally and have kind of transferred our responsibilities over to the Friends of Clark County, so a lot of what they say is how we feel about things. We just didn't reformulate for this process. The -- I think the point would be that the Citizens United does not speak for me and many of the people I know in my area.

I live on a 65-acre lot that is Forest 40. There are several Forest 40s north of me and there's a couple of Forest 40s, but there are 80 parcels just to the northwest of me. Somehow or other, they've been incorporated into Alternative 4 as 10-acre lots and I'm not sure why we're the nonconforming lots. I know there are nonconforming lots around me. I'm surrounded by rural lands on the south, but not on the north, and I just don't get that. But I would like to present something to you based on my professional experience

I'm a licensed hydrogeologist in the state of Washington. I am actually quite surprised

that the water supply issue is not higher on the agenda. I appreciate you bringing it up. I know that. I put it in my comments previously to your September meeting and, unfortunately, I guess you didn't read those, but.. And staff didn't read them and that's a real concern because you've had all of these planning assumptions being changed and presented to you.

The Washington Administrative Code that set the reserves for rural residential land was passed in 2009. That's either five or six years ago. Why isn't that in the process now? As you pointed out, it will limit. And that's not based on the 5,000 gallon a day limit that's -- or exempt well thing that's in the regulations or the water law. It's based on something like 800 gallons a day for each of those rural lots. So there's a lot of leeway there.

There's a map in there. It has control points, everything above that should be limited. And based on that, I think that's a major assumption that needs to be brought into this process today. It affects - this is what Val was talking about - it affects people. It affects in-stream flows of the rivers. That's why it was established. It really needs to be brought into the process and added to the EIS. It's a major lapse there. And as you pointed out, you don't even have enough water to service the lots that are there now. Thank you very much.

MORASCH All right. Thank you. Any questions? All right. Thank you both for coming.

DYKES: You bet.

MORASCH Can you read that?

BARCA: Mark --

MORASCH: Is that Mark?

BARCA -- Collier.

MORASCH: Mark Collier

BARCA: Ta-da

COLLIER Thank you. I have some information for the Planning Commission. My name is Mark Collier and I'm the septic designer.

And I submitted some letters that you may have seen from our Septic Industrial Group. I'm a member of what they call a TAC Committee. It's a committee of septic system professionals in the private sector as well as the Health Department that we get together generally on a quarterly basis and we're an advisory council and it's just that

relationship with the private industry to the Health Department makes our relationship run pretty smooth and I think it's been an excellent group

I know there's been conversations about septic systems in the rural area. Our industry group wants there to be accurate information about septic systems. The Draft EIS talked about severe limitations for septic systems in the rural areas. Basically that's based on old information.

In 1972, the USGS completed a soil survey. They noted -- back in '72 the tech, we didn't have the technologies or the alternatives that we have for septic systems today. We have sand mounds, sand filters, aerobics, Glendons, conventionals --

HOLLEY: Hold on. Sand mounds what? I did not hear you. Sand mounds?

COLLIER Sand mounds, sand filters, Glendon systems, pressure distribution, aerobic treatment units. So we have different technologies to provide adequate treatment.

Basically in the '72 soil study, they said, well, if it's a clay loam soil, it had a slower infiltration rate, therefore, it wasn't good for septic systems. Well, now we design based on soil infiltration rates for sewage effluent

Septic systems do -- are designed to protect groundwater where we get adequate treatment and a little bit of extra beneath the drain field in order to have proper treatment before that water hits the winter perched water tables at which eventually gets to the aquifers.

Every septic system is designed by a septic designer or engineer and reviewed by the Health Department. Properly designed, constructed and maintained septic systems provide better treatment in many cases than public sewer and at the same time recharge groundwater, can recharge groundwater

Also the other issue that's been kind of talked around or what is sensitive land areas, what do we do with septic systems when we have sensitive land areas? We basically avoid them. We don't put them in wetlands. We don't put them in buffers. If we have to on a rare occasion because of a pre-existing lot, they still have to meet the Health Department requirements in terms of soil separation from the treatment component as well as any of the setbacks that we have.

On new plats, the engineers were designing around the sensitive land areas such as the wetlands or geological constrained areas such as slopes on it. So those are some of the last things that we try to avoid

MORASCH All right. Thank you.

COLLIER. Can I make one -- in summary

MORASCH I'll give you five seconds.

COLLIER. Okay. In summary, the septic industry wants to have accurate information that you can have confidence in, so that's my reason for tonight.

MORASCH All right Any questions for Mr. Collier? All right.

BARCA Thank you.

MORASCH. Thank you for coming.

COLLIER Thank you.

MORASCH Heidi Owens.

OWENS Heidi Owens, O-w-e-n-s. I'm speaking tonight for both myself as a resident of Clark County and on behalf of Friends of Clark County to include in the record my concerns with the process by which Mr. Madore's assumptions were developed and have been applied to the comp plan alternatives.

I have a background in statistical analysis, data modeling, database practices and conflict management. I hold a Ph D in Computer Information Systems and have conducted research in both data integrity for data/knowledge-based systems and strategic alignments of systems in organizations, and I'm becoming increasingly aware that the changes introduced on November 9th are not based on a methodology that has been historically used or consistent with Clark County's historical rural developments. I'm giving highlights. I'm not reading exactly on the thing.

On November 9th work session, Mr. Madore introduced his proposed planning assumption changes as evidence-based and stated that assumptions established facts. This perception is very interesting from the data model and integrity standpoint which would expect that only the data should establish the facts, instead assumptions should do nothing more than limit the scope of the model which is exactly what Mr. Madore has done, limit the scope of the VBLM as applied on rural parcel data which results in the perspective of fewer potential home sites than his previous alternative.

Well, the facts in these reductions have not been limited, have not been seen until, like, tonight when you saw the GIS data and it shows how the assumptions can affect the number of potential sites You also should have planning and legal departments comments that show how those assumptions might not -- that might have validity issues.

As stated, Mr. Madore remarks in his approach is a evidence-base which implies the best use of available evidence. I ask this Commission and the community of Clark

County, how can the assumptions he is applying be considered evidence-based when qualified planners, legal staff and a number of members of the community question the very validity on which they are based? Because I have heard Mr. Madore on multiple occasions say garbage in/garbage out, I became more interested in the source of these changes I visited with GIS. I talked to Mr. Madore, and what I have learned is that he had this what if approach that he's been applying to the conclusions -- I have to cut to the chase because I'm going to get down here.

So one of the things that happened is the specific assumptions can make a difference. For example, constrained lands are way overstated in the data parcel overlays according to GIS staff, and that overlay data does not provide good detail. So when you take that out, we saw tonight, you're taking out 3,594 possible lots that are being excluded.

In summary, the standard practice for aligning model systems with organizational vision and goals should dictate policy rather than having this bottom up approach that was done with the what if analysis. I ask the Commissioners to resubmit their previous recommendation to the Board of BOCC and not address these revised assumptions. I'm sorry I had to rush, but .

MORASCH That's all right. Thank you. Any questions for Ms Owens?

WRIGHT Yes. I'd like to ask you to clarify what you mean by the assumptions are in direct violation to RCW 36.70A.011 because they are not vision-based.

OWENS Okay. I didn't -- I don't have a copy of that in front of me because I didn't bring it up here, but that particular RCW deals with the rural lands and it says that there should be a vision-based approach and that it needs to address the things regarding keeping the rural character, keeping, you know, dealing with the habitat and those sorts of things

So what I'm saying, if you are not taking, if you're not starting first with the strategies, with the vision and then going to be able to go to the policy, then you're really not abiding, you're not really following that. That's one of the examples of how I see it's being violated. There's another example as well

WRIGHT: Thank you.

MORASCH: All right Any other questions?

OWENS Okay Thanks.

MORASCH All right Thank you for coming

OWENS Sorry I had to rush, but...

MORASCH: That's okay. Thank you for coming. We have Chuck Green.

GREEN: Good evening I'm Chuck Green I live in the Mount Vista area near Ridgefield and I'm an engineer.

And one of the things that brings me to engineering is I'm a math nerd, so I know that there's a lot of things you can do with numbers and a lot of things you can – stories you can tell with those numbers. So I've provided you an example of how an old algebraic riddle -- well, I can prove that one equals two.

What I'd like to get into beyond proving one equals two is that in order to adequately analyze something, you need to show your work. When I looked at the assumptions that went into this proposal B or column B, I can't find much in the way of work. I find some assumptions that went into those, but no basis for those assumptions. I would like to point out one of those where Councilor Madore actually did show his work, and that was in the rural/urban or urban/rural split.

On Page 2 of my handout, I have a graph using Councilor Madore's numbers through 2014 and then my projections through 2035 using Councilor Madore's overall population basis for what I'm calling Alternative 5. As you can see, the growth obviously increases over time. But if you turn to the third page where I graft out the urban/rural split, you will see a trend that goes not from the 14/86 percent that's proposed, but down toward the 90/10 split that's in the current planning assumptions. That trend is pretty obvious. It's been going on for the last 20 years and the current plan proposes to do that as well.

Now, I will agree with Councilor Madore on one thing, and that the current comprehensive plan has been judged by the Western Washington Growth Management Hearings Board and the State court (inaudible) be compliant with GMA. Why change that? Even if it has higher population projections, it still complies with the planning assumptions that were adopted for this process early on

So I'd like to quote from a classic movie, The Man Who Shot Liberty Valance, and that's. This is the west, sir. When the legend becomes fact, print the legend. I believe that what you're seeing is the legend being printed.

So I would encourage you to stick by your original assumption, your original preferred alternative that you developed a couple of months ago. It's sound It's based on sound planning judgment. It's based on sound numbers and move ahead. Thank you for your time.

MORASCH Thank you. Any questions for Mr Green? All right. Thank you for coming George Sundem. George? Is George here?

BARCA: Doesn't look like it.

MORASCH It doesn't look like it Okay. We will move on to Gerry, Gerry M., it looks like Coppedge

COPPEDGE: Yes, sir.

MORASCH: All right. Thank you. Please state your name for the record --

BARCA: Spell the last.

MORASCH. -- and spell the last name

COPPEDGE: Coppedge, C-o-p-p-e-d-g-e.

MORASCH: All right. Thank you.

COPPEDGE You know, I can get down to my basic problem with my land, but it looks like the way this keeps going, I've been to about seven of these now in the last three months, and it just goes over and over again. I remember the first one I went to and I looked over the alternatives and there was -- I guess there was three and then one more Number 4 proposed, and reading over that over the last six months, the other -- all four of them, the only one that makes any sense to me is proposal 4.

It opens up land that people have owned for a long periods of time so that they can do something with it instead of be stuck with a 20-acre, a 40-acre piece and say, tough luck You've been paying your taxes for years and keep paying them, but we're not going to let you do anything with it. You can't give it to your grandkids. You can't subdivide it. You can't do anything with it.

One of the things that I remember Mr. Madore, and I'm not -- I'm a -- I'm not Republic or Democrat or I'm an independent person, but one of the things he said that made sense to me was that Alternative 4 was proposed by him, I guess, to make some sense and to help alleviate 20 or 30 years of problems that the councils, wherever they're at, have made over those periods of years; i.e., 2 acres coming into play next to a 5-acre next to a 30-acre or whatever, and everybody was with the first three proposals you're stuck You can be next to a 1-acre or a 2-acre parcel and you can't do anything with it. And so for that purpose mainly is Mr Madore's proposal makes the most sense to me, and we just keep going through these things. You guys keep coming up with stuff that you just keep rehashing over and over again.

I'm not going to get involved in politics of it because I don't know that much about it, but why don't you just come to the realization that maybe there is a proposal, an alternative that does make sense for everybody or most everybody unless you belong to the Sierra Club or the so-called Friends of Clark County who I don't know how they could have any friends, but they do, I guess a few So I would like to suggest that you support

Alternative 4 and make some sense out of this thing and get it straightened away.

MORASCH: All right. Thank you.

COPPEDGE Thank you.

MORASCH. Any questions for Mr. Coppedge? No? I guess I don't hear any. Okay.
Thank you.

David McDunna.

MCDONALD McDonald.

MORASCH: McDonald. Okay. Sorry I can't read your penmanship here.

MCDONALD: That's all right.

MORASCH: Please state and spell your last name for the record.

MCDONALD. Lawyers are traditionally like doctors, don't like to write well.

MORASCH All right. Yes.

MCDONALD: Hi. My name is David McDonald, M-c-D-o-n-a-l-d. I'm a 30-year resident of the rural area of Clark County I've been involved in growth management planning activities, commissions, task forces and as an attorney since before the growth management plan was originally adopted in 1994 and I'm currently the attorney for Friends of Clark County and I have lots of friends, so just so people know. I've given a lot of legal and substantive factual data to the Planning Commission both before and after the September 17th hearing.

What I want to talk to you today about is process We have developed these assumptions that have formed the foundation of our plan since 1994. They have been looked at by task forces. They have been subject of reports. They have been scrutinized by multiple Planning Commission members and former County Commissioners and now even the Councilors. They have been part of many resolutions that were being subject to public notice and hearings and they have been done in complete light. The light has been so bright on them that you would have all the work you want by just going back through and looking at the hearings that we have gone through over the past 25 years

This particular process involving hundreds of people, thousands of hours, multiple hearings has now been completely -- you've been asked to scrap that because one man got a computer, got the GIS model and decided that everybody else in the place was wrong and his assumptions were right

Look at his work. There are no studies. There is no task force reports. There is no legal analysis. There's no citations to statutes. There's nothing that you can find from any other comprehensive plan that says that all his assumptions, especially the ones that we normally apply to the urban area, should apply to the rural area. There is nothing that establishes his work.

The penlight that this staff has done to shine on that work in just a few days that they've had shows you how poor his work is. This is about one man telling the rest of the community his way is right, reject it.

MORASCH All right. Thank you. Any questions -- any questions for Mr. McDonald?
All right.
Kathleen Hudziak.

HUDZIAK. My name is Kathleen Hudziak and I live on 5 acres in rural Clark County, so I'm representing myself and my neighbors and no particular group.

First of all, my bottom line is I'm against Alternative 4 and the new assumptions proposed primarily because the results have come from basically one person. I'm disappointed in the recent process and procedures, especially Councilor Madore's hearings last week which gave the impression that his presentation represented our county agencies but was actually propaganda and maps of his personal proposal and assumptions. And it also did not include comparison maps of the existing forest, agricultural and rural parcel zoning. So how can you compare? You have his proposal and what else? You can't really see it. It was a map, but it was so tiny and his proposal was a very clear map.

Second, I'd like to remind you that when you receive and consider input from the public, it is essential as representatives for all citizens of Clark County that you consider the motivations and goals of the sender.

I see three basic, four basic groups, those whose goals are primarily to make money and who have no stake in the impact of the changes. So they've put continual pressure for allowing more rural development because they're paid to do so and they stand to profit.

Then there's the landowners involved and some may or may not be allowed to subdivide and possibly sell or build new residences. Some believe they have a right to do what they want with their land without consideration of the impact on neighbors and other county residents and upon the environment and the economics of the region.

Citizens who care, a third group is citizens who care about the growth of their community and how that growth affects everyone, and I consider myself one of those.

Then there's the public and governmental groups who are supposed to represent all

citizens.

It is important that all critique and decisions on the new plan take into consideration each and every citizen as well as the community at large. The number of rural subdivisions and their locations should foster necessary growth, but remember growth in and of itself is a personal value, not one shared by all. When agriculture, forest and other rural parcels are divided unduly, it does affect other people in the county as well as the land, the water, the plant, the animals. Those citizens will be required to subsidize that growth by increased and expensive infrastructure for roads, fire, medical, schools, sewer, water runoff –

MORASCH: Thank you.

HUDZIAK -- and it also increases taxes.

MORASCH Thank you

HUDZIAK: Thank you for promoting a democratic procedure. Thank you.

MORASCH: All right. Thank you. Are there any questions? All right.
Sue Marshall. We've got about four more people and then I was going to take a break.
All right.

MARSHALL: Thank you. My name is Sue Marshall. We have a 20-acre farm in the Ridgefield area. With our daughter, we are starting a third generation of farming on our land.

We are currently zoned AG-20 and we would like to retain that designation. Alternative 5 would put us at AG-10 We think it's important to be AG-20 for the long-term protection of our land as an agricultural resource to the community and as a family legacy.

I'm also a board member of Friends of Clark County. I attended a meeting where you very thoughtfully deliberated and developed your preferred alternative recommendation. Subsequently at the Council public hearing, rather than consider your recommendation, Councilor Madore distributed information on new assumptions, a new alternative. And although the Council was advised not to discuss this new information, the public who had come to testify about the Planning Commission's recommendation were left to feel their input was irrelevant and the rules of the game had suddenly changed.

I attended the Ridgefield open house on Tuesday where Councilor Madore presented his new assumptions and new Alternative 5 and the only staff vetting that was available at that meeting was a redlined report that was provided by Friends of Clark County. I would say this is no way to conduct a planning process

The planning assumptions were unanimously adopted by resolution by the Council in 2014 and twice in 2015 and were based in large part on County's work vetting those assumptions during the last comprehensive plan updates. If we now have new alternative based on new assumptions, these new assumptions should be thoroughly reviewed by public task forces charged with evaluating the efficacy of them and with assistance of staff and then have them formally adopted by resolution. There should be at least a 14-day period in advance of those hearings on the new resolution to give the public, all of the public the opportunity to fully understand those assumptions and question their validity with a proper staff analysis.

This has not happened Documents distributed at the Ridgefield open house refer to assumptions what is likely, but has not been based on anything other than Councilor Madore's personal assumptions. I would just say this has been a disturbing process.

Additionally, I would like to say that on the 90/10 population split that when the County finally started planning for the future, the rural/urban population split was approximately 84 urban, 16 rural. Since that time, the goal of approximately -- appropriately managing growth in the rural area is the County has used the 90/10 split and I would urge you to continue that process forward

MORASCH All right Thank you.

MARSHALL: Thank you.

MORASCH: Any questions? All right Thank you for coming.
Brian Beasley.

BEASLEY: Beasley, Brian. B-e-a-s-l-e-y. I just -- everybody in North Clark County has been kind of concerned about the flier that was sent out a few years ago, or actually it was six months ago. I believe it was about AG-20s, AG-40s. I was just wondering where the Commission is, the Planning Commission is going with that? Is there a plan in the near future of trying to make those into AG-10s, AG-20s, you know? I was just concerned of where that was going

MORASCH Well, I think that's what we're going to be voting on tonight and then ultimately it's the Board of County Councilors that will make the decision at their hearing, so. I think that's about all I can tell you.

BEASLEY And when's that decision going to happen?

MORASCH. Oliver, when's the Board hearing?

ORJIAKO. It's November 24th.

MORASCH November 24th. And it will be in this room.

BEASLEY: That was November 24th right here.

MORASCH Right here

BEASLEY: Okay That was --

MORASCH: What time?

ORJIAKO: It starts at 10.00 a.m. in the morning and that is to give or to select a preferred alternative and then we will move into -- we will make a determination of what level of SEPA, if any, needs to be made.

MORASCH Okay. Thank you.

BEASLEY Okay I thank you much.

MORASCH All right. Thank you for coming. Are there any questions? No?
All right. Bridget McLeman.

McLEMAN So it's Bridget McLeman, M-c-L-e-m-a-n And I'll make it short because I know you want to get out of here.

First of all, you've proceeded through this whole process admirably and it was on the basis of resolutions adopted by County Council on population, VBLM and the public outreach process. So all of those things have been changed in the last little while by various alternatives and I cannot imagine how we cannot think of this as a new start, kickoff to a process with starting again because so much stuff has changed.

I actually did read all the testimony that was submitted between August 27th and September the 17th including Mr. Dykes' excellent remarks on the water quality. 40 percent were in favor of Alternative 4 Of those 40 percent of comments, 54 percent of them came from two people representing CCCU. And on the other side, I can't say that the 48 percent, there's a 2 percent that were just on a city UGB or something, I can't say they were against or for Alternative 1

What I can say is that overwhelmingly they were against Alternative 4 for the reasons that they just don't know what is involved. There's no cost on infrastructure. There's no roads analysis There's a real worry about water. There's less of a worry about septic for some reason. We have no word from schools. We have nothing around Alternative 4 which would radically change the county.

So I think last time you did the right thing. You went for Alternative 1 with consideration of those people who, by their definition, was screwed in the last GMA who owned property prior to '94 or 2004, whatever the year is. And I think the proposal for ADUs

and a TDR program for those people would be great, and I think a lot of the people who are against Alternative 4 feel that way too. We could kick the process off, delay it. The other reason people give us, they want to delay it until after January.

So I want to thank you for the work you've done because it's a miserable job, but I especially want to thank our Planning Department. We have not had the opportunity to have full staff analysis on these alternatives, and it's pretty amazing, I spent a day on their website. There is more information, more analysis, more accessibility to our citizens in this county. It's just incredible. So I want to thank you, Oliver, and you and you people back there in the row. They're doing an amazing job for the community. Thank you.

MORASCH. All right. Thank you for coming. Any questions?
John Matson.

MATSON. Hello. I'm John Matson, M-a-t-s-o-n. I support plan Number 4, and it's not David Madore's plan, but he's supporting the constitutional principles guaranteed – guaranteeing property rights.

Alternative 4 will support rural property owners. Farming, logging and water will not be destroyed by smaller acreages. Jim Malinowski proved that there's water out there for – they can support people with water for 60 years. Most of the statements made against the rural property owners are mostly emotional and not true facts.

Alternative 4 would best support urban and rural property owners in the long run, so it would help all and it sure wouldn't -- I mean, it would be against the urban sprawl that some of them say that that's all that this is going to do is make urban sprawl, but it will help the people that live there so that they can support their families and keep living there.

You can't make a living on 20 acres out in Clark County raising cattle, hay. I don't care what, other than this one lady said if you raised pot you could probably, but you cannot make a living out there unless you've been in the land for -- in the family for many years, and then you still can't with the taxes and that. You have to have another alternative income to stay on the land with all the expense. A 20-year plan needs serious concern to do it right for all.

So please consider doing it right for everyone and not just the cities. You can tell when the cities come in here and spoke their proposals, you could see what they -- they've got one aim, that's against the property owner so that they can't divide anything and then they can annex the land and look what they're doing.

The man from La Center spoke about we're concerned about traffic. They're just planning on annexing some land that's going to put almost more property owners in there than there's already in La Center and he says we're concerned about traffic. Well,

I mean he's talking out of both sides of his mouth because he's for the city and not the property owners. So let's do it right.

MORASCH: All right Thank you. Any questions?
All right. Betty Sue Morris. Welcome.

MORRIS. Thank you. My name is Betty Sue Morris, 12633 NW 19th Loop, Vancouver, Washington By way of introduction and credentials I served on the Board of County Commissioners from mid-1996 through December of 2008 when I retired. I was an active participant as the County worked through and resolved a number of rural, legal and Hearings Board remand issues from the original 1994 plan, again, helped construct the 2004 plan and to resolve the largely urban issues that -- remand issues that resulted from it.

I thought I might not be here tonight, so I submitted my letter in advance and I believe it's been included in your packet. But since I am here, I'd like to read it into the record. I write to encourage you to hold your ground on your earlier preferred alternative recommendation and to remind you that you are under absolutely no obligation to even consider the most recent Alternative 4.B or C or D proposal designed by Councilor Madore.

Councilor Madore's most recent changes are totally inappropriate and ridiculously late in the process While he claims them to be data-based, his data is the result of direction he himself gave GIS staff telling them to change the underlying assumptions used in determining the available buildable lands model.

Without extensive professional review prior to their use, there is no way to tell whether those directions had any accuracy. When questioned about their accuracy, Commissioner Madore -- Councilor Madore's response is essentially and consistently that they are accurate because he says they are When questioned about almost any other element of his proposal, his response is entirely too often, you misunderstand. I do not misunderstand

While development of a county comprehensive land use plan may be a new experience to Councilor Madore, it is not to me and it is not to several of you Altering planning assumptions, especially any population forecast this late in the process is particularly egregious If the County Council is going to tamper with the most basic of all building blocks for developing a comprehensive plan, they should start over from the beginning and have a broad discussion with the entire community, not just two Councilor Madore led conversations in Hockinson and Ridgefield

Councilor Madore's frequently commented that we are not here to serve the process; the process is here to serve us. He's just wrong about that. The process is intended to serve the orderly and publicly inclusive development of a 20-year plan for managing growth, not the whim of the Council, in fact, that's what it's intended to thwart.

So, again, I urge you to hold your ground and display the proper respect due to work done prior to Councilor Madore's proposal. I have long been sympathetic to the rural concerns and have more than one occasion anger, Commissioner Barca

MORASCH Thank you. I hate to cut you off, but I've been very strict with the timer, so if I give you more time, I'm sure that I will hear about it.

MORRIS. And that is appropriate for you to do. Thank you for considering my comments.

MORASCH Thank you. But I appreciate you coming. I hope -- it sounds like you have a sore throat. I hope you feel better soon.

MORRIS Thank you.

MORASCH: But before you get up, I want to make sure that no one has any -- does anyone have any questions for Betty Sue Morris?

BARCA. I do have one question. The comp plan that you participated in crafting and passed, did that hold up in court for the County and the public?

MORRIS Are you talking about the '4 or the original '94 plan?

BARCA The 2004, 2007.

MORRIS: Yes. It was 2007 before we finished, yes. All remand issues, all court issues on both the 1994 plan and the 2004 or '7 plan are fully resolved. Were they not, we would be invalid and we would not be able to receive grants from the State. Thank you.

MORASCH: All right Any other questions? All right. Well, thank you very much for coming tonight.

MORRIS: You bet.

MORASCH: Okay. So that concludes our public testimony. There's no one else on the sign-in sheet. Is there anyone who did not get to speak but wants to speak? All right.

Well, with that, I will close the public hearing. And before I turn it over to the Planning Commission for questions of staff in response to the testimony, we are going to take a 10-minute break. 15? We've had a request for 15. We'll do 15

(Pause in proceedings.)

RETURN TO PLANNING COMMISSION

MORASCH: All right. Welcome back. We will reconvene the November 19, 2015, Planning Commission hearing.

Oliver, can we put the document that's under review up on the screen or maybe I should ask Sonja if we can do that, the planning assumption document. This. Can we put that up on the screen?

WISER. Oh, put it up on the screen?

MORASCH: Yeah, thank you.

WISER: Do you have a copy of it, Jose, to put it up on the screen?

MORASCH: All right. I'm asking staff to put the document that's under review up on the screen so we can all look at it as we deliberate.

At this point, we have closed the public testimony and I will turn it over to the Planning Commission for deliberation, discussion, motion. Also, I'm looking at the document, we're waiting for it to be put up on the screen, but I notice it has quite a few subparts, and last time we went through the subparts individually, so I will open it up to the Planning Commission to discuss whether we want to vote on the subparts individually or whether we want to do one motion on the entire document.

BLOM: I'd like to make a **motion** that we forward on our recommendations from last month and reject all of the new assumptions.

BARCA **Second** that motion.

MORASCH: All right. It's been moved and seconded. Is there any discussion on the motion?

BARCA: I would like to just reiterate the fact that I think the process has been high jacked and for us to get through this without going back to court and having another remand, we need to be very careful about what we've chosen to do with a Supplemental Environmental Impact Statement. We are choosing to go far beyond what I believe is prudent or reasonable for a Supplemental Environmental Impact Statement. If we're going to choose to go ahead and open up the assumptions, then we should open up the assumptions.

La Center has a request. There's a request to put 600 acres of industrial rural lands up for the possibility of becoming an industrial land bank out in Battle Ground. Well, let's get it on the table. Let's talk about this thing. If we're really going to tear it open, let's tear it open.

But the idea of picking and choosing winners is not correct, and that's what I believe we're trying to do here is we're trying to address what is conceived as wrongs from the 1994 plan, and we've had a lot of testimony about that and that includes landowners on both sides who have said yes and no, but what I believe we don't have is we don't have data and we're making assumptions without data, so... I certainly support this motion just to pass it forward.

MORASCH Karl.

JOHNSON Yeah, I'm ready. To lighten the mood, I'm minutes away from being a grandpa, so my head may be a little bit in a different place for the record too.

Here's the deal. One of the things is over the -- I think I've been here three years, going on four, and I've built a trust with staff that I look at them, and that includes legal, Chris, in this case, but to go what -- what are you -- what are we looking at doing here? And I've never felt that it was agenda driven. I've never felt that staff comes with us saying, you know, we're trying to push what we want. And, Oliver, that's probably a credit to you and what you're doing with your staff.

The reason I say that is because a lot of the questions we're asking, and this is not a reflection on hard work, I want to be clear about that, it is a lot of the questions we really couldn't answer almost. It was like I don't know or I can't answer or you tried the best and I think that is because we have a process that is crunched I think there -- potentially there may be some merit to some of these things, but I can't see it.

I'm being asked to trust things that what was presented before in Alternative 1, 2, 3 and 4 and vetted, it seemed to me, was reasonable. And so now what I'm asked to do again, and by the way, I still struggle with this, we've sent something up It needs to be either brought back or if we're going to send some -- and I know we have a new motion, but I really would like to see more.

I'm with Commissioner Barca saying we need to look at some of these things. There is a lot of misinformation out there regarding things, especially what's happening in La Center. Let me be very clear. Some of the public testimony, they want to put a new school out there. They're trying to get more industrial land because they need a tax base that supports their school. No one's trying to grab land out there. I live out there. Okay. I understand the complexities between the rural cities and the concerns of the county, but it's not a football game. It's not us against them It's in a reasonable look at what's happening

I'm a school teacher. I keep reminding people of that because we're not them. We're a body taking information. We're a policy body, not a political body And in that process, we have to say let's look at this stuff, but right now I can't get a grasp on the data. I have not had enough time So I am forced to resort back to what we put forward.

I still, for the record, we really talked about last time those people that we felt needed a redress and I don't want to lose that in this because I know we're setting this up potentially and it's like, well, it wasn't. We really were concerned about those people pre-1994, I believe it was, and that that can't be lost because I agree, once again, there are limitations on property. You can't put a nuclear site up there. Okay.

At the same time, my property above La Center is not somebody else's property. Those are fundamental constitutional rights, but it is a balance. And if you ask us why we moved up there, I moved up there to get away from the city, but that doesn't mean somebody else didn't move up there to be able to split land and make money on it. So somewhere in there is a balance. I'll get off my soapbox. But the reality here is this. It's about process to me.

I think Councilor Madore's positions are he's trying to do too much too quickly. I don't think as some people think it's an evil quest. I think there's some reasonable things that we have to look. But, again, I think we need to break this thing open, look at it. If we're going to break it open, hey, we have five -- we're going to have five councilors seated in January. Let's just start there, five eyes, not three. And I hope, and I'll just say it for the record, that pushing this so fast is not politically motivated. I hope five eyes of reasonable men and women would look at this in a way that reflects all of us.

MORASCH: All right. Thank you. Anybody on this end? Eileen.

QUIRING: I haven't been a part of the planning process for a very long time and so I come with it -- come maybe a little bit naive because when it was presented, that when new assumptions were presented, actually when I read some of the former assumptions, to me, they did not make logical sense. In delving into it a little bit further, I saw why maybe you would -- why the staff would -- why these assumptions were used. In other words, you put all -- was it non-buildable or, not non-build. There was another phrase used and it's not in this this time, but it was like a complete contradiction of what could be done. And so I didn't -- I really didn't understand that.

So seeing the new assumptions, I felt like it was an attempt in the process because I was in attendance to all these hearings and I really feel like the rural people believe it is an us and them thing. I think they feel picked on. And I believe that Councilor Madore was actually trying to address some of the issues that came up in some of these hearings.

And everybody, every person comes with some bias when they come to this. I do, everybody else has a bias. And there are various groups that have reasons. Some are self-interest, others are other reasons. But whatever the reason, we all have -- we all have our biases and so we come forward with them and I recognize that.

I also want to state as far as the planning staff is concerned, I think they're the best. I mean, they're very professional and have been very professional during this whole

process. I don't know how they feel about it, and I'm glad I don't know how they feel about it because I think it would be inappropriate really for them to, if they didn't like what was being brought forth, to actually state that in a sense that I have seen stated over and over and over by many of the opponents. It's sort of -- people are being vilified that I don't think necessarily need to have been because I think that the motives were pretty good motives.

Having said that, I do think that some of the assumptions should be looked at maybe not in a rushed fashion, but I think there are some that we should actually discover some of the information that we don't currently have. An attempt should be made to find out certain numbers of these parcels that we don't have data on and being able to compare it, for instance, to the building code department like I heard this evening which I hadn't heard before, that you had gone and looked at that, but -- and one particular aspect, but I actually think that it should.

If this particular alternative does not go forward, I really would like to ask that the staff does address some of the assumptions in a way, some of the data that goes into the assumptions to clear it up, get everything that we possibly can. This is a planning process, and so we have to have real data, and if it means going back to the microfiche, you know, you've got to do it. Somebody has to go back and look and see.

And so, I don't know. I just I guess that's my main thing is that I really do believe that it should be, anything should be improved I think that was the attempt here to improve it, but I also see that it seems a little bit rushed and, so . So that's my say.

I think that we should improve the assumptions and have all of the -- absolutely every piece of information that we can and I think it should be revisited as soon as it can be which one of the testimony that I saw here or one of the written things is July 2016. Is that the case staff, somebody? Is July 2016 another time when this can be looked at?

ORJIAKO: No. It will be --

QUIRING. No.

ORJIAKO This statute now calls for a major periodic review to be done at least once every eight years.

QUIRING That's the comprehensive plan, but looking at rural lands, that's not the case?

ORJIAKO No.

COOK: I would think that there can be some things looked at, some small changes, but an overall review of the comprehensive plan designations in the county should not be undertaken, but as of July 1, 2016, but other things can be looked at. Questions can be

asked. Things can be studied and maybe that's the time to move forward with that

QUIRING: The place that I got that was from this letter from the City of Vancouver to all of the Planning Commission members signed by Chad Eiken, Eiken --

COOK Eiken

QUIRING Eiken. He states in here. Work toward this using defensible information and a process that complies with state law could begin as soon as July 2016. That's not the case?

COOK: Our office is not in complete harmony with the City of Vancouver on that point.

MORASCH: Let me ask a follow-up question So the Growth Management Act requires us to update our comp plan every -- at least every eight years --

COOK Yes.

MORASCH. -- and as I understand that deadline is, like, at the end of June 2016 and we've got to have our update done. Is there any rule in the Growth Management Act that says once we do that, we have to wait another eight years before we go through the whole process again or how soon could we decide if we want to do it early?

COOK Well, that is certainly an open question. The fact that the County went back after three years after the 2004 plan didn't entirely answer that question and that is where we are. I heard indications from the Court of Appeals that they were not happy that we had done that. I, on the other hand, the County was settling lawsuits that had been filed against it and I don't know how you settle a lawsuit except by making some changes, so .. I think that was completely defensible. But as I say, I don't think that one has been -- has gone to court, that exact question.

MORASCH. All right.

COOK: This is a very resource-intensive process. It's certainly taken a lot of your time and energy. We have spent more than \$100,000 on environmental impact work by consultants, you know, all the planning staff have been involved in this for months. My office is involved in it. The Councilors' office is involved in it. This is an intensive process, so that is one of the things to think about whether we want to be on perpetual comp plan update.

ORJIAGO: I will only add - thank you, Chris - I will only add that, yes, it's at least every eight years. You can study it on the -- you know, four years prior to your completion. Sometimes these take three years We started this process in 2013, just to give you an example. It takes time.

One of the things that we struggle with is data, as you suggested, Eileen, and that is it informs you going forward. In some of this, there are no data that will inform us going forward. Yes, it's true that we can look at clusters that are in our system. Some of the clusters were allowed before my time, if you will, in the early '80s before at the time that the County allow for clustering.

I recall that it was in 1993 that the County repealed the cluster provision that was allowed in the ag and forest district. So you have to go back to the early or late, let's say, late '70s and early '80s to find where are these clusters that we can say definitively that needs to be removed or not counted as potentially developing.

You also have to then consider, okay, that's the case; however, your policy says that if there are -- when they're brought into the urban growth boundary, all bets are off, or when you change zoning, all bets are off. So it leaves you with how do I count it? You know, so there are issues that surround some of this that is not that easy to peel off and get some data. But I recognize what you say, that there is some of this we may look at.

You mentioned in your recommendation, if you'll recall, what remedy is there that the Council can consider and get you involved on property owners that owned their property prior to 1994. If the Council accept that - and I use the word if - we can start looking at that after the adoption of this update. That is something that we can look at, but that depends on if the Council accept that recommendation. I'll just leave that at that.

MORASCH: Thank you.
Bill.

WRIGHT: A long time ago when I was a young engineer, I had a mentor who told me that there is no steering wheel on a train. If you want to change the direction of the train, you have to get way out ahead of it and change where the tracks are. And this process is a lot like a train and the tracks were laid over a year ago and I don't dispute that the destination might not benefit from being changed, but the point is the tracks are set.

We have a very narrow range of time and a very narrow range of options to consider, and I think it would be extremely irresponsible for us, and I might mention as well for the Board of Councilors, to ignore the advice we've gotten from the cities who are -- they're not our adversaries in this process. They're our partners and they're getting their population, whether it's Alternative 1, 2, 3 or 4 essentially, their acts isn't for their own benefit. They're pointing out that if we depart from this process, if we try and wrench the train off the tracks, there's going to be hell to pay. And so I think it would be totally irresponsible for us to change our recommendation and I will support the motion. Thank you

MORASCH: All right. John, it was your motion. Do you have any discussion on it?

BLOM No. I agree with most of what's been said previously. You know, my concern with this process, these assumptions and the resulting lot counts were done four to six months ago. This data's been out there. Here's what the lot counts are. That's been there for a long time and they were only called into question after the Planning Commission rejected everything in Alternative 4, and then suddenly there was something wrong with the data that needed to be re-examined.

And that's not to say that, yes, maybe the data does need to be re-examined and there are some assumptions that could be improved, but the concern over why at that time was it suddenly done, why in four to six weeks do we need to change all these numbers? To me that just doesn't seem like we are being responsible to the process and to the citizens

So that's why I think we need to go back with whatever was done and I think the original plans were that we passed forward with recommendations were solid and I don't think anything that's been presented fundamentally changes what those recommendations should be.

MORASCH: All right. Thank you.

Well, I guess I'll just add my thoughts, which very briefly, I tend to agree that there are some issues with the assumptions and they could be made better and improved. I'm sympathetic to some of the work that's just been done in the last few weeks. I kind of wish it had been done four to six months ago. But I also think that the urban area assumptions could benefit from the same level of scrutiny that's been applied to these rural area assumptions and I would like to see the entire plan re-examined at a higher level of scrutiny.

Unfortunately, there's not enough time for that, and because of that, I find myself in agreement with my fellow Commissioners on the motion. So unless there's any further discussion, I will have the roll call.

ROLL CALL VOTE

BARCA: AYE
BLOM AYE
JOHNSON. AYE
QUIRING NO
WRIGHT: AYE
MORASCH. AYE

MORASCH All right. Motion carries.

So that takes us to -- I don't believe there's any old or new business. So is there any comments from members of the Planning Commission?

OLD BUSINESS

None.

NEW BUSINESS

None.

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

BARCA: I would like to make just a couple of comments. It was said earlier about the quality of staff and the restraint in which they have responded to the pressures, and I would also like to reiterate the fact that I certainly appreciate dealing with a professional organization under all kinds of pressure. Thank you. And, Eileen, I appreciate your comments. I really think that it's valid for us and thanks for putting them out there

MORASCH Go ahead. Do you have comments?

QUIRING I guess I just want to also mention this prior to 1994, how do -- yeah, it's 1994. It was 1994, looking at the people that were affected by this. I don't quite know how to word it. But does somebody else understand what I'm saying?

BARCA I think we all have heard that before, yeah.

MORASCH: Well, I'm still in support of that. I think it was my idea, but it's, as I heard Oliver, it's up to the Board of County Councilors whether they want to direct staff to, you know, start a process to look at how, you know, what the details of how that would work.

QUIRING I know it But didn't Oliver just tell us that we could recommend to the Councilors to do that? Is that what you said or not?

ORJIAKO. You already did

QUIRING Oh, okay All right

MORASCH I think we already did with our prior --

QUIRING: That's right, with our last one. Okay. Thanks

MORASCH And as I understood John's motion, it was to basically reiterate our prior motion which --

QUIRING: Yeah. Okay.

MORASCH: -- would include --

QUIRING Okay. Thank you.

MORASCH. -- our recommendation that they look at --

QUIRING: Sorry, guys.

BLOM: Yes, it did.

MORASCH: -- ways to provide for some reasonable use for property owners who have owned their property since 1994 and allow them further land divisions through an application process.

BARCA: One last item, Mr. Chair. There was testimony on the water rights map, the WRIA map, that was adopted by the State legislature 2009, and when we get an alternative and we move forward, I'm going to ask staff to please include those maps and in the analysis for whatever we end up looking at. Thank you.

BLOM: Could I just add on to that really quick? You know, we're doing a 20-year plan. There was talk about a 50-year water supply, but there's a good chance I might, maybe if I'd stop eating these cookies, be alive in 50 years. So I'm hoping we're looking a little bit longer term than at 50 and we're talking about some of these bigger things. I mean, it sounds like a long time, but it's not when it comes to those big environmental things.

MORASCH All right. Any other comments? All right. Well, thank you everyone for coming, and with that, we are adjourned.

ADJOURNMENT

The record of tonight's hearing, as well as the supporting documents and presentations can be viewed on the Clark County Web Page at:

<https://www.clark.wa.gov/community-planning/planning-commission-hearings-and-meeting-notes>

Proceedings can be viewed on CVTV on the following web page link

<http://www.cvtv.org/>

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