

**Three Creeks Advisory Council
August 12, 2010
Clark Regional Wastewater District
10:00 am to 12:00 pm**

Members Present: Dan Bodell, John Caton, Denny Kiggins, Ron Lauser, Brad Lothspeich, Dave Taylor (R), Lynn Valenter, Bud Van Cleve,

Alternates: Sharif Burdik, John Peterson

Absent: Commissioner Tom Mielke, Ila Stanek, Michael Harris, Hal Dengerink, Beth Holmes, David Taylor, Vaughn Lein, Jim Carlson, Ron Wilson, Jim Spinelli

Staff Present: Laurie Lebowsky, Gordy Euler, Mary Beth O'Donnell

The meeting was called to order at 10:11 A.M. by Lynn Valenter, acting Vice-Chair in Vaughn Lein's absence. Lynn called for approval of the meeting minutes from June 10. A motion was made to approve and seconded; the minutes were unanimously approved as submitted.

Two significant reports will be presented today: Laurie Lebowsky on the Bicycle and Pedestrian master plan, followed by Gordy Euler with a Rural Lands Task Force update.

Laurie was here a few months ago with an update on the Bicycle and Pedestrian plan and today she has highlights of the first draft. There will be a Planning Commission work session on Thursday August 19 at 5:30 P.M. In September there will be an opportunity to review and comment on the draft plan. Laurie will give the website address to the group at the end of her presentation so they can review the plan and comment online. The public will have until September 17 for comments. Laurie will also be available for questions.

Laurie projected the vision statement on the screen and the group reviewed it. This statement and key components of the plan were presented to the Board of County Commissioners (BOCC) at a work session on July 14. The BOCC gave direction on key issues at that time.

Key components: develop supportive policies; funding strategies (a major concern); volunteers conduct inventory of existing bicycle and pedestrian facilities focusing on unincorporated areas of the county; conduct a sidewalk inventory of Orchards; Bicycle and Pedestrian Advisory Committee (BPAC) recommends using the same standards for bike parking as city of Vancouver; and develop a work program for plan implementation.

One of the recommendations of the BPAC was to establish a separate Pedestrian Advisory Committee. The county has had a Bicycle Advisory Committee since 1997 but not a Pedestrian Advisory Committee or pedestrian plan. Because we are low on resources and staffing, staff recommended to the BOCC that a combined bicycle and pedestrian advisory committee be formed as a more efficient use of resources. The BOCC supported that recommendation. One of the first things the BPAC will do is go through the work program for implementing the Bicycle and Pedestrian Plan.

Public outreach: There were two open houses in 2009; the BPAC met 14 times; we had volunteers help with the inventory; we have a draft plan; we had an open house on July 29 in Battle Ground and we'll have a second one August 24 from 6-8:00 pm at the county Public Health Center. Laurie will speak to NACC on September 13.

Project selection criteria: The following list of criteria was used to prioritize projects.

- Closing gaps
- Safety and comfort
- Access and mobility/land use
- Multi-modal connections
- Implementation
- Community benefit
- Health outcomes

There is a great need for improvement in both sidewalks and bike facilities. Therefore the BPAC decided to focus on the top 10-12 priority projects. Laurie presented four separate lists of priority projects: bikeway projects to install bike lanes and right-of-way; bicycle re-striping where there is adequate right-of-way and only restriping is needed, or stencil and signage; sidewalk projects; off-street and multi-use trails.

Bud Van Cleve asked if the sidewalk project includes removing obstacles from the sidewalks such as power poles. Laurie said yes, Highway 99 was most popular area of need for pedestrian improvements and closing the gaps.

Bikeway projects: Laurie pointed out areas on the map of top projects, many of which are in the Three Creeks area. There was discussion about a problem area along NW 36th north of 119th up to 133rd, or the Salmon Creek trail head. It gets a lot of use and there isn't enough room for bikes to get past the trail head area when cars are parked on the shoulder. It is too narrow for both and there is no sidewalk. The map doesn't show an existing bike lane now. The bike lane up the hill (heading south) is narrow and dangerous. Laurie said according to the state standards in the Manual on Uniform Traffic Control Devices (followed by Public Works and WSDOT) if you have a bike lane, it has to be stenciled and signed. If it is not marked as such then people can park there. Dan Bodell commented that as far as prioritizing projects, he felt NW 36th Avenue should be given a higher priority than 164th Street for example. Brad agreed it should be number one. Brad asked that staff at least drive or ride out on 36th Avenue to see what they think.

John Peterson said it appeared there were two projects shown that cross from the north to the south side of Salmon Creek and wanted to know how they cross the creek. Are there bridges? There is one (for vehicles) at 36th Ave and one at I-5 but no way to cross creek between those two. Laurie said on the map the dashed green line indicates a trail. The county got the map from Vancouver Clark Parks Bike and Trail Plan so is taking their projects and putting them into our project list. It's an important thing to do. This will be in the Public Works project list which enables Parks to apply for Transportation grants. And because those projects are on our list it enables Public Works to apply for Parks grants. It's a key part of this plan. Discussion followed about needing a bridge across the creek for bikes and pedestrians.

The point was made that the comments from the group were not intended to be critical but were constructive. Laurie said the reason she came before the group was exactly for the purpose of engaging in discussion of what was important to the people in this area as far as improvements to the trails and bikeways. She appreciated their input and comments.

Dan B. commented that when building trails on the WSU campus they have to meet ADA requirements. It's been difficult to meet that requirement at times as topography is a big issue there. Any trails built now will have to be ADA approved according to federal requirement. At WSU, anything the college does has to be ADA compliant. Laurie reiterated what Dan said, this is just at the planning level now and as it gets farther along (in the permit phase) it will get more into those type of details.

Brad asked about the proposed bike trail on NW 21st and Lakeshore and 99th to 119th Street. He didn't understand that one as it goes through dense residential neighborhoods and doesn't add any value. There's already one on Lakeshore and one on 21st that goes to the school. He thought it was superfluous and expensive and would rather see the money spent elsewhere. It's ninth down on the list now with a cost of \$355,000. That money could be put someplace else.

Lynn asked for clarification on cost from a planning level. Bikeways mean new construction i.e. paving and adding shoulders. Restriping is reallocating existing. The relationship between the costs doesn't seem to be efficient; there should be more variation in the costs between the two. Laurie said the estimated costs were prepared by Alta Planning and Design and were very conservative. Given that the county goes out every year to do restriping projects, we thought we could get the bike lanes done at the same time and save money. Alta may not have taken that into consideration when figuring the estimate.

Laurie told the group if they had other comments they could send them to her. Also they can see the draft plan on the county website.

Sidewalk projects: For the most part they're along Highway 99 with a few exceptions, one being along a section of 78th Street.

Off-street projects: The list came from Vancouver-Clark Parks Bike and Trail Plan. Lisa Goorjian from Vancouver-Clark Parks is on our advisory committee. Laurie reviewed the project map.

Funding: BPAC recommendations:

1. Aggressively pursue grant opportunities and partner with other agencies or jurisdictions if possible.
2. Form transportation benefit district, inter-local agreements with other cities, ports, or transit districts. If a transportation benefit district is formed that the county do it in partnership with all the cities and the funds received would go proportionately to the jurisdictions in terms of how much they pay out.
3. Pursue establishing a voluntary fund for stand alone bike improvements. Public Works has an ongoing fund for sidewalk in-fill and ADA projects and retro-fit projects.
4. Pursue working with non-profits and private corporations for funding bikeway projects. Public Works currently does not have a fund for stand alone bikeway projects for retro-fit. That means for instance, roads that were built in 1978 that don't have bike lanes on them. All the roads that are built now in the county, per state law, must have sidewalk and bike lanes and meet ADA standards. So our concern is not with the new roads, it with existing.
5. No support for funding approaches that discourage people from walking or cycling such as a separate/supplemental tax on bicycle sales. There are only two bicycle shops in Vancouver and they're both struggling. The committee felt an additional tax would not be supportive of cycling or walking.

Part of this plan includes a health impact assessment. It's a report looking at the benefits of adopting a bicycle and pedestrian plan and it will be presented to the Planning Commission and the BOCC. Health was a big concern as far as this plan. Public Health has been involved with the plan.

Laurie will be back to talk to this group on October 21 after the draft plan has been updated. Lynn thanked Laurie for the opportunity to make comments and offer feedback. She appreciated being given that opportunity because everyone here wants to make a difference.

Gordy Euler introduced himself and said he was here to report to the group on the rural lands task force and their progress to date. A copy of the proposed rural lands work program, June 2010, was handed out.

Background: In 2007 when the county updated the Comprehensive Plan, the subject came up that most of the focus in updating the plan in 2004 and 2007 was on urban areas with expanding boundaries to accommodate the growth. In 1994, Clark County adopted its first Comprehensive Growth Management Plan and that set the rural zoning. It has been focused primarily on urban areas ever since. During the 2007 update, the BOCC said when that was complete they wanted

to do a rural lands review and talk to people in rural areas to see if we're getting it right out there. A task force was formed and met for the first time in the summer of 2008. Their job was to look at what rural character means and what the vision for rural county is. The Growth Management Act (GMA) defines what rural character is. A lot of it has to do with type of buildings, the scale, or places where natural environment predominates over the built environment, etc. The BOCC added its own principles and values to the task force's vision for the next 20 years. This can be found on the county's website (www.clark.wa.gov, Community Planning, Land Use Planning, Rural Lands Review, Projects of Interest).

Staff took close to a year working with the BOCC to figure out what a rural lands review should be and what they wanted to focus on. Options ranged from starting over with rural zoning to seeing what the use lists are for the rural areas and modifying them. One was major, and one a minor overhaul. There are not separate Comp Plans for urban areas and rural areas. Prior to appointment of this rural lands task force, there was another committee that Commissioner Stuart formed, the Agricultural Preservation Advisory Committee (APAC). They met during 2008 and came up with about 25 recommendations for preserving agriculture in the county. When the BOCC reconvened the rural lands task force they added 3 members from the APAC and that started rural lands Phase 2.

The task force was tasked with five things:

- identify what rural economic development opportunities might be
- implement the recommendations from the APAC
- enhance rural centers
- work with the cities to identify what is real urban reserve
- look at lands in rural areas that would never, or should never, develop

The task force met 17 times from June 2009 through March 2010. They provided input on the rural perspective. Once the task force offered recommendations, we asked ourselves what we could do right away.

Gordy reviewed the recommendations, sorted into groups by short term actions (2010), middle term actions (2011) and finally longer term (2012-2014).¹ The county is currently involved in an effort called "Retooling Our Code" (ROC) that involves code changes to improve the usefulness of the code. Batch 1 code changes were adopted by the BOCC in July. Six of the rural lands task force items are in Batch 2 so we're moving forward with implementing some recommendations.

Work Program review: Short Term, things we can get done this year

1. Allow mixed used commercial parcels and rural centers. In late 1990's, the mixed use zone was designated but without implementing code language. In 2010 the task force said as part of their charge for economic development opportunities, look at rural centers and putting mixed use there. The idea is that scale and rural character will be maintained. Mixed use allows commercial and residential. This item will be in Batch 2.
2. Rural Centers. Will be in Batch 2. Task force made recommendations for expanding uses in CR-2, Rural Center Commercial, and in RC-1 and RC-2.5 Rural Center Residential. Dave Taylor asked if it included cell towers. Gordy said those are allowed just about anywhere. Cell towers have their own process, their own separate code.
3. Amend the right to farm/log ordinance. Will be in Batch 2. The ordinance says if you move in next to ongoing forest or AG operations, you can't complain about it because they were there first. Denny had a question whether a sub-division going in next to a treatment plant would apply to this ordinance. Gordy said no because that's not farming or logging. It's up to the property owner to know who their neighbors are.

¹ Reference attached for complete list of recommendations, "Proposed Rural Lands Review Work Program, June 2010"

4. Require farm use plans from all in current use AG. AG property owners get tax break. The task force said if you're in current use AG, you'd better be growing something.
greater flexibility for greater marketing of AG products
5. Review current use taxation policy for consistency.
6. Allow greater flexibility to farmers to support direct marketing of AG products. Wineries are different, and the BOCC has adopted an interim wineries ordinance (now meeting with vintners to iron out details). Looking at allowing roadside stands up to 2500 square feet, a 50 x 50 building. This will not be in Batch 2, but will have to address in the future because people want to sell what they grow from their front yard. Right now you can have a roadside stand up to 300 square feet.
7. Review water resources on adjacent lands before allowing surface mining. Task force recommended an update to the surface mining overlay, could be just a code clean up.
8. Develop ordinance for small wind energy systems that meet rural needs. Was on the list for Batch 2 but the BOCC said there was no need for an ordinance, just let people do it. It did go the BOCC as part of Batch 2. Right now there is no ordinance that limits wind turbines as far as height and setbacks.
9. Kennel standards. Will be in Batch 2. Original idea to get kennels out of the conditional use process (Type 3). Developing a Type 2A for kennels and stables.
10. Stables. Will be in Batch 2. Will require conditional use anywhere in rural areas, not sure about urban areas. Code will be online once it's adopted.
11. Private bridges. This is controversial. The issue is in an emergency when a fire truck comes to a private bridge, does it cross over it? Property owners need to get bridges inspected for weight capacity and post that for emergency vehicles. Will be dealt with separately, not in Batch 2.

Middle Term:

1. Designate additional industrial land in Brush Prairie. The rationale is we have industrial property there, we have Lakeside. The county has an economic interest in taking advantage of the railroad and how to create job opportunities. BOCC adopted an interim ordinance a few weeks ago for applying a railroad industrial overlay to allow Anderson Plastics to expand. Board is keen on encouraging job creation and maintaining jobs in Clark County.
2. Apply cluster ordinance to AG and forest lands. Cluster ordinance now only applies to rural lands (R-5, R-10, R-20). The AG cluster ordinance repealed in 1995. There are GMA implications here because it deals with increasing densities.
3. Develop a TDR (transfer of development rights) to encourage landowners to keep land in AG use. Basically apply TDR to a parcel, it becomes a sending area, if someone wants to develop it they work with the city to transfer the development rights off that property, the developer buys the rights and pays the farmer for the rights to develop, those rights would be exercised in a receiving area that would be located in an urban area. It's market driven and in this economy no one is doing anything. Can use it as a tool to preserve AG land or open space.
4. Support transfer of water rights to AG producers. There are places where AG water rights are taken away to maintain minimum in-stream flows for fish and there needs to be a way to restore those if more water sources are brought on line to counterbalance. The new department in the county, Department of Environmental Services (DES) will take the lead on this.
5. Conduct inventory of AG water rights in county. Again, DES will take lead.
6. Explore ways to restore AG water rights.
7. Align county code with state requirements regarding housing for farm workers. Until someone can specifically identify a problem, we probably won't do anything with this one.
8. Expand disclosure requirements of resource lands activities to potential neighbors. The question is who does it - is it the title company, real estate agent, buyer? Who takes charge?

9. Equitable and consistent setbacks needed between rural and resource lands. If you have a residence on rural and you're next to AG land, the residence has to be setback 50 feet from the AG land, but on the AG side the setback is 20 feet. So, the question is who came first and what are you protecting? The idea is to protect residents against the activity on the AG land. In some cases it's not fair to either side.
10. Develop a timber harvesting plan for Camp Bonneville. Jim Vandling, County Forester, in DES will handle this.
11. Update inventory of mineral resources. Mike Mabrey is doing this. Current map information is based on a 1992 survey from DNR. We have 2005 data that better shows where aggregate is and we're using that to update it and determine where to put surface mining overlays. Some of the best property now is under sub-divisions so that has to be removed from available inventory. Will be controversial.
12. Enhance ways to minimize park maintenance. This was sent to the Parks Department. If you're going to plant grass, figure out a way to mow it. This is in regards to rural parks.
13. Create rural reserve overlay that will not change zoning on lands in rural areas between cities, etc. Commissioner Stuart suggested we check out what Metro is doing. Metro has a program of urban reserve. They have a concept called rural reserve. They have urban growth boundaries, 20 year land supply as required by GMA plus another urban reserve of another 20 years supply. In addition they have a rural reserve which is outside the urban growth boundary. That's 40 years that the land won't be touched. That's one way to preserve farm land. We brought the concept to the task force and they liked the idea. Now we have to figure out how to decide on designation, criteria, which lands, how it would be done. There are no details yet but the concept is out there. You'll be hearing more about this, not sure it will fly in Clark County. It's not in Batch 2 and may not even be in 2011. It might be done the next time we update the Comprehensive Plan which is in 2014.

Longer Term:

1. Consider smaller minimum lot size for AG20. Less than 25% of the parcels designated as AG 20 are actually 20 acres. The idea is to look at what's happening on those parcels. Maybe we need a smaller size parcel, AG15 or AG10, or maybe clustering. And the same thing for Forest Tiers 1 and 2.
2. Use public land to create lease-back program for farmers. County buys the land, leases it back to farmers and gets some payment for that.
3. Put priority on funding for PDR (purchase development rights) programs for productive AG land. Don't know of any good PDR programs that really work. Establishing what the development right is worth is the issue.

Ron Lauser asked how they have handled the urban reserve that was established in 1994. There's a lot of land that was designated and people were not allowed to develop that property because it was held for sub-divisions in the future. Much of it hasn't been brought in. It shouldn't be designated as urban if it's not going to be taken in the next update of the comprehensive plan. Gordy said the Board's interest is to designate what we call *real* urban reserve land, land that we're actually going to go to. There was no thought given to it in 1994. We'll come up with criteria for the cities to show us where they want to grow and we'll put it on the map. County policy will hold them to that. We'll be working more with the cities in terms of that part. We told the task force that we weren't going to cover this. Three Creeks doesn't have a city abutting the area that you're expanding into. The city of Vancouver is deciding what's going to happen rather than the people in the Three Creeks area. There's been a conflict of interest in the past. There are boundaries in Three Creeks but a lot of it is not attached to a city. It's attached on the southern boundary but its part of the UGA. Adding urban reserve which is outside the UGA is the issue and that's why the Board put this in as a rural issue even though its urban reserve, it's designated outside of UGA. Ron said this group should have some ability to designate those lands coming into urban reserve rather than the city of Vancouver, or a correlation between the two.

Dan B asked, next time you revisit the Comprehensive Plan in 2014 and looking at the Three Creeks map, do you see substantial adjustments in the urban reserve areas in 3-4 years? Gordy said no, basically because of the economy. There is a lot of vacant buildable land that we haven't touched since we updated the plan in 2007. We could add more urban reserve but the Board says, let's be strategic about it.

Lynn stated that concluded the formal agenda. There was no public comment.

The meeting was adjourned at 11:45 AM.