

**PLANNING COMMISSION MINUTES  
MINUTES OF PUBLIC HEARING  
THURSDAY, JUNE 21, 2012**

Public Services Center  
1300 Franklin Street  
BOCC Hearing Room, 6<sup>th</sup> Floor  
Vancouver, Washington

6:30 p.m.

**CALL TO ORDER & ROLL CALL**

DELEISSEGUES: I would like to call the Clark County Planning Commission to order for Thursday, June 21st, 2012. Can we have roll call, please.

**ROLL CALL**

MORASCH: ABSENT  
DELEISSEGUES: HERE  
WRISTON: PRESENT (late)  
QUTUB: HERE  
GIZZI: HERE  
BARCA: ABSENT  
USKOSKI: HERE

Staff Present: Chris Cook, Prosecuting Attorney; Oliver Orjjako, Community Planning Director; Gordy Euler, Planner; Jose Alvarez, Planner; Mike Soliwoda, Public Works; and Sonja Wisner, Administrative Assistant.

Other: Cindy Holley, Court Reporter.

**GENERAL & NEW BUSINESS**

**A. Approval of Agenda for June 21, 2012**

DELEISSEGUES: Any changes to the agenda for tonight?

EULER: I don't think so.

DELEISSEGUES: Can we have approval of the agenda, all motion.

USKOSKI: Move to approve.

GIZZI: I'll second.

QUTUB: Second.

DELEISSEGUES: All in favor.

EVERYBODY: AYE

**B. Approval of Minutes for May 17, 2012**

DELEISSEGUES: Minutes for May 17th, any changes or corrections? If none, motion.

QUTUB: Move to accept the minutes of last month.

GIZZI: Second.

DELEISSEGUES: Moved and seconded. All in favor.

EVERYBODY: AYE

**C. Communications from the Public**

DELEISSEGUES: Any communication from the public on any topic not covered by tonight's agenda? Hearing none, we'll return it to the Commission and go to the public hearing items, Clark County Shoreline Master Program. Do we have a staff report?

**PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION**

**A. CLARK COUNTY SHORELINE MASTER PROGRAM**

Clark County completed a locally-adopted shoreline master program (SMP) in November 2011, and submitted it as required to the Department of Ecology for review. Ecology held a 30-day review of the county's SMP in March/April of 2012, and submitted both public comments and its own comments to the county to address. Comments received did not require any substantial changes to the SMP. Any changes have to be locally-approved, and this hearing is to present these changes and receive comments on them.

**Staff Contact: Gordy Euler at (360) 397-2280, ext. 4968**

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The latest SMP is available on the web at:

**<http://www.cityofvancouver.us/shorelineupdate>**

Click on 'Public Review & Adoption' and Clark County'; look under '06/21/12 Planning Commission Public Hearing'.

EULER: Yes, sir, we do. Thank you, Mr. Chairman. For the record my name is Gordy Euler, I'm a planner with Clark County Community Planning. I'll do a brief PowerPoint presentation to remind us all of where we're at and kind of catch you up on what we've been

doing since you last looked at this.

So the Shoreline Management Act was adopted in 1971 so we're dealing with a program that's not new, it's 40 years old. This is the goal of the program, to prevent inherent harm and uncoordinated and piecemeal development of the state shorelines. The three goals of the Act, foster reasonable and appropriate uses of the County's shorelines, protect natural resources and to promote public access.

And in terms of the draft Clark County shoreline master program, the goals haven't changed, the jurisdiction criteria, that is what's in shoreline jurisdiction, hasn't changed, there's been no change in the statutory exemptions from the permit process.

We do, however, have new shoreline designations. The requirement is now that the program be developed to meet a no net loss of shoreline functions. And the way we approached this was to coordinate with the Cities and the County with the goal of having consistency and goals and policies across the County's shorelines.

What's happened since we last met. You had a Planning Commission hearing on September 15th. The Board had hearings on November 1st and November 22nd of 2011. The Board adopted a version of the shoreline master program on November 22nd. We submitted to Ecology, which was by the statutory deadline of December 1st, and Ecology held their own 30-day public comment period. You can see the dates there from the 23rd of March to the 23rd of April.

So what we're doing is based on Ecology's comments, which you have in your packet, and some public comments which you also have in your packet, we made some revisions to the document, we've also found some things that we wanted to change.

On November 22nd, this is what the table of contents with the shoreline master program look like, what's different is we've made the decision since this time to codify the regulations and this is allowed for in the Growth Management Act.

It says that the shoreline policies and goals are to go in your comprehensive plan, the shoreline regulations become part of your development regulations, so this is the new table of contents which looks pretty much like the old one, has the same titles, but we're proposing to make the development regulations part of a new Chapter 40.460 in the Clark County code.

So that's one of the big changes you'll see as you look through this. The same language pretty much, it's just that we've assigned the sections code numbers. So the first section, 100, is Introduction. Section 200 is Applicability, what the shoreline master program applies to.

The big change in here is for 40.460.300, Shoreline Goals & Policies, that's included in your packet as a new comp plan Chapter 13, and that's one of the things that we'll be bringing forward to you and then to the Board as one of the changes.

Changes to General Use Regulations, Ecology at one point said we could take the CARA regulations out, that's Critical Aquifer Recharge Area, then they decided we should put them

back in, so we did. We've made changes to the flood hazard section, and I'll talk more about that in the next public hearing which has to do with the flood hazard ordinance, we had to make a statement in required language that the reasonable use provisions don't apply. Those are the big changes in the General Regulations.

In Chapter 6 or now 40.460.600, we had to add statutory definitions for ag, these are now in the new definition section which is 800. We had to make reference to what "normal appurtenances" are, we put a limitation on over-water signs, and some other required changes that Ecology is requiring us.

One of the questions I know that you're going to have was you wanted to see when we got the letter from Ecology has not come yet, I was hoping it would be here by now so we could share it with you. Ecology has submitted their concerns to us both in draft form and in final draft form and in your packet is a color-coded table that shows how we've responded to those and those changes have been made in the document that you have before you.

So we think we've got all of Ecology's concerns addressed, hopefully there won't be any surprises, but the actual letter that's coming from the director isn't here yet. When we set this hearing up a couple of months ago, we had expected to have it for you so I apologize for that, but that's the situation we're in.

There are also some additional code changes that are in your notebook. We went back and amended the definition of "shorelands." For some reason, I don't know why, we got fancy with what subject to shoreline jurisdiction, Ecology said just go back and use the definition that's in the statute, so that's what we did.

The other thing that we've done is we've made some additions to both the geohazard ordinances, the habitat ordinance and the wetlands ordinance, and all this is if you looked at the language is to make reference in the critical areas ordinances back to the shoreline program.

So we have critical areas information, the shoreline program that makes reference to our critical areas ordinances, these changes provide the linkage so that they're interlocked because if you could see that our critical areas are 40.100, 200, 40.410, 420, 430, 440, 450, the shoreline chapter will be 40.460, and so all these things will hopefully mesh together. That's the goal so that's why there's some additional code changes. You didn't see these before, we thought it appropriate to link our critical areas ordinances with the shoreline program.

So next steps are to address any remaining Ecology issues, and we don't expect there to be any. The good news, and I guess that's the good news for us, is that we pretty much got it right the first time, the document that you looked at and commented back on in August and September. We need to finish updates to Chapter 40.420, that's the flood hazard ordinance, we'll talk more about that in the next hearing.

We have to have those changes done by September 5th and I'll explain all that. The reason

it's important for shorelines is the extent of shoreline jurisdiction in many places is the extent of the floodplains, so if we're changing the floodplain maps, the Board's going to have to adopt the floodplain maps before we can definitively say to Ecology here's where shoreline jurisdiction is.

So that's why these two are kind of moving together through the process. We'll resubmit the program to Ecology once the Board readopts and at some point Ecology will send us a letter and two weeks after that the program is approved.

If you remember this little diagram, we're actually past step Number 5 and we're hoping to get the little guy up there to step Number 6 which is Department of Ecology approval. That's the extent of the staff report, Mr. Chairman. I'd be happy to answer any questions.

DELEISSEGUES: Any questions of Gordy?

GIZZI: We had talked about different datum being used with the two different sets of maps and there were some concerns about the County referencing one set of data and Ecology referencing another.

EULER: If you may, Commissioner Gizzi, hold that question. That's a flood hazard ordinance question. That's the next hearing --

GIZZI: Okay.

EULER: -- we'll answer that one.

GIZZI: All righty.

EULER: Yes.

DELEISSEGUES: Just remember.

EULER: Yes, good question. Mike Soliwoda is here from Public Works, he can give you an answer to the question, that's our next hearing after this one.

GIZZI: Well, we talked about it in the work session anyway; is that correct?

EULER: Yes, you did.

GIZZI: Okay.

EULER: But that relates to the flood hazard ordinance and that's the topic of the next hearing.

GIZZI: Yep, sorry for that.

EULER: No problem.

DELEISSEGUES: Is there a difference between floodway and floodplain?

EULER: Yes. I've got a slide that shows this in a PowerPoint for the next hearing, the way we define it, we're jumping ahead, which is fine, the way we define them now is we talk about the floodway area and the floodway fringe. Together the way our current ordinance is both of those make up the floodplain.

The way we're going to in the new flood hazard ordinance, which we'll talk about more in the next hearing, we have a floodway, we have FEMA calls them areas of special flood hazard which is basically the floodplain, and within the floodplain we have the floodway which currently we call the floodway area. So we're not changing our regulations too much, we're changing the terminology.

So floodway is, again Mike can I think explain that a little bit better --

DELEISSEGUES: Your explanation's fine.

EULER: Perfect. Yeah, I knew that. But floodplain is the larger area, floodway is the place that gets most of the floodwater.

DELEISSEGUES: Okay. I've got a question. Under Residential Uses it says "Legally-established existing residential structures and appurtenances located landward of the OHWM and outside the floodway that do not meet the standards of this Program are considered to be conforming."

My question is if it's outside the floodway but in the floodplain, which sounds like it could be, and there was damage done to the house in a flood would they be allowed to rebuild either in the floodway or the floodplain?

EULER: Mike, come on up and help me answer this one. Just by way of preface, the Legislature in 2011 adopted a provision allowing jurisdictions that were preparing their shoreline plans to allow residences that didn't meet new setback requirements to be considered conforming so that's why we put the original language in. The bill allowed local government's to opt, we just wrote it in, we thought it was a good idea.

So right now for a residence you have to be set back 100 feet, but if you're a current residence and you're 50 feet, you're still conforming. If we hadn't had this provision, it would have made you nonconforming. Now to your particular question about the floodway versus floodplain.

SOLIWODA: I mean the actual definition between the two are --

EULER: Introduce yourself.

SOLIWODA: Oh, I'm sorry. I'm Mike Soliwoda, I'm an engineer for Clark County Public Works and Health Administer of the floodplain program. If you're looking for the definition

exactly what it is or --

DELEISSEGUES: No, the definition I think I'm clear on. What I want to know is if a home is in the floodplain but it's conforming now because it's 50 feet instead of 100 feet, but if a flood comes along and takes that house out are they going to be allowed to rebuild in the same location?

EULER: Here's the language, he's reading it right here. So landward of the ordinary high water mark and outside the floodway that do not meet the standards of this program, which means setbacks, are considered to be conforming, so the question is could they rebuild if they're in the floodplain.

SOLIWODA: Yes. I mean from a floodplain standpoint they can build exactly in the same place as long as they're in the floodplain and not the floodway.

DELEISSEGUES: Is there a requirement that they have to have flood insurance or not?

SOLIWODA: Yes, it's Federally mandated.

EULER: And the flood hazard ordinance has very precise standards about how you build, construction standards, construction techniques.

DELEISSEGUES: I just wondered about that, if there was any provision. Some places they won't let them rebuild in a floodplain.

SOLIWODA: It depends on where you're at.

DELEISSEGUES: Yeah.

SOLIWODA: Yeah.

DELEISSEGUES: I imagine the insurance would be sky high. Any other questions of staff? Do we have a sign-up sheet? I don't know that there's anybody here that would have signed up but just in case. Well, thank you, appreciate your wisdom.

I would have thought somebody would have been here. So we have no one on the sign-up sheet so we'll return the deliberations to the Planning Commission. What's your --

(Commissioner Wriston entered the hearing.)

DELEISSEGUES: No, that's later. Nothing on the flood hazards. So on this, what do you want to do? Do you want to recommend approval of the staff recommendation?

GIZZI: I'd recommend approval of the staff recommendations as outlined in this document, yes.

QUTUB: I would second.

DELEISSEGUES: Moved and seconded that we approve staff recommendation to approve the shoreline management to this point. Any questions on the motion? If not, roll call. Hello, Jeff.

WRISTON: Hello. I'm sorry, I came in from the Tri-Cities.

DELEISSEGUES: Got here in time to vote.

### **ROLL CALL VOTRE**

USKOSKI: AYE

GIZZI: AYE

QUTUB: AYE

DELEISSEGUES: AYE

WRISTON: Should I vote?

WISER: Do you want to?

WRISTON: No, they got a quorum, they're fine.

DELEISSEGUES: Yeah, that's good. One way or the other it will pass.

WRISTON: I would like to know if I was here and I tried to send you an e-mail, call people, but it didn't work.

### **PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION**, continued

#### **B. FLOOD HAZARD ORDINANCE**

The Federal Emergency Management Agency recently completed revised flood insurance rate maps (FIRMs) for Clark County. Under the Growth Management Act, the county has to adopt the maps as best available science for flood hazard areas. In addition to the latest FIRMs, the county is also updating its flood hazard ordinance, CCC Chapter 40.420, to reflect FEMA requirements and current practices.

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The FIRMs and flood hazard ordinance changes are available on the web at:  
[http://www.clark.wa.gov/publicworks/flood/index\\_](http://www.clark.wa.gov/publicworks/flood/index_)

DELEISSEGUES: With that we'll go to Item B, Flood Hazard Ordinance. Do we have a staff report on that?

EULER: Sonja, you need to take this off and put the other one up. Thank you, Mr. Chair. Once again, Gordy Euler, Clark County Community Planning, again with me is Mike Soliwoda from Public Works who works on the flood hazard review process.

This is just a couple of brief highlights, kind of how we got to where we are tonight. As we know GMA requires jurisdictions to designate flood hazard areas and develop regulations to protect them. Flood hazard areas are one of the critical areas in the Growth Management Act.

These are currently codified, the regulations, in Chapter 40.420. The County's original flood hazard ordinance was adopted in 1982. The current flood insurance study and maps were adopted or updated in 2000. The last time we touched the flood hazard ordinance was in 2005.

So besides the Growth Management Act requirement having these Flood Insurance Rate Maps or what we call FIRMs and a flood hazard ordinance allows the County to participate in the National Flood Insurance Program so that's the reason we do this. Do you have anything else you want to say?

Here's a diagram, Mr. Deleissegues, you've asked about the special flood hazard areas, this kind of shows you what the terminology is that we're using. Special flood hazards area is an area that we look at where any kind of development might have the potential to affect the storage capacity of the area. Are there other things you want to say about this?

SOLIWODA: Well, the floodway itself is any of the destructive velocities that would be going through that channel and it's usually the bank-full widths, anything outside of that would be just normal flood storage. So really the floodway is where we're trying to regulate.

EULER: And the ordinance pretty much prohibits development in the floodway and says if you do certain things and build to certain standards, you can build in the floodplain. There are certain activities.

FEMA provided us with new Flood Insurance Rate Maps or FIRMs, updated maps in 2007. For a variety of reasons there were some appeals and there were some technical problems with the way the maps were drafted. FEMA came back to us in 2010 with an updated set of maps and at that point we had some public outreach, let property owners know.

We had an open house in this room on November 17th, I think there were probably 2 or 300 people that attended that. And the way the process is is that this is basically FEMA's program so they want to get input from jurisdictions, but they finalize the maps and say this is what they are and they then send a letter to the County that says this is our final determination, you have by Federal statute 180 days to adopt these maps and changes to the ordinance.

And we received that letter on March 5th so we're looking at basically 180 days takes us to September 5th to adopt not only the new code changes which FEMA is requiring of us, but also the new flood insurance maps.

And as I said in the last hearing, the extent of these flood maps that show floodplains relates to shoreline jurisdiction, so what we're trying to do is save ourselves having to amend our shoreline program once it's adopted by waiting until we adopt the new flood insurance maps, roll those into shoreline jurisdiction and we can accomplish two things with one process and hopefully in an ideal world we're going to get there.

One of the things that FEMA wanted to do was review our flood hazard ordinance. These are changes that are required by FEMA. We've basically moved the definitions from the general definition section that relate to flood hazard into the flood hazard ordinance.

We've updated some references and dates. You can see some new language in there that relates flood hazards reviews back to the shoreline program. We've codified and clarified current review procedures, tried to make it more clear what it is that we're doing when we review for flood hazards and to clarify who the responsible official is in this regard and what the duties are. In this case the responsible official is the Public Works Director.

This is kind of the timeline we're on. You can see that we had a Board work session on May 23rd. Your Planning Commission work session was June 7th, here we are tonight for the Planning Commission hearing. We do not as yet have a Board hearing date determined and there's the deadline for adoption is September 5th.

What we're trying to do is coordinate with the approval of the shoreline master program so we don't have to turn right around after we get our program approved and amend it because we had new shoreline jurisdiction. That's why you see flood hazard areas equal shoreline jurisdiction on this map. So that's the extent of the staff report, Mr. Chair. We can certainly entertain any questions.

DELEISSEGUES: Any questions of staff?

GIZZI: No.

WRISTON: Yeah. Go ahead.

DELEISSEGUES: You go first.

WRISTON: Go ahead.

QUTUB: Yeah, I just have a question.

HOLLEY: I can't hear you.

QUTUB: Is it on? Okay. My question would be what happens if we don't adopt it?

EULER: If we don't adopt an ordinance, technically we're kicked out of the flood insurance program.

QUTUB: So this FEMA edict is for the insurance?

EULER: Yes.

QUTUB: Okay.

DELEISSEGUES: Jeff.

WRISTON: I just ran into this this week and that's why I'm curious, and I haven't really gotten up to speed on it enough, but I ran into a problem and they're talking about doing new mapping and maybe what they were talking about was this glitch where they did mapping and now they're adopting it. Do you know whether FEMA's doing new mapping?

SOLIWODA: This is all brand-new mapping. We would have had this adopted back in 2007/2008 had it gone through, but there were appeals. So this is all new mapping for the County --

WRISTON: Okay.

SOLIWODA: -- yeah. It's been an ongoing process since 2005 and --

WRISTON: Right.

SOLIWODA: -- and slightly before too with some of the information.

WRISTON: So this will affect existing homes as well?

SOLIWODA: Correct.

EULER: I think it's --

WRISTON: So if they change the flood elevation, someone may be required to get flood insurance?

SOLIWODA: That's correct.

EULER: Yes. In the staff report it says there are currently about 3680 parcels in unincorporated Clark County that are wholly or partially in a flood hazard area. With adoption of the new FIRMs, the Flood Insurance Rate Maps, 381 parcels will no longer be within a special flood hazard area and 884 parcels will go into a special flood hazard area --

WRISTON: I saw that.

EULER: -- that were not previously. But we're operating now with flood insurance rate maps that go back into the '80s and '90s. Some of these were done before the '96 floods.

WRISTON: Right.

EULER: So this is basically best available scientific information, if you will, with regard to where flood hazards are and it's going to affect some people and not others.

WRISTON: I know the answer to this, but I just want to say it so that the public knows it, or I think I know the answer to it, but you can always file for get an individual engineer and surveyor or both out there and file for a LOMA and a --

EULER: Or a LOMAR.

WRISTON: Is it a LOMAR?

EULER: LOMAR, yes, which is a letter of map revision.

WRISTON: Right.

SOLIWODA: It's a letter of map amendments too. So it depends on if you're trying to say your --

WRISTON: Well, there is a LOMA.

SOLIWODA: -- property is above the floodplain based on mapping that was incorrect, you can apply for a LOMA, which is a letter of map amendment. If you're actually trying to change the location of the floodplain, floodway, based on fill or some other restrictions, then you have to apply for the LOMAR process.

WRISTON: So it's not the end of the world for property owners if they believe that they are above the floodplain?

SOLIWODA: Right.

WRISTON: Okay.

EULER: One other thing I forgot to mention, you have, I think it was e-mailed to you earlier this week, a DEAB response and one of their requests was in answer to Commissioner Gizzi's question we added language here under the flood insurance basically that talks about the difference in data, datum, datums, what's the plural of datums, data, whatever, because where the old map reference the North American, was it North, National Geodetic Vertical Datum of 1929, we're converting to the North American Vertical Datum of 1988.

There's a conversion factor that needs to be figured in between the two and so we've added

language in here to make sure that people understand that you make sure you're looking at the right datum when you're figuring your base flood elevation.

DELEISSEGUES: And on that issue you use NAVD without ever explaining what that acronym stands for. At least I can't find it. It first appears on Page 2 so I would think the definition for that or the explanation of it would be before you get to it in the narrative.

I think, just a general comment, that any time there's a bunch of letters, it ought to be explained what those letters stand for so people can understand what this ordinance is going to be all about.

EULER: We could certainly add a definition there or a statement in the definition section that says what they mean. That's not a problem.

DELEISSEGUES: I had another question about the building materials, it's on Page 9, Construction Materials and Methods, and it talks about all new construction and any substantial improvements shall be constructed using methods and practices that minimize flood damage, electrical, heating, ventilation and all that, designed or elevated or located so as to prevent water from entering or accumulating within the components during flooding, impossible, you can't do it.

SOLIWODA: The idea is to actually raise your utilities above the base flood elevation.

DELEISSEGUES: Well, the utilities have to support the residence.

SOLIWODA: Understood.

DELEISSEGUES: If your residence is in the floodplain and the utilities are up in the air 50 feet and there's no connection between the two, it's not going to do much good.

SOLIWODA: No. They're talking not the service coming in but the actual HVAC work, the electrical wiring, any plumbing, all of that needs to be watertight and/or raised above the floodplain.

DELEISSEGUES: Well, I've been in the business long enough to know that you can say that but that's not the way it's going to happen. I just wonder if that's going to be a condition that the flood insurance people say, well, it was damaged and it was required to be waterproof, so therefore we're not paying for it.

SOLIWODA: If it's part of the actual structure, it is. What they would like to see is that it's what's internal to the structure or what supports the structure is above the base flood elevation.

DELEISSEGUES: Well, that's not what it says. It says "flooding" and you can have a 100-year storm that will flood clear up to your floodplain and if there's a house that was built, then you allowed them 25 percent of an addition to that house that's 50 feet away from the regular channel, you're going to get your utilities flooded --

SOLIWODA: Understood.

DELEISSEGUES: -- and damaged --

SOLIWODA: Understood.

DELEISSEGUES: -- no matter what the requirement is. I don't know. It just seems self-serving to put something like that in there when the probability is that if there is flooding, you're going to have damage and I can't see why you would put something in there to prevent something that's going to happen.

SOLIWODA: It's to protect the HVAC, the plumbing, the electrical that is contiguous to the house, not the service coming into it. So if you're building a new structure, and this is geared towards new structures, if you're building all that above the base flood elevation, you're minimizing the damage you would have to your utilities.

DELEISSEGUES: Well, I understand that, but I'm talking about if you're not above the floodplain. And houses are allowed by what Gordy said --

QUTUB: Right.

DELEISSEGUES: -- to be built in the floodplain.

SOLIWODA: You can be in the floodplain but you have to be above the base flood elevation. You're allowed to be within the footprint of the floodplain.

DELEISSEGUES: That doesn't say that. It says flooding, c., it says within components during flooding. Well, anyway, not to nitpick it too much more. Any other questions of staff? You don't need to defend it, get defensive about it, I just pointed it out --

SOLIWODA: No, I'm not defensive.

DELEISSEGUES: -- that it doesn't make sense to me.

SOLIWODA: It's a FEMA requirement and --

DELEISSEGUES: So that makes it okay.

SOLIWODA: -- we have to administer it so I'm just trying to make sure we get the point across.

DELEISSEGUES: It looks like a lot of this stuff in here it's very all-inclusive, everything shall be and no exceptions, and it just seems to me that it would give an insurance company a place to point to and say this specifically says you can't do these things or allow these things to happen and your property was damaged so therefore we're not paying for it. But if you say

that's not the case, then I'll feel better about it.

SOLIWODA: For instance we --

EULER: You have to look at b. If you look at b., "All new construction and any substantial improvements shall be constructed using methods and practices that minimize flood damage," that's about as best we can do because you're right, Commissioner Deleissegues, if there's a flood, there's going to be damage.

DELEISSEGUES: I think so.

EULER: The idea is to try to design and build to minimize and FEMA recognizes that as well.

DELEISSEGUES: Any other questions?

WRISTON: No. But you're exactly right. I mean that's where it came up this week. This was on a preexisting home and it came up with the selling of a mortgage from one company to another and then the mortgage company that bought it turned around and required flood insurance and then required new surveys and all kinds of things, everything. It turned out all right in our case, but it was a little frustrating.

DELEISSEGUES: It adds to the cost I would assume?

WRISTON: About \$6,000 --

DELEISSEGUES: Yeah.

WRISTON: -- and a lot of time and heartache. I mean this is a home that was sold. It's frustrating. But you can do things. You can raise the HVAC, they do it in Tri-Cities all the time, not a bad thing to do around here. I mean you could do several different things. But you're right, you're going to get damage one way or another.

Like in our case the map was wrong so just had to pay a surveyor and an engineer to go out there and get it worked out.

DELEISSEGUES: Any other comments or questions? If not, we'll hopefully have a motion to either approve or not approve the adoption to the changes to the flood hazard ordinance.

EULER: And I should also point out that the changes include adopting the new maps. That's written in here.

DELEISSEGUES: Well, should we put that in the motion?

EULER: If you --

DELEISSEGUES: You mean it's not part of --

EULER: Part of the adoption --

DELEISSEGUES: If we say the changes to the flood hazard ordinance, that would not include the maps?

EULER: Adopting the new flood insurance study which adopts the new maps, so that's in here as well.

DELEISSEGUES: Okay, thank you. Is there a motion?

WRISTON: Not from me. I don't want to make it.

GIZZI: I haven't seen the maps so I prefer to see the maps.

QUTUB: But if --

DELEISSEGUES: Well, we can make a motion and then we can either vote "yes" or "no."

QUTUB: You've seen the maps. What does seeing the maps do? I mean you'd be looking at a particular parcel to be able to determine that on the maps. But I don't know, it's not time to make that comment, but I'm just looking at DEAB's letter and the comment they made there that the code is supposed to be simple and now we're adopting FEMA's thing completely. These are mandated by FEMA, these requirements that are --

SOLIWODA: Now just for clarification, our last code was too. It's based on FEMA requirements, our existing code.

QUTUB: I'm only addressing what DEAB said.

DELEISSEGUES: Well, Commissioners, we need a motion and we can vote one way or the other, but we need a motion to work with.

WRISTON: Well, the Chair can make one.

DELEISSEGUES: Nah. I don't want to use heavy-handed tactics as the Chair.

GIZZI: I'll make a motion that we --

WRISTON: There you go.

GIZZI: -- adopt the flood hazard ordinance as written in this document dated June 21st, 2012. Any seconds?

WRISTON: And the map.

DELEISSEGUES: Do we have a second?

USKOSKI: I'll second.

DELEISSEGUES: Moved and seconded that we recommend approval for adoption of the changes to the flood hazard ordinance to the Board. Any discussion? Roll call, please.

GIZZI: AYE

USKOSKI: AYE

QUTUB: AYE

WISER: With hesitation.

QUTUB: Yes.

WRISTON: Check. I'm kidding, that's a poker term. AYE DELEISSEGUES: AYE

DELEISSEGUES: I don't know what was so hard about getting that motion, everybody seemed to support it, but nobody wanted to --

EULER: Mr. Chairman, a point of clarification, did you want us to add something that describes what the NAVD of 1988 is as part of your motion?

DELEISSEGUES: It's up to you. I just pointed out that I didn't know what it was.

EULER: No, we can certainly do that. If you'd like that to be part of your recommendation, we can certainly do that.

DELEISSEGUES: I'm not going to do that. I just suggested we do it.

QUTUB: I would agree that acronyms need to be clarified so that when we're reading we don't have to ask a dumb question.

DELEISSEGUES: And with that we'll move on to CPZ2012-00001, Grimm rezone. Do we have a staff report on that? Good work, Gordy, you got us through it.

EULER: Thank you.

DELEISSEGUES: Mr. Alvarez, do we have a staff report?

ALVAREZ: We do. Let me get the maps going on here.

DELEISSEGUES: Is your mic working?

ALVAREZ: Yes.

DELEISSEGUES: Oh, okay.

ALVAREZ: I just need to get the maps in order and I will begin the presentation. Good evening, Commissioners, Jose Alvarez with Community Planning. Before you this evening is CPZ2012-0001, the Grimm rezone. The request is to amend the comprehensive plan designation from urban medium with R-18 zoning to ML and the adjacent property that's owned by the Evergreen School District, Covington Middle School, from zoning of R-18 to R1-7.5.

The parcel is 11406 and 11408 Rosewood Avenue. The Grimm property is about three and a half acres. It has two existing warehouse buildings that have light industrial uses since the mid 1970s. In 1994 the comprehensive plan designation and zone was changed from ML to R-18 for the Grimm property and then a portion of the property that was owned by the school district it currently has a running track on it.

When the Grimm folks came to us to propose the zone change, we noticed that if we made that change there would only be a split parcel of R-18 remaining, so we contacted the school district to see if they would be supportive of making that change from R-18 to R1-7.5 in order to avoid having one sliver of R-18 left. They agreed. They sent a letter. It's in your packet.

The proposal meets all of the criteria for map changes and we're making a recommendation or we're suggesting that you make an approval of the zone change and the comprehensive plan designation.

DELEISSEGUES: Okay, thank you. Any questions of staff? If not, we'll go to the sign-up sheet. Darcie Thompson, do you wish to testify if she's here still?

THOMPSON: No.

DELEISSEGUES: No. Okay. Anyone else in the audience wish to testify? No. So we'll return it to the Planning Commission for deliberation. As I understand it there's no objection on anybody's part to --

ALVAREZ: That's correct.

DELEISSEGUES: It just makes sense to correct a problem that we had in the past. Any comments?

GIZZI: No. I mean we have the letter from the school district, they're supportive. There's no large discrepancies between the existing use and the proposed use, so I think it's relatively simple.

DELEISSEGUES: Are we going to have reluctance to make a motion on this one?

GIZZI: I don't want to hog all the limelight up, I'm looking to someone else.

DELEISSEGUES: I see. Well, that is an issue.

WRISTON: You're running for office, you should make all the motions you can.

USKOSKI: He's just trying to share the light with Eileen.

WRISTON: I will make a motion --

GIZZI: There you go.

WRISTON: -- if there are no questions. Are there no questions? Nothing? No comments? Okay. Make a motion to accept staff's recommendation. I think it makes sense, especially given the location. I think staff's done a good job on this. Not that they don't always do. But make a motion to accept staff's recommendation.

USKOSKI: Second.

DELEISSEGUES: Moved and seconded. If there's no discussion on the motion that we approve staff recommendations for CPZ2012-00001, Grimm rezone, if there's no discussion, we'll have recall, please, or we're going to recall them before they're elected.

WRISTON: You're still thinking of FEMA. He wants to go back to FEMA.

DELEISSEGUES: We need to have the roll call.

### **ROLL CALL VOTE**

GIZZI: AYE  
USKOSKI: AYE  
QUTUB: AYE  
WRISTON: AYE  
DELEISSEGUES: AYE

DELEISSEGUES: A total recall, that's what we need. So if there's no other business, old business or new business --

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

## **COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION**

WRISTON: New. I came in from the Tri-Cities tonight, I've been complaining about this for about ten years now, Sonja, do you have a cell phone number that we can get that at least we can text you and say I'm going to be 10 minutes late, 15 minutes late, I'm going to be here in case some night there's not a quorum or something?

WISER: I don't have a cell phone but you can text my e-mail at work or --

WRISTON: Well, I sent you an e-mail. It looked like we were ripping along and then all of a sudden we hit 205 and all that. I can bring it up with Marty if you'd like, but you can buy these throw away phones that have throw away minutes that we could have the phone number to and just tell you. It would help.

I know Ron I think was late the last meeting because he got caught in traffic or something and it would just help you, I think, to know, all of us to know --

WISER: I have a personal cell phone. I'll e-mail you and we'll talk about it.

WRISTON: It would be very helpful and it would take a lot of stress off to know that you know or --

WISER: That's fine.

WRISTON: -- the Planning Commission knows that someone's going to show up. Things happen and that's some tensions but...

WISER: E-mail.

WRISTON: Oh, I don't know, it's kind of new business. Maybe it should have been old business, I've been talking about it, I think you probably remember it, I've been talking about this for a long time.

DELEISSEGUES: Maybe it's old, new and comments.

WRISTON: Yeah. No. I just think we ought to have a cell phone that we can call in. I mean it could be a family emergency, whatever, and then you could be sitting here without a quorum or something.

DELEISSEGUES: Yeah, that's a good point. That's definitely a good point.

USKOSKI: Well, Gordy's always here too.

DELEISSEGUES: Okay. If there's no other comments, new business, old business, we're adjourned.

**ADJOURNMENT**

All proceedings of tonight's hearing can be viewed on the Clark County Web Page at:  
**<http://www.clark.wa.gov/planning/commission.html#agendas>**

Proceedings can also be viewed on CTV on the following web page link:  
**<http://www.cityofvancouver.us/cvtv/>**

\_\_\_\_\_  
**Chair**

\_\_\_\_\_  
**Date**

*Minutes Transcribed by:*

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