

CLARK COUNTY
PLANNING COMMISSION MINUTES
Thursday, November 15, 2012

Public Services Center
1300 Franklin Street
BOCC Hearing Room, 6th Floor
Vancouver, WA

6:30 p.m.

CALL TO ORDER

DELEISSEGUES: We're going to start the meeting. The microphones are still not working, but we might be here all night if we waited for them. So what we're going to do is I'm going to call the Planning Commission to order, and we'll have roll call, and anyone that's going to testify tonight will have to do so in a loud voice so everyone can hear you, hopefully we'll get these microphones fixed sometime, but until then, we'll shout. So can everybody hear me in the back of the room?

PUBLIC: Yes.

DELEISSEGUES: Then we'll go ahead. Roll call, please.

ROLL CALL

BARCA:	HERE
GIZZI:	HERE
USKOSKI:	HERE
QUTUB:	HERE
MORASCH:	ABSENT
WRISTON:	ABSENT
DELEISSEGUES:	HERE

Staff Present: Chris Cook, Prosecuting Attorney; Chris Horne, Prosecuting Attorney; Oliver Orjiako, Community Planning Director; Jeff Niten, Planner; Michael Mabrey, Planner; and Sonja Wisner, Administrative Assistant.

Other: Cindy Holley, Court Reporter.

GENERAL & NEW BUSINESS

A. Approval of Agenda for November 15, 2012

DELEISSEGUES: We'll have approval for the agenda. Any changes to the

agenda? Okay.

BARCA: Motion to approve.

GIZZI: Second.

DELEISSEGUES: All in favor.

EVERYBODY: AYE

B. Approval of Minutes for October 18, 2012

DELEISSEGUES: Approval of the minutes for October the 18th. Motion.

GIZZI: I make a motion we approve.

USKOSKI: Second.

DELEISSEGUES: Moved and approved. All in favor.

EVERYBODY: AYE

C. Communications from the Public

DELEISSEGUES: Are there any communication from the public tonight on anything that's not on tonight's agenda? Seeing none, then we'll move ahead with public hearing items and we'll start with the NE 119th and 72nd Avenue circulation plan. Oliver, do we have a staff report?

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION:

- A. Continued from Public Hearing of 8/16/12:
CPZ2012-00004 - NE 119th & NE 72nd Ave Circulation Plan** This proposal would amend the County Arterial Plan Map to add future local commercial / industrial streets in the quadrant southeast of 119th Street and 72nd Avenue.
**Staff contact: Mike Mabrey (360)-397-2280, Ext. 4343
E-Mail michael.mabrey@clark.wa.gov**

ORJIAKO: Yes. Good evening, Planning Commission members. For the record my name is Oliver Orjiako. And this is a hearing that was continued by the Planning Commission to tonight. And following your hearing, you asked for additional work session to further clarified and answer questions from staff as to some of the issues that the Planning Commission raised in terms of the analysis

that was done and the cost issues, timing, how that selection was made. I believe we cleared those issues with the Planning Commission.

This is a proposal to amend the County arterial atlas map to add two future streets in the area, southeast of NE 119th Street and 72nd Avenue. I have with me tonight Steve Schulte, who I'm sure will be joining us momentarily if you have questions on this particular issue.

I don't intend to go through the staff report, it is in your packet, I believe you've read it. I apologize for the poor map that is up here, all this has to do with our technology. So unless you have questions, I will really be available to answer your questions as in regards to this proposal.

DELEISSEGUES: Any questions of Oliver?

BARCA: No.

DELEISSEGUES: Well, let's see. The sign-up sheet was here somewhere. What happened to it?

BARCA: It's probably in your folder, just pull them out one at a time. Right there.

DELEISSEGUES: We have a number of people signed up tonight to testify and we'll start with Jack or Melba something.

PUBLIC TESTIMONY

BARCA: Jack or Melba Zielke.

DELEISSEGUES: Do you wish to testify?

ZIELKE: Where am I supposed to approach you?

BARCA: Have a seat there, please.

DELEISSEGUES: Yeah, just sit and as loud as you can let us know what you would like to say.

ZIELKE: Well, I'd just like a little more clarification on what you're going to do with that intersection with 72nd and 119th. Usually you work on that, you're going to have to work on all four quadrants of it, aren't you?

DELEISSEGUES: Oliver, do you want to address that issue?

ZIELKE: How far to the west are you going to go on there in your rebuilding? What are you going to do to the approach of 70th onto 119th?

DELEISSEGUES: I think --

ORJIAKO: I will let Steve.

DELEISSEGUES: I think Mr. Schulte will answer the question. Steve, good evening.

SCHULTE: Good evening, Planning Commissioners. Steve Schulte with County Public Works Transportation. Right now both 119th Street and 72nd Avenue will stay in their current alignments.

ZIELKE: Right.

SCHULTE: The initial construction scheduled for '14 and '15, 2014 and 2015, and the County's going to be acquiring the full width of the right-of-way needed, but we're not building all the future turn lanes needed.

We have a near term concept we're going to build to, but we also have in the back of our mind a long-term 20 to 30 year ultimate build-out, but the initial build-out will -- I think westbound, we're having two westbound left-turn lanes to go south, I believe we have a northbound free right to go east. The predominant flow there is north to east and west to south.

That may change over time, but the project is it's in design right now, it's in permitting right now scheduled for construction in '14 and '15.

ZIELKE: Well, the reason I brought up the question is we are now forced, if we go south to St. Johns we can only make a right turn, are you going to mess that up on the north end to where I go up there I'll be forced to make a right turn also or am I still going to be able to go out there and make a left turn to proceed west on 119th?

SCHULTE: Is your question as you go north, are you going to have a dedicated left-turn pocket to go north to west?

ZIELKE: No, not on 72nd. I'm talking about 70th, I live on 70th. I want to be able to get out of there without driving way off around a countryside somewhere to get to my destination.

SCHULTE: To the best of my knowledge there will not be a median that far to the west. You may have trouble finding gaps in the traffic, but I don't believe --

ZIELKE: Well, you do now.

SCHULTE: -- the design is calling for a median.

ZIELKE: You do now.

SCHULTE: And to be honest, if gaps become problematic and you can't make that safe movement north and west out of there, we will have to median it.

ZIELKE: Well, that was my question on it. Thank you.

DELEISSEGUES: Next up is Timothy Binder.

BINDER: I signed up for the wrong sheet.

DELEISSEGUES: Oh, okay.

BINDER: I want to be on the 129th Street.

DELEISSEGUES: Well, when 129th comes around remind me, okay. James Graffy.

GRAFFY: I'm in the same situation.

BARCA: Well, keep moving.

DELEISSEGUES: Guy --

AMERY: The same thing.

DELEISSEGUES: The same thing. You all want to be on what?

AMERY: 129th Street.

DELEISSEGUES: We'll keep going and maybe we'll find somebody. Jack Perry. Is there a Jack Perry? Daryl Payne. Well, that's all I've got on the sign-up sheet. Anyone else want to testify on 119th and 72nd? Okay. Come up and just state your name and address, please, for the record.

SCHNABEL: Yes. My name is Phil Schnabel. I live in Canby, Oregon, but I have property on the corner of 123rd and 72nd. I'm concerned about the sewer extension. Is that going to happen at the same time that you're constructing the roads?

SCHULTE: I don't personally know. I haven't heard that it is.

SCHNABEL: My understanding was that once the road is done that you can't dig it back up within X number of years?

SCHULTE: We have a five year no cut rule, you're not supposed to cut trench into a new roadway.

SCHNABEL: So it's '14 and '15 for the expansion of that intersection, it could be 2020 before the sewer comes in?

SCHULTE: That's the basic rule. If it was a critical service we needed to provide, we could make an accommodation, again there's a lot of variables at play here, one is the demand for the sewer.

GIZZI: Now this hearing is not about the design of that intersection; is that correct, Steve? We're just talking about the changes to the arterial atlas to include the other roads?

SCHULTE: Yes.

GIZZI: There will be other public hearings on the design, is that a true statement?

SCHULTE: I don't believe there will be public hearings on the design, there has been considerable outreach on the design concepts. There will be a public hearing for adoption of the 2013, '18, six-year transportation program when you could ask questions about this project, but the proposal in front of Planning Commission tonight has to do with those two dashed red lines up there.

Those are called our quadrant roads and they're going to provide for some backside circulation, that's going to help access those businesses on the southeast quadrant. And what the circulation plan will do is basically put those lines on a piece of paper and help preserve those as future roadway opportunities. If we don't have the lines, property could develop over those dashed lines.

SCHNABEL: Thank you.

DELEISSEGUES: Anyone else wish to testify on this? Will you come forward, please.

GREGG: My name is John Gregg and I own a piece of property real close to those dotted lines. My question I guess would be for --

COOK: Could you speak up, please.

GREGG: I would like to, I'm trying. When is the proposed red lines going to take effect?

DELEISSEGUES: Chris, the microphones aren't working.

SCHULTE: The question is, when is the proposed red lines will they take effect.

GREGG: Yeah, when are we going to actually have that in effect?

SCHULTE: What is hoped, that as properties develop where the red lines are property owners will dedicate the property to the County, or in some instances we may have to buy it sooner because the property is developing, but the road may not be constructed or will not be constructed until the need is there.

GREGG: So it will be a few years?

SCHULTE: It will be in all likelihood a few years.

GREGG: Right. And that's what this meeting's about?

SCHULTE: It's about to put those lines --

ORJIAKO: Put those lines on the map.

SCHULTE: -- on a piece of paper so that those two corridors are preserved.

GREGG: But we're not talking about doing anything to 72nd at this moment between St. Johns and the intersection? You said 2014 you're going to start on the intersection.

My problem is if you divide the road, if you put a divider back up, that property diminishes in value tremendously, so that's why I'm here. That's why I've been to all the other meetings because I don't want that divider, and I don't think the County can -- Steve Stuart told me it wouldn't happen when he was in power, as long as he was in power.

SCHULTE: The project that's going to be built in 2014 and '15 will extend down to the St. Johns, that T-intersection to the south, and it will go east down towards Curtin Creek, it will not cross Curtin Creek.

So you have the intersection proper and the leg to the south and to the east.

To the extent we can, we're not going to put medians up. There may be some critical locations where we can't get our left turns to work, we will have to put

medians up.

GREGG: I know that those red dots do go into the Magno property and I know that they have to go through it.

SCHULTE: But those dashed lines have nothing to do with medians, they're backside roads.

GREGG: But if you put an intersection there, there was talk about an intersection with a stoplight, and that would indicate a divider to me, and I don't want a divider if I can get away with it because it diminishes my property.

SCHULTE: Well, if we have a traffic signal we would not have medians there, all movements would be allowed.

GREGG: Okay, I'm done. Thank you.

DELEISSEGUES: Anyone else wish to testify on this? Seeing none, we'll return it to the Planning Commission. Deliberation. Questions. Motion.

BARCA: Well, I know that we've gone through this on several occasions and that the red lines are somewhat notional, but my position on this from the beginning has been I think that we're putting too many intersections too close together, and I don't genuinely believe that we're really facilitating what we say that we're going to be getting out of this which is the kind of flow and movement. 72nd is such a major thoroughfare for people to go north and south.

It's still my opinion that we're not enhancing that, we are going to head and we're going to encumber that for the sake of moving people east and west. The design has the potential, if done correctly, to enhance both, but to me it doesn't look like we're going to get that out of it.

So the way that the proposal is right now, and I know we've had two work sessions on it, but I still don't believe that the outcome justifies the choice of having to move forward with this design. So I'm saying that now in preparation for how we're going to vote, I want you to understand what my vote will be as it stands.

GIZZI: And to piggyback onto what Ron said, I understand the desire on the part of the County to always look after the taxpayer's dollar, and I share that sentiment, but I think that we need to be concerned about that.

But we also need to be concerned about developing our county in a way that makes sense and provides us with the quality of life that we expect. And throwing another intersection between St. Johns and 72nd, knowing that we're

going to develop that intersection to allow more traffic through there, just seems to be a mistake to me. And I think that to do that, to save three and a half million dollars, is putting anyone that goes north on that road or south on that road at just a very large amount of inconvenience over the next 40 years.

I think there are other solutions that are proposed here that are much better, and we ought to look at those.

DELEISSEGUES: Valerie.

PUBLIC: Can I agree with you.

USKOSKI: Well, I guess ultimately I could go either way on this. I don't like the idea of adding the other intersection, I'd rather see that lined up with St. Johns. We've already got an intersection there and keep an intersection there. I understand that's a pristine wetland on the far side of the exchange, but I'm not convinced that the cost is too great to offset it.

DELEISSEGUES: It's not or it is?

USKOSKI: That I think that it's something that we could work around, that we could still put that intersection down to the south.

DELEISSEGUES: Eileen.

QUTUB: I don't have any comment right now. Thank you.

DELEISSEGUES: Well, from my standpoint, I think that it doesn't hurt to plan ahead. We don't have to build that intersection if we don't need it, but it looks to me like the circulation plan is pretty well thought out.

I think that eventually it is going to be a need because the traffic's going to justify it or demand it, and I don't think we need to build it until then, but I think at the time we better have the right-of-way and the wherewithal planned to be able to deal with the problem if it does arise.

You know, to me good planning is just that, we ought to plan ahead and maybe hope for the best but plan for the worst, and I think that's what the County's trying to do. And I think none of these solutions jump right out at you, that any one of them is the answer, but I think personally in looking at it, that this is the best answer for the long-range future of that particular area. Steve, do you have anything to say?

SCHULTE: Well, I guess the comment I would make, and this is the same thing I said at the work session we had, was that County staff has worked on this for

three to four years now. We started with more than ten alternatives, we weeded it down to six, down to three. And I think at the work session we talked about the three finalists, and what we were left with was this southeast quadrant road concept with a conventional four-legged intersection up at 72nd and 119th and these quadrant roads for backside access in the southeast quadrant.

Again, this concept was lowest in cost. It was most permissible to tie St. Johns extension down at the bottom through that treed area to the east, that's highest quality forested wetlands, next to impossible to permit the roadway through. So this concept is lowest in cost, it's most permissible, and, frankly, it's the cost can be incurred over time.

Something like the St. Johns extension you'd have to build-out all at once in '14, '15, we can build out this concept over time. Do the work on 72nd, 119th now, in the future when the need grows, we can do the quadrant roads, so we have a dollar savings because dollars are incurred or spread out in the future. So at least from County staff perspective, this was a clear winner when we ranked our three alternatives.

DELEISSEGUES: Are there any other questions or deliberation or motion?

QUTUB: I'm going to **MOVE** that we approve the recommendation.

USKOSKI: I'll **second**.

DELEISSEGUES: Moved and seconded to approve the staff recommendation. Any further discussion on the motion? If not, roll call.

ROLL CALL VOTE

BARCA:	This looks like Fourth Plain to me,	NO
GIZZI:		NO
USKOSKI:		YES
QUTUB:		YES
DELEISSEGUES:		YES

DELEISSEGUES: With that, we'll move on to legal lot definition, another one that we've dealt with in the past. Good evening, Chris.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

B. Continued from Public Hearing of 8/16/12:

Amendments to zoning code to clarify the definition of "legal lot", ensure compliance with RCW 58.17, and provide a process for recognizing as legal, lots adjusted by adverse possession or eminent domain.

Staff Contact: Marty Snell (360) 397-2375, Ext. 4101

Staff Contact: Chris Horne (360) 397-2478, Ext. 4755

E-Mail: marty.snell@clark.wa.gov

E-Mail: chris.horne@clark.wa.gov

HORNE: Good evening, members of the Commission. I guess I feel like, well, I guess I'll speak up. I have one of those voices that most of you should be able to hear in any event.

This matter's been returned to the Planning Commission at your request following a referral to the Development and Engineering Advisory Board, that matter was considered by them with requested changes. The changes were substantively that in lieu of using language that would require that the division of property be for the intent or with the intent of creating a lot, they adopted the language that came directly out of RCW 58.17.020, which is the word "purpose," so they wanted to substitute the word "intent" or substitute the word "purpose" for "intent."

There's also a request, or the Advisory Board also requested that there would be currently proposed a prohibition of boundary line adjustments of parcels that meet certain guidelines, the 3,500-square feet and the 20,000-square feet, unless those properties complied with the area dimensions for the zoning districts in which they were located, and their request was that the language be amended to allowing a boundary line adjustment if the properties were brought, I believe the word is "closer," it should be in your language, closer to compliance, and with that they forwarded it on to this board.

I discussed this a number of times, I'm glad to summarize it, I'm glad to just answer questions, I'll do what would please this Commission.

DELEISSEGUES: Yeah, I agree, we've been over it, so we'll just ask for questions and see how that works. Any questions of Mr. Horne?

BARCA: So just for my clarification and general discussion, so the County is agreeable to the Development and Engineering Advisory Board recommendations?

HORNE: I have not spoken with Marty Snell about whether -- let me say this much, from a legal perspective it brings it closer into compliance with what we believe the State law requires, so to that extent, it's an improvement. Whether or

not it goes that far, we're not asking the Commission to go as far as at least some of the cases would indicate that we need to go, we're moving in steps, and so that's the closest I can give you to a direct answer.

I have not gotten direction from the Planning Director, from Marty Snell, about what planning feels about this, because quite frankly, the Board of County Commissioners feels pretty strongly about following the advise of the advisory board. So my sense is that this will be what will be forwarded on to the Board of County Commissioners if it meets the approval of this Commission.

DELEISSEGUES: And that's what we can do, we can vote on it and also recommend that that wording be included in our recommendation, so we can handle that. Any other questions of staff? We've got two names on the sign-up sheet. Phil Schnabel, do you want to testify on this one --

SCHNABEL: No.

DELEISSEGUES: -- or just 129?

SCHNABEL: He answered my question. Thank you.

DELEISSEGUES: LeAnne Bremer.

PUBLIC TESTIMONY

BREMER: I have a voice that doesn't project, so I'll do my best. I spoke at the last hearing and I just wanted to hit the highlights in my testimony. And I unfortunately have not seen the recommendation from DEAB, so I can't really speak to that, but if it's just a matter of changing the word "intent" to "purpose," I'm not sure that's much of a substantive difference at all.

As I understand it, the County's proposing that it will only recognize tax lot segregations, tax lots that were segregated before 1993 as legal lots if the owner can show that there was an intent to sell or lease that parcel at the time it was created. And I'm just still perplexed about why the County is feeling it needs to add this intent requirement.

I think it's going to be very difficult to prove intent, what will prove intent, what will the County accept. It's going to add a complexity to the process that wasn't there before, we're not making things easier, we're making them more difficult. And there's no requirement in the law, and I've argued this before, that you adopt this intent standard at all.

The intent language comes up in the Subdivision Act of 1969 where a court has

ruled that that act cannot be applied retroactively. So any lots created before 1969 are not subject to the Subdivision Act including the requirement to show intent, so there's nothing in that statute that requires it.

I submitted a memorandum to you, I hope you got it, and I quoted from the hearing's examiner in a case that we had, Mr. Horne and I had, on appeal where he also found that there is nothing in State law that prevents the County from recognizing tax lots as legally created before 1969, and I don't see any reason why we can't continue it. The County's not proposing to outlaw all tax lot segregations, but just ones where you can't show intent, and to what end, for what purpose, I don't understand that.

Mr. Horne submitted a memo that I just got right before the hearing talking about how the subdivision statute preempts local code on land divisions, that may be the case, but that's from 1969 forward, we're talking about lots created before 1969.

And then the final point is the proposed language that prohibits boundary line adjustments of nonconforming lots of 3,000-square feet in urban areas and 20,000-square feet in rural areas. The County can establish what a building site is for the purpose of boundary line adjustments, that is in State law, but I question why we need a blanket prohibition on boundary line adjustments.

We've had cases over the years where they're adverse possession claims, they're boundary line disputes, you need to adjust a boundary line while you're still keeping the same acreage for whatever reason, I don't think there should be a blanket prohibition, I think there should be some carved out exceptions that you can adjust these lots as long as you keep the same size. If you get it closer to a conforming lot, that's fine, or if you settle a property line dispute. I mean what happens to somebody who loses land in an adverse possession suit, does their lot now become illegal because they need to boundary line adjust, and I don't think that should be the case. So that's my testimony.

DELEISSEGUES: Any questions of LeAnne?

BREMER: Thanks.

DELEISSEGUES: Thank you very much. Does anyone else wish to testify on legal lot determination? Seeing none, we'll return it to the Planning Commission.

QUTUB: I think somebody's hand went up.

DELEISSEGUES: Oh, okay. Yeah, please come forward if you want to testify on this. If you would, state your name and address for the record.

ESPINOSA: George Espinosa. I live at 20801 NE 10th Avenue. I could hardly

hear what the lady was saying there, but my issue with the legal lot determination - and I've spoken with these gentlemen and the Commissioners about this - is the extortion of money from the landowners to get a lot determination.

I have two cases where the owners -- one of them I think is \$2,040 because they were a purchaser, an innocent purchaser of a lot that apparently the County has never decided whether the lot was created legally or not, although they recorded it. And we had to do all the work, get the chain of title worked up and everything else, brought it down to the County and they still want all that money. For what? They say research, what's to research, we did it.

And a lot of these regulations it seems to be they're more about revenue generation than they are legitimate community planning. So regardless of the language, I think that the whole thing is just really out of whack. Somebody should be able to say whether this lot was legally determined or not. If it's not, then what are we going to do about compensation to the owner. That's all I've got to say. I hope you consider that when you make decisions on these things.

DELEISSEGUES: Well, thank you. Any questions? One thing, we don't make decisions, we just recommend, so we're kind of the middle outfit here. Anything else, Chris, that you want to answer?

HORNE: I'll just make two comments. Actually the concern about adverse possession and what this statute could or this amendment could do to somebody whose property is lost through adverse possession has already been dealt with by this Commission. In fact, it was originally joined with this amendment, if you remember, back about a year ago when this first came up, and so we proposed amended language that would allow -- in fact, the reason that this precipitated it, quite frankly, was an issue that came out of Ms. Bremer's law firm, one of her partners had a case that we agreed with and we asked the Board and you to amend the language.

So we've already created an amendment that allows the Planning Director to approve lots as being legal even if they're rendered smaller than the zoning allows as a result of adverse possession or through a government, if the County were to condemn property for a road widening or for some other purpose, then the lot would still remain legal, so we've already addressed that issue in a separate section of the code.

The only other issue I would note is that it's not clear to say that the statute has no retroactive affect, but I don't even think you have to go that far. I mean first of all, there are attorney generals' opinions that have given retroactive affect, but again, I don't think you need to go that far.

If you look at the last case that we've cited, they used in the R/L Associates case, they used the same analysis that Clark County did in looking to the purpose of why property was broken up and whether or not it was for the purpose of creating a buildable site, or in our case our language under our code is a legal lot. So what we're proposing isn't earth shattering or groundbreaking.

And, in fact, if you look at the Nykreim opinion, the quoted language, one of the reasons they disapproved it, they disapproved it for two reasons, but one of the reasons was that it didn't have adequate area to meet the current zoning, we're not even proposing you go that far. So as I've said, we're not moving all the way, we're just trying to move closer in direction and make our code more in compliance with State law.

Beyond that, I don't have any other comments. I'm glad to answer any remaining questions you might have.

BARCA: So, Chris, for my understanding then, this is your response to Ms. Bremer's question about what was the County's intent, why are we doing this at this point in time?

HORNE: Yes.

BARCA: And your statement is that all we're trying to do is to get our code more in compliant with State regulation?

HORNE: State law.

BARCA: State law.

HORNE: Meaning in the Nykreim case the Court actually threw out -- the County approved certain boundary line adjustments and the Court threw those out because they didn't meet certain standards that even the County was willing to recognize, in terms of area and dimension, we're not even going that far.

And with regard to how it applies, the question is with tax segregations, they're particularly complicated because a tax segregation has nothing to do with zoning or platting or anything else, it has to do with how many tax bills the assessor sends out, whether he sends out one or three, if there are three partners in a piece of ground, and it's only because the County has given some affect to that that this even becomes an issue.

And so I think that having the whole purpose of creating a lot is to do so for the purpose or showing that it's for the purpose of selling it, transferring it, leasing it or doing something that treats it as a separate home site or buying a building permit for it, any of those things would be adequate.

BARCA: So based on what I'm hearing you say then, is it fair to say it's also the County's opinion that any type of tax segregation based on this does not create the intent or the purpose of a buildable lot, the tax segregation will not have any kind of consideration going forward?

HORNE: No, I don't think that's correct. I think it's one piece of evidence, but by itself it doesn't prove intent because it can be equally for the purpose of just dividing, or I'm sorry, it could be equally for the purpose of just getting separate tax statements, but coupled with anything else it can be enough.

Like I said, we've recognized - and I've gone through this before, so I won't beat it death - but we've recognized simple declarations to go along with it. I don't think this is an overly onerous thing, but like I said, I don't want to go too far.

BARCA: But I'm trying to help build record here.

HORNE: Sure.

BARCA: So even though we've gone over it a dozen times, in this circumstance I think as far as building record goes, what I'm hearing you say is a tax segregation by itself, as far as we're going to observe it, is not adequate.

So a tax segregation and then decades go by, we're going to expect or require some additional declaration or evidence of some sort that says the intent or purpose was to eventually become a buildable lot?

HORNE: Yes, I think that is a fair statement.

DELEISSEGUES: Any other questions?

QUTUB: I have a question. What was a catalyst for this legal lot determination, that these amendments?

HORNE: The statute that prompted all of this was written in 1994 and was written to deal with a particular circumstance.

What happened was there were some applications of that statute that went way beyond what was intended when it was written and it created issues, from both a platting and zoning standpoint, that necessitated this change.

And so what it was is it was simply poor drafting when the statute was written, and quite frankly, I was the author, so I guess I'm to blame, but it was poor drafting when it was written and it resulted in an expansion in the ability to be exempt from any kind of review.

I mean the legislature has said that they wanted review of subdivisions and that it be uniform throughout the state, and this process was creating holes that were never intended by anyone to go that far, and so this was an intent to correct those problems that we created in '94.

QUTUB: So you're saying there were a number of problems and it just got to a high enough point where a decision was made to amend this?

HORNE: I don't know how many what you mean by "a number," but, yeah, there were issues in a couple of different areas that were significant enough that it justified relooking at this.

The other issue, I should say, is that there was a court case that came out during that interim period that required us to relook at that because the court case said that some of the things we were doing before were not legal, and so it was also to address that case. So there were two actual issues that justified or required us to re-examine this issue.

QUTUB: Thank you.

DELEISSEGUES: Any other questions?

USKOSKI: Not questions, comments, yes.

DELEISSEGUES: Do we need a motion?

USKOSKI: Well, I guess I just have a comment in general that looking at this legal lot determination, BLA language, I'm not convinced that we need to do it.

I think Ms. Bremer's made some very strong points relating back to the tax segregations that trying to show that intent when you go back 50 years. Not everybody had a lease document that they had signed with their neighbor or somebody down the street to lease that out, and if they've past away, how do they prove that, if ownership has changed with the understanding that it had been passed along, but we don't have written record.

At some point I feel that it's going to come with the County that somebody provides a declaration and it becomes the case of, well, you just said that, but we need more proof than your declaration. And trying to apply something retroactively, I'm not comfortable with that.

DELEISSEGUES: Anything else? Jim.

GIZZI: No, I'm good.

DELEISSEGUES: Everybody's had a chance at it. I guess from my point of view I like what I hear, Chris, but if there's anything in here that's not required by State law, as Ms. Bremer points out, I'm not sure why we're putting it in there if it's not required by State law. But then, on the other hand, I thought I understood you to say that the reason we were amending this was to be in compliance with State law. So where's the difference?

HORNE: I think this issue brings it or this amendment brings it closer, we're not even completely in compliance, but we're certainly closer than we are right now. We allow things that are I believe easily subject to challenge, they just have not happened.

Each of the cases that I've cited in my brief happened as a result of a neighbor challenge and the court ruled against the county in each of those cases. King County was the Mason case and Mason was a neighbor. Nykreim was a neighbor case and he prevailed. And the last one, R/L Associates was a neighbor case.

So they'll come up as a result of a challenge if somebody who's just willing to do it, but I believe that our current code is subject to challenge. I guess if we don't challenge it, then we'll just wait.

DELEISSEGUES: Do we have a motion? Somebody.

BARCA: All right, hang on here.

GIZZI: I'll make a **MOTION** that we adopt the language as presented with the modifications proposed by DEAB.

DELEISSEGUES: Is there a second?

BARCA: I'll **second** that.

DELEISSEGUES: Any discussion on it? Roll call, please.

ROLL CALL VOTE

BARCA: AYE

GIZZI: NO

USKOSKI: NO

QUTUB: NO

DELEISSEGUES: I'd vote AYE, but if there's anything in there that's not required by State law, I'd recommend that we take a look at it at least.

BARCA: What was that?

QUTUB: That was maybe.

GIZZI: A conditional AYE.

DELEISSEGUES: That was a conditional AYE, yes.

We're going to move on, then, to amendments to the 20-year comprehensive growth management plan regarding the Discovery/Fairgrounds subarea plan, CPZ2010-00019. Jeff, have you got a staff report for us or Oliver?

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

C. Discovery/Fairgrounds Sub-area Plan

The county is seeking to change the Comprehensive Plan and zoning designation for 2,071 acres at the northern edge of the Vancouver UGA and the Three Creeks Special Planning Advisory Area. The area is bounded by NE 164th St. on the south, NE 209th St. to the north, NW 11th Avenue to the west, and NE 29th Avenue to the east.

Contact: Jeff Niten (360) 397-2280, Ext. 4909

E-Mail: jeff.niten@clark.wa.gov

ORJIAKO: Commissioners, this is three subarea plans that are within the Three Creeks special planning area. And this Board did approve the first subarea that we did within the Three Creek special planning area and that was Highway 99.

And if you'll recall with the adoption of the 2007 plan, the Board of County Commissioners appointed a Three Creeks Advisory Council to take a hard look, if you will, both in land use and transportation within the Three Creeks special planning area, and that group subdivided the Three Creeks planning area into eight subareas. And this is an effort by staff to return to neighborhood, if you will, neighborhood planning, subarea planning, and with the completion of the Highway 99, we moved on to the Fairgrounds and the Salmon Creek and now Pleasant Highland.

So this is more of looking at the ground more closely and what can we, the neighborhood and stakeholders, to do planning from the ground up, if you will, and make some changes that are compatible with the desires of the stakeholders out there, so this is what we've done here.

And Jeff Niten was the project manager throughout the three subarea plans. I will say that you have seen the Fairground/Discovery corridor subarea plan

before. If you recall, that was put on hold to enable staff to complete the employment zoning code update. Now that that was completed, we are coming before you for your approval or your recommendation to the Board of County Commissioners that this be approved. So I will turn it over to Jeff to go over what is before you this evening. Thank you. Jeff.

NITEN: Good evening, Commissioners. Jeff Niten with Clark County Community Planning. And I was looking over the agenda and it was a little bit different than what's in your packet. We wanted to start with Discovery/Fairgrounds first?

DELEISSEGUES: Can you shout?

NITEN: We wanted to start first with Discovery/Fairgrounds?

DELEISSEGUES: Yes.

NITEN: Discovery/Fairgrounds was, area was brought in, most of it into the urban growth boundary in 2007, as Oliver mentioned.

HOLLEY: In what?

ORJIAKO: 2007.

NITEN: Urban growth boundary.

PUBLIC: Can you speak up, please, you sounded a little muffled.

NITEN: Sorry, I have a little bit of a head cold, I'll do the best I can. So brought into the area in 2007 and it's 2,071 acres. The area has the fairgrounds in it and the Amphitheater as well.

We convened an advisory task force with members of the community and property owners, they're members of the Fairgrounds Neighborhood Association representatives from the fairgrounds, from the Amphitheater, and met several times and came up with the plan.

This is the current zoning that I have for you here. Came up with a plan through that advisory task force, which is this one. This has changed a little bit because this subarea was brought to you first on April 15th, 2010, the Commissioners heard testimony at that time from property owners in the area. At that time, the Board of Commissioners requested that staff cease all subarea planning so we could look over the employment zones, the streamlining of the employment zones in the county. That effort has been completed and there were a few changes made, most of which is going to affect this area here.

Previously we had a zone called office campus and there was a part of that within that area along NE 10th Avenue. Office campus has subsequently gone away and all that area has been proposed now for business park zone, which one of the reasons office campus went away is because there wasn't much difference between business park and office campus, so that's why that's there.

So we're bringing this back to you now for presentation. Staff did find that the subarea plan did meet all the criteria contained in the comp plan, which you've seen in your staff report. And I believe at the work session that Commissioner Uskoski had the question about these two parcels here that were still zoned R1-10, I looked back over the notes and those two areas were never addressed by the advisory task force, so they remain R1-10 today. That proposal has not changed, but of course if the Planning Commission would like to recommend something different, we'd be happy to accommodate that.

DELEISSEGUES: Any questions of staff?

USKOSKI: What was the zoning on the south side of those R1-10, that was R1-10 also, is that currently R1-10?

NITEN: Yes, and actually it's separated by Whipple Creek.

HOLLEY: By what?

QUTUB: Whipple Creek.

NITEN: Whipple Creek.

DELEISSEGUES: Did you get your question answered?

USKOSKI: Yes.

DELEISSEGUES: Kind of. Any other questions?

BARCA: So this is an area that we have been planning in this single boundary contiguously, is there any thought about how the development will go in relationship to the intersection at 179th and 10th?

DELEISSEGUES: Yeah, I had that question too.

BARCA: Because the obvious concern is it could quickly build-out into the residential components leaving all of the employment land still needing to develop and have severe impact on the infrastructure that's in place.

NITEN: There is still urban holding here. And regardless of what happens tonight or with the Commissioners in December, urban holding will remain on a significant portion of this area.

The issue there with urban holding is 179th and basically I-5, that area won't be permitted to develop under any zoning until, with very narrow exceptions, until that intersection is addressed.

BARCA: And I think for the sake of the audience, could we address what those circumstances would be then.

NITEN: The biggest one is the narrowness of the underpass of 179th under I-5, and that's something that has to be undertaken in conjunction with the State, and I remember seeing an estimate from 2010, I'm sure it's gone up now, I can't remember the exact figure from that long ago, but it was significant.

BARCA: So to paraphrase it then, before this urban holding would be lifted, there would have to be a significant infrastructure expenditure to make the capacity available?

NITEN: Correct.

BARCA: And that is money that comes from the State?

NITEN: Well, in any project like this there would be two parties, or two or more parties, but just like the 139th Street project, the Federal highway is involved, the State transportation is involved and the County would be involved, now how that's worked out financially between those three, I have no idea.

ORJIAKO: Yes, it is safe to say that as you know the 179 interchange is of State responsibility, and I don't think when we started this effort, I don't think that that ranked really high in terms of where it is in the State schedule for planned improvement. So we will continue to work with the State to come up with, you know, in terms of timing when that improvement will occur.

BARCA: Okay, thank you.

DELEISSEGUES: Any other questions? We're going to go to the sign-up sheet. And what we're going to do, we've got about 20 people signed up, if someone that precedes you says about the same thing that you were going to say, it would be very convenient tonight just to say that you agree with the previous testimony. At 8:00 we're going to take a break for about ten minutes, so I just want everybody to realize that at 8:00, or as close as we can get to it, we're going to take a break. So we'll start with Marilyn Seigal, do you want to testify on this?

SEIGAL: My questions have been answered.

DELEISSEGUES: Well, would you come forward, please.

BARCA: She said her questions have been answered.

QUTUB: Her question has been answered.

DELEISSEGUES: Oh, okay, sorry. Betty Seigal.

SEIGAL: The same here. Thank you.

DELEISSEGUES: Oh, we're making good progress here. Sandra Talbot.

TALBOT: Mistake. I signed that sheet and I didn't mean to.

DELEISSEGUES: Okay, thank you. Tom Raber.

RABER: I'll take a pass.

DELEISSEGUES: I don't know. Cammie Verdugo.

VERDUGO: My question's been answered, thank you.

DELEISSEGUES: Okay, thank you. It's not your writing, it's my eyes probably. Christopher somebody.

VERDUGO: My question has been answered, thank you.

DELEISSEGUES: Okay, thank you. George Espirento.

ESPINOSA: George Espinosa.

DELEISSEGUES: With a name like Deleissegues I can, you know --

ESPINOSA: And the issue here is long and sorted. We've requested, I don't know if you ladies and gentlemen are even aware, that the majority of the residents from south or north from 199th to 209th have submit a petition about a year and a half ago asking to be removed from the urban holding area, I don't know if you're even aware of that.

DELEISSEGUES: No, I didn't know that.

ESPINOSA: That petition, the Board of Commissioners has chosen to ignore

that petition for whatever reason. Off the record, I was told that while they were going to go ahead, and we could always litigate after the fact, it doesn't sound like representative government to me.

Then we've been told too that it's a State requirement that this plan go forward. If the State has the final authority in all of this, why are we wasting all of this money to duplicate their efforts here in the county, why aren't we just dealing with the ultimate decisionmaker?

DELEISSEGUES: I don't know.

ESPINOSA: I don't know. That is basically my case in a nutshell is that something's going on here, that if you folks weren't informed, and yet in the Planning Commissions' documents it says that the residents were well informed and they participated in the discussion and that we seem to be in agreement. I think some of my neighbors might have more to say, but I'll step down before I get angry.

DELEISSEGUES: Well, thank you. Mike Tribe.

TRIBE: No, thank you.

DELEISSEGUES: Karen Levens.

LEVENS: Not at this time, thank you.

DELEISSEGUES: It looks like Will Zilke.

ZILKE: No, not really.

DELEISSEGUES: Betty Thompson. No Betty Thompson. How about Allan Thompson. No Thompsons. John something, Lehtonen or something.

LEHTONEN: I need more information about the whole thing, so I just didn't understand what the sign-up sheet was for.

GIZZI: He didn't understand what the sign-up sheet was for.

DELEISSEGUES: Oh, okay. Sherrill Lehtonen. Sherrill. Ted or Joan Johnson.

JOHNSON: I didn't know (inaudible).

GIZZI: She thought it was a sign-up sheet.

DELEISSEGUES: It is, she's right.

GIZZI: Didn't know it was a sign-up sheet to speak.

DELEISSEGUES: Cheryl Slaydon. Well, you don't have to testify, I mean we're just offering you the opportunity is all.

BARCA: And here she comes.

DELEISSEGUES: Yeah, I know.

SLAYDON: If nobody else will talk I will.

DELEISSEGUES: Okay, Cheryl, thank you.

SLAYDON: My name is Cheryl Slaydon. I live at 1719 NE 209th Street in Ridgefield. And I'm in the business park and I don't want to be in the business park. I'd rather be out of the urban growth boundary, but if I can't get out of the boundary, I'd rather be mixed use so that there could be other things done with my property besides a business park.

And I want to know, if my neighbor sold his property and they put a big commercial building there, what are my rights? I mean if they have something that's really ugly, what are my rights as an owner of the land next to it?

NITEN: Well --

DELEISSEGUES: Maybe Chris could help us.

SLAYDON: I have horses, what if they say they smell?

COOK: Good evening, Commissioners. My name is Christine Cook and I'm a Deputy Prosecuting Attorney. The question that you ask has to do with what your rights are as a neighbor when a development is proposed in the business park district.

Well, if it's a conditional use permit, you would be notified and you would be asked to provide comment if you wish, and that's your opportunity to provide information to the County that the County wouldn't necessarily have because staff don't live there. So you'd be able to say I have horses and they smell like horses and that might be a conflict with this proposed development.

One of the purposes of conditional use permits is to reduce such conflicts, so that's your opportunity to become part of the process. And if it's a conditional use permit, there's a hearing. Again, the purpose is to provide facts and legal

argument to the hearing's examiner to help the hearing's examiner make a correct decision. And if you think that that decision is wrong, you can appeal it. So there are several different steps there that are possible. If it's not a conditional use permit, if it's a Type II-A kind of permit, you're still notified and you're asked for comment.

The business park zone, business park district as I think I understand what's recently been created, has a limited permission for commercial development, commercial development is not intended to be its focus, so that's one thing I would just say right off. But other than that, I can't deal with a hypothetical, I can only tell you what general process steps would be.

SLAYDON: Another question is, let's say my parents are aging and they want to give their property to their children, because altogether they have 45 acres, can they still do that or can they not? Will they be restricted because it's business park that they can't put another house on it? Or let's say they're aging and they want to get someone to live up there and help take care of the place or take care of them, what are their legal ramifications if it's considered business park?

COOK: Well, again, this is something that actually I don't have every detail of in my head, but I know where I would go to get the details. I would go on the County website, I would search for the County code, and then I would search for the business park district and see what it says, and that's how I would learn that. So I can't give you the precise answers, but I can tell you how to find them.

SLAYDON: So but if you're grandfathered in, what does that mean?

COOK: Grandfathered is not much of a legal term.

SLAYDON: Not anymore?

COOK: Never was. I think you're talking about a nonconforming use, and again it depends. So I would suggest that you take a look at the County code and see what it says, that will answer your specific questions.

SLAYDON: And then my next question is, if it's in urban holding, and I don't know how long it's on urban holding for, then why all of a sudden are we still investigating it and changing these uses? Like I know that they changed from like 199 south to business park where it wasn't before and then they added in that C-3 which is community commercial.

NITEN: Right. When the area was brought into the urban growth boundary in '07 it had rural designations previously. When it comes inside the boundary it needs to have an urban designation. There's very little commercial outside of an urban growth boundary, there's some but not much, and usually those are country

stores that have been there forever.

This area when we looked at it what the C-3 was for is what the advisory group thought it would be is it doesn't have a freeway exit, so it's not a destination-type retail center, mostly what we envision it to be is retail for the people that are anticipated to work in that area.

SLAYDON: Like a 7-Eleven or something like that?

NITEN: Mostly what the advisory group talked about was like a dry cleaner, small stores that people go to on their lunch break, that's kind of what we were thinking.

SLAYDON: And then my last question, along 209th it's very wetlands, does that matter that it's very, very wetlands there?

NITEN: What the advisory group looked at previously, a lot of that area was zoned for light industrial, which is what it is today. Let me go back to the --

SLAYDON: No, up there by 209th it's business park.

NITEN: Right. No, what the current zoning is.

SLAYDON: Business park.

NITEN: Yeah, there it is, okay. So, yeah, 209th, business park. What we were thinking there is that business park if you're going to have opportunities to create employment in the area, business park would be a lot more friendly to the environmental constraints than light industrial would be.

SLAYDON: So is business park considered like the big box stores or --

NITEN: No.

SLAYDON: -- what is it considered business park?

NITEN: A good example I think would be something like -- light industrial is where you have the outdoor storage. Business park everything is done inside, in an enclosed area. We don't have a business park here that I can think of off the top of my head that's something that's representative --

GIZZI: Eastridge possibly.

NITEN: Oh, Eastridge, that's a good one, yeah.

GIZZI: Out there along 503.

NITEN: Yeah. So that's kind of what --

GIZZI: 503 south of 117th.

BARCA: Yeah, down by Prairie High School.

SLAYDON: Oh, okay. All right. I know what you're talking about. Those small, small businesses along there?

GIZZI: Yep.

NITEN: Yes.

BARCA: Yeah.

SLAYDON: Oh, okay. I think you've answered my questions.

ORJIAKO: The other thing I will add, ma'am, is give us your name, we'll contact you and discuss what uses are permitted in the BP and what you can and cannot do in the future. So we'll get your name and then be able to reach out to you and have that conversation with you.

SLAYDON: Yeah, because I'm sure it's a concern to them, with their land when they're aging and taking care of it. Okay. I'll get a piece of paper and write it for you.

NITEN: Thanks.

DELEISSEGUES: Okay, thank you.

SLAYDON: Thank you.

DELEISSEGUES: Next on the sign-up sheet is John Siren I think. Michael Anderson.

ANDERSON: Hello. I'm trying to clarify exactly --

DELEISSEGUES: Could you give us your name and address, please.

ANDERSON: Yeah, sure. Michael Anderson, s-o-n.

BARCA: Address.

ANDERSON: 18611 NE 20th Avenue. And I'm still trying to clarify what's going on. I've owned my property for nine years, and the rezone, the urban growth holding happened about five years ago I'm guessing, so I'm trying to clarify, is it being shrinked or shrunken and the motivation for it. And honestly just trying to find out where my status is.

NITEN: Sure. You're on 20th so you're somewhere right in this general area here?

ANDERSON: As far as I understood we were R-18, correct.

NITEN: Yeah, so this is where you're at.

ANDERSON: Yeah, I just want to clarify.

NITEN: For the motivation, this area when it was brought into the urban growth boundary in '07, the urban growth boundary expanded in '07, so a lot of new area was brought in. What we're doing now is trying to plan for growth in that area, and one of the drivers of it was economic development. The reason for that is because it's close to a major interstate highway.

ANDERSON: Arterial.

NITEN: Yeah. And that's kind of what we were looking at as far as the zoning in that area. Now the urban holding is something different, it's no new development until the road network around it can handle the new development.

ANDERSON: Infrastructure.

NITEN: Yeah.

ANDERSON: Right.

NITEN: So what we're doing here is saying when urban holding is lifted this is the future that the community, at least the advisory task force, would like to see there, and that's kind of how it worked.

ANDERSON: And not to ask a stupid question, but the infrastructure, there's no timetable for it?

NITEN: No. The major problem in this area is that underpass under the freeway on 179th, that's kind of what is holding everything back through here and we're trying to address that in a couple of different ways.

There's a project to build a bridge on NE 10th here across Whipple Creek

because it dead-ends to allow a little more access through there. The problem is that doesn't alleviate the traffic problem here and we haven't talked, well, we've talked, we haven't heard any definitive answers from the State on when they'd be willing to undertake a project like that. So until the State gives us a definitive answer, we kind of have to plan for the future and with no timetable of when that future is.

ANDERSON: So basically just hold out?

NITEN: Pretty much.

ANDERSON: Okay, thank you.

BARCA: So, Jeff, isn't it fair to say because we re-evaluated the designation of the employment lands and gave them new names, that we basically needed to go back and refresh the map because we took and combined some different employment land names and designations?

NITEN: Mostly what happened with the employment zone streamlining project was OC and BP were just combined, so there's not really -- I think there was two uses that were eliminated from the new zone, but BP has always existed. The reason why this happened is because OC and BP were so similar that there was no reason to have two.

DELEISSEGUES: Let's make sure we got the testimony and then we'll go to staff. Anybody else in the audience want to talk about fairgrounds? Okay, if one of you would come up. We'll get lined up here, whoever gets here first.

GREENWALD: I'm pretty slow.

DELEISSEGUES: That's okay, me too. If you'd just state your name and address, we'd appreciate it.

GREENWALD: I'm Floyd Greenwald. I live at 3403 NE 160th Street and I've been connected with the fairgrounds for quite a while and I think the obvious --

DELEISSEGUES: You can take a seat if you want to.

GREENWALD: That's okay. I think the obvious thing there is the I-5 and 179th Street overpass. And they asked a bank robber one time, why do you rob banks, and he said because that's where the money is. Well, the money is, the interstate highway system has money and a lot of it, it's spent every year. And I think dancing around that, I think that that's the key to that whole area.

DELEISSEGUES: It is.

GREENWALD: And you can talk about, well, we're going to fix this, we're going to change the zoning on that, we got the fairgrounds, we got the Amphitheater, but you're looking over the most important thing, and I think it would be something if someone would ask our two lifetime Senators maybe they could help you find some money for the interstate highway. Anyway, that's all I have to say about that.

DELEISSEGUES: Okay, thank you.

GREENWALD: Thank you.

DELEISSEGUES: Which one of you two was next? Okay.

SHIPP: I'm Randall Shipp. I live on 1721 NE 209th Street. And, first of all, I would like, it's proposed business park, I would rather have a mixed use zoning just the same as Mrs. Johnson that's behind me, and then the Wilsons to the east of me and the Thompsons to the west of me would also like that zoning.

DELEISSEGUES: Did you get that, Jeff?

NITEN: Yeah.

SHIPP: Thank you.

DELEISSEGUES: Okay, thank you.

YOCHIM: Board members, how are you? Steve Yochim, 20716 NE 10th Avenue. I'd like to just review this really quick, George hit on some of it, but he missed some of it too.

At the tail end of the last meeting in 2010 when all this zoning was put in place, we happened to go to a meeting, and we went to that meeting mainly because of hearsay and not communication from the County. And personally I live above 199th, and so we went to this meeting, and Mr. Niten here and everybody proposed this zoning there, and it kind of blew us out because basically that area right now is farming area, there's cows and horses and Gee Creek runs right through the middle of all of it.

And so we, at that time, within a couple of months had put together a group of people, and personally I, myself went around to a lot of the people that own land within that area and explained to them what was happening to us, and we agreed and all signed a petition to rescind the urban growth boundary back to 199th.

And since that time we've been in front of numerous committees, we've been in

front of all the Commissioners either personally or under mixed company, and we've gotten quite a bit of support from some of the Commissioners to rescind that urban growth boundary back.

And myself, as a homeowner and a property owner there, I moved there for one reason and it's for the quality of life, it's not sitting next to a big box store or 7-Eleven service station, and that was the majority of the people's feelings that signed this petition.

And the bad thing about this is we're a democracy, I thought we were a democracy, and basically this thing has been stalled. And I still would like to get taken out of the urban growth boundary, but also I feel that being put in this position of business park zoning is hampering the sale of property because of there's no infrastructure there to support it, there's no sewer there yet. They're talking about putting a high pressure sewer line in, we've been to many meetings about that.

So we're in this vacuum where the overlay is business park and basically you're stuck. And so until we can move forward on rescinding the urban growth boundary, I think you gentlemen have the power to at least switch that zoning, the BP to mixed use, until the time that we can get taken out of the urban growth boundary, if that's even possible.

I'm sure it's going to end up being a legal issue, but at least a mixed use would kind of broaden the spectrum a little bit and be able to work around the wetlands, because there's a substantial amount of wetlands on both sides of the road.

And I'm sure you people have been out there, you've been to Shorty's Nursery, you've seen what that area is out there, and if you haven't been through that, I highly suggest you do because business park just doesn't fit there.

And I have one other question, going through the staff plans they classify mixed use to be used with residential, with a residential zoning within the periphery of the urban growth boundary, and so if that's the case, then would that fit if we were mixed use because we are the periphery of the urban growth boundary?

NITEN: It would fit.

YOCHIM: It would fit, okay.

NITEN: It would meet that criteria, yes.

YOCHIM: Right. So you could do the multi, the condominium complexes with residential because we are on the periphery, okay. So meanwhile that's what I'd like to do, and I don't know if I can take a hand from the people that support me,

but I think that's kind of what we want to do if we can possibly do that.

DELEISSEGUES: Any questions of -- okay, thank you for your testimony.

GIZZI: Well, I have a question. So you guys have a document with the County --

YOCHIM: Yes, right here.

GIZZI: -- that list the properties that we're talking about?

YOCHIM: Right. Exactly right.

GIZZI: Has that been taken into consideration with this map and is it something that could be?

NITEN: What I was representing here is the advisory task force, the Planning Commission can take that into account.

YOCHIM: Let me explain the advisory task force, I'd like to find out the list of people that were on there because there was nobody from our area that I know within our area that was on that task force. So people from out of our area, and God knows who that is, there could be people from Ridgefield proper deciding what we're going to be there, and that's what kind of stimulated this whole thing and anyway.

GIZZI: Yeah, I can imagine. Sure.

NITEN: Just let me clarify. If the petition is removal from the urban growth boundary, that's not something that could be considered.

GIZZI: Right. I think it's the change in zoning from business park to mixed -- I was only referring to the change in zoning from business park to mixed use.

DELEISSEGUES: Chris, did you have something to add?

COOK: No. I just wanted to reiterate that withdrawal from the urban growth boundary is not something that can be considered.

GIZZI: Yeah, that's not what I was asking about.

DELEISSEGUES: Yeah, we understand. Thank you.

COOK: That is something that could potentially be considered when the comprehensive plan update occurs --

YOCHIM: We understood that.

COOK: -- not until then, and it was something that was under consideration when the comprehensive plan update did occur in 2007.

DELEISSEGUES: Okay, thank you.

YOCHIM: So would you repeat that again now? When is the urban, when's that going to be brought up again? I forget all the time, I'm getting old.

COOK: Well, when it's going to be brought up, I don't know exactly what the work schedule is, but it has to be done by 2016. So if you are interested in this, you need to keep your eye on notices about it over the next year or two --

YOCHIM: Don't worry about it.

COOK: -- and participate and --

YOCHIM: Right.

COOK: -- then your voices can be heard.

YOCHIM: So can this Board make the decision on switching from BP to MX or can they make the suggestion?

COOK: Ah, there you go. They make a recommendation to the Board of County Commissioners.

DELEISSEGUES: Yeah, thank you.

YOCHIM: Okay, great. Thank you.

DELEISSEGUES: Does anyone else wish to testify? We're going to cut it off after your testimony for a break.

VITAL: My name is Larry Vital, 417 NE 209th Street. I'm right up there at the top corner of the business park. And my concern is very close to what that first gal that came up and testified that signed that piece of paper, because we also we have five acres there and we're very concerned about the business park terminology.

And it seems that with the fact that we have horses -- and it's very wet. Actually, Gee Creek actually runs through my property. I'm one of the few properties that it actually intersects from one corner of my property to the other. And that land

we aren't able to use, but that's okay, we've always observed a certain boundary from Gee Creek to where we let our horses graze.

We've got three horses now and I'm very concerned that -- well, first of all, I don't even know if we could sell our property being that it's a business, you know, it's in the business park zoning. If we did want to sell our property, it seems like it would be very difficult because for one thing, I've noticed in the last four or five years nobody in our locale there has been able to sell their property, so I'm concerned about that. And it all comes down to what kind of versatility do we have, what kind of uses can we actually know that we can put our land to.

One thing that happened after the changes were made from our original zoning was, I was told that we could no longer burn on our property. And that was -- and I've called on many occasions and I've had them zero in on our address, and they said, yeah, the street that intersects the zone is your street, it's 209th.

So, in other words, my neighbor across the street who's got a similar property but he doesn't have any livestock like we do, he can burn, but we're not supposed to burn. And we've got an open property, and every year we have to burn, we have to burn leaves, dead foliage, stuff like this. It's just there's no way around it because you can't pack that stuff up and take it out, you can't bring it to the transfer zone because we're talking truck loads.

Every year -- and I'm not burn crazy, but it's just every Spring and every Fall we just have to get out there and we have to burn, and I'm told that I'm no longer able to do that and that's been a burden because I don't like to have to sneak around. I always wait and I look and I call in to make sure that it is a burn day and I look to see if any of my neighbors close by are burning and I wait for that occasion because I don't want to be prosecuted for it.

But we just feel this shrinkage happening around us to where we're losing our rights as kind of rural homeowners. And I agree completely with what the statement that Steve Yochim made in that we moved there for the quality of life, that's why we moved from a one-acre property to a five-acre property.

And my wife is a competitive horse racer. She's into endurance riding so she competes on a weekly basis almost throughout the summertime, so she's always training, she's always riding. So we can't afford any more shrinkage or any more rules that would obstruct our life-style.

So it just comes down to that, we want to know, we want some clarity about our zoning. And kind of scared of that business park tag and multiple use, that seems more like down our alley, but even that that's pretty restrictive. So I just feel like we've been caught in a gross situation that we had no knowledge of beforehand, and now that we're a victim of it, it's like who's listening to us. So

that's what I'm here today to represent.

My family and all the people that live in this kind of like twilight zone, this little zone up here that is very damp, very wet, we're all very -- there's no businesses, or the closest thing to civilization is of course the highway, but there's no other businesses in our particular area. The closest business would be just outside of our business park area would be the feed store, Pioneer Feed, and that's a quarter of a mile from where my property is.

So I want to know if I can burn. I want to know if I can sell my house. These are my main concerns. And I'd also like to get on that list, if I could, so that you can keep me up-to-date of any changes or clarifications that come down the pike. That's all.

DELEISSEGUES: Okay, thank you. We're going to take a break and we'll come back at about a quarter after or 20 after 8:00.

(Pause in proceedings.)

DELEISSEGUES: We're going to resume. Would you please take your seats. We're going to resume the Planning Commission deliberation and go on to 20-year comprehensive plan, the Salmon Creek subarea plan.

USKOSKI: Are we going to --

DELEISSEGUES: Staff report.

USKOSKI: -- (inaudible) before we do a decision?

DELEISSEGUES: Oh, wait a while, we got to back up. Thank you. No, we're still on the other one. I thought maybe we did this in secret while everybody was gone. We need to have -- anybody else, first of all, in the audience that wants to testify on the Discovery or Fairgrounds?

YOCHIM: Can I make one other statement?

DELEISSEGUES: Yeah, come up. See who wins the race.

YOCHIM: I think there's some confusion about what I was suggesting is -- Steve Yochim, 20716 NE 10th Avenue. Number one, I want to get out of the urban growth boundary if possible.

DELEISSEGUES: Yeah, we heard that from you.

YOCHIM: And if we have to go to ML, I think ML or mixed use is better for

everybody until we can do that if that doesn't jeopardize it. And the other thing is, would we stay in urban hold still until the time that we want to get out of the urban growth boundary?

NITEN: Yes.

YOCHIM: So I want out, but I would work with ML or mixed use.

DELEISSEGUES: Thank you. Now state your name and address, please. You can sit down.

MOYER: William Moyer, 14012 NE 147th Avenue. I have a question that came up in discussion with some of my neighbors, if you have a farm agricultural property on which burning of debris is an appropriate and traditional and previously permitted use and your property is brought within the urban growth boundary, are you still permitted to burn at all?

NITEN: No.

MOYER: And if not, why?

NITEN: Inside the urban growth boundary burning is not permitted.

MOYER: How can that be changed to better accommodate people whose properties are brought in and are still being used for the original use where burning is an appropriate and historical use of what's done on that property --

NITEN: I believe --

MOYER: -- even necessary?

NITEN: I believe that would have to be done in conjunction with the Southwest Washington Clean Air Agency.

MOYER: Southwest Washington Clean Air Agency, they have jurisdiction over that?

NITEN: Yes. But it would have to be done in conjunction with the County, but it would have to be initiated through them.

MOYER: Initiated through them. And then who in the County would be involved?

ORJIAKO: Let me add that even within the urban growth boundary there are certain burn days, and the gentleman that testified before alluded to that. That's

something that is done through the Fire Marshal's Office. And, again, we can be able to take your name and work with you, but there are certain days that burning is allowed and I think the Fire Marshal regulates that in working with --

MOYER: And burning is allowed within the urban growth boundary?

ORJIAKO: On certain days, yes. I know it's certain days there are some burn days.

MOYER: Well, there are certain days for outside the urban growth boundary, but I am confused as to whether there are days when burning is allowed within the urban growth boundary?

ORJIAKO: That I will have to explore further with the Fire Marshal's Office and then again get back to you.

MOYER: Not to me, but to the people whose properties are affected particularly up there north of 199th and south of 209th.

ORJIAKO: Yes, I'll do that.

MOYER: Thank you.

DELEISSEGUES: Anyone else wish to testify?

BROOKS: Well, since we're on the burn situation.

DELEISSEGUES: Well, that's not why we're here.

BROOKS: I know, but I'm going to ask a couple of questions. Daniel Brooks. Address is 4012 NE 179th. And to go along with this gentleman, I did receive a citation from the DEQ and then they sent me this letter here to cease burning in the area because of the urban growth and all of that. Then I received this along with the letter that states at the top, it says under WAC 173-425 -- I'm sorry, I can't read that now. Could you read this for me? Just read that little paragraph right there.

NITEN: The top one?

BROOKS: Yeah.

NITEN: "WAC 173-425 bans the use of a burn barrel and prohibits the burning of all material, except natural vegetation grown on the property and firewood. The regulation also prohibits burning during periods of impaired air quality and prohibits outdoor burning from becoming a nuisance to surrounding neighbors."

BROOKS: That's all you need to read. So it allows you to burn.

COOK: Except if there's impaired air quality.

BROOKS: But how do we know when that is?

COOK: I would assume that that would be something that the Southwest Washington Air Pollution Control authority would be ruling on, and in addition, Mr. Orjiako mentioned the Fire Marshal.

BROOKS: So as you can see there's a lot of confusion I think.

GIZZI: Boy, I understand completely. But we've got 80 people here and we've got three things to talk about that don't have anything to do with the burning and that's not anything we could affect here anyway so I think --

BROOKS: Well, I just wanted to bring that to your attention because there has been other testimony on the burning.

GIZZI: Yeah, I understand.

BROOKS: And then the other thing that I wanted to ask is that over/underpass, is there any projected date that the State is looking at to do something with that intersection?

NITEN: Not that they've shared with us.

BROOKS: And then we've been informed quite a bit on 179th, through different plans, that when they change 179th and maybe have some input on this, is that they were going to try to tie it into WSU and then put islands down our street of 179th --

NITEN: I had not --

BROOKS: -- so that they could actually get funding from WSU. This was a plan that we met at the fire station about.

NITEN: Yeah, I have not heard anything like that. That's news to me.

BROOKS: Okay, thanks.

DELEISSEGUES: Anyone else? Going once, going twice, return to the Planning Commission.

BARCA: So I think for the record, it would be worthwhile if staff could comment for the people, while urban holding is in place, what they are able to do with their property as it exists right now.

COOK: Would you like me to do that?

BARCA: You're part of staff. You guys flip a coin.

COOK: I'll take a try. While urban holding is in effect and while you have a use that was lawfully established, you can continue with that use. You can sell your property. You can pass it to your children. You cannot change the use to something that is disallowed by the new zone and while urban holding is in effect.

Neither you nor your neighbor is going to be developing the big box that everybody is worried about having next door. It's not going to happen while urban holding is in effect because that sort of development is prohibited under urban holding until the urban holding overlay is lifted, and that happens when the infrastructure is adequate. So this is something for the future, this isn't now.

And as the gentleman just asked about, when is the State going to do that, we don't know, so we don't know how far off the future is.

One thing, if I could add, I think everybody who is interested in being in the mixed use zone should look at the mixed use zone. Get on that website, search for the Clark County code, and search for the mixed use zone and see what it allows. I think it allows more commercial uses than business park.

NITEN: That's correct, it does.

COOK: So although it has a name that may sound attractive to you, it might or might not be your ideal zone.

PUBLIC: But it does put you in a classification of residential, which we do not have now and the possibility of smaller parcels.

COOK: If you wish to come up and comment, and the Chair recognizes you, it would be better if you could get on the record and do so. Nothing in the business park zone takes away your right to have a residential property if you have an existing residential use there now, it doesn't do that.

DELEISSEGUES: Any other questions?

PUBLIC: Yes. It would take away your right to sell it as a residential property though; right?

COOK: No.

PUBLIC: Not your right, but the value.

DELEISSEGUES: If you have any further questions, we would like you to address them some other time because we've spent way too much time on this if we're going to get to the Salmon Creek or anything else.

PUBLIC: It's only our life.

DELEISSEGUES: I think we've gone over everything at least twice. So if there's any questions about this, is there deliberation from the Commission? We brought it back to us and we're going to try to make a recommendation here to the County Commissioners. So what's your pleasure? Jim, do you want to start off.

GIZZI: Well, I would like to start off by saying thanks for coming. It's unusual for us to have this many people here, and it shows that at least the system is working and we are participating in a democracy.
I'll also say that it's tedious and time consuming.

So you're going to sit here for us and we're going to recommend to the County Commissioners. Your next step would then be to turn out in the same numbers at the public hearing for the County Commissioners. And at that point, maybe understanding the uses and differences between business park and mixed use and making sure that you're all comfortable with the mixed use zoning, would be appropriate. And then you could also schedule a meeting with County staff to talk about those mixed uses to make sure that you're making the right choice.

I think that's clearly something you don't want to enter into lightly. Just really, I'm glad you guys came. I think it's great to have participation, but you do really want to understand the differences between those zones.

DELEISSEGUES: Jim, you got anything else to add to the issue at hand?

GIZZI: No.

DELEISSEGUES: How about you, Valerie?

USKOSKI: Yeah, I don't have anything else to add to what Jim said thus far.

DELEISSEGUES: Ron.

BARCA: When we put this into the urban growth boundary, I thought it was excessive at the time, and how rapidly we put it into urban holding pretty much tells you that the desire for the land far outstripped our ability to pay for it. So I

think the value of the 179th interchange is going to keep this property a focus for the county for future development.

Job creation has been a focus since the last comp plan. And by the time the next one rolls around it will still be a focus, and I suspect that it will look the same, still in urban holding, by 2016. So you have time to really solidify what you would like to see out of this, and I think it's very important for you to make those wishes known as clearly and concisely as possible.

I do believe that when Chris Cook talked about the idea of clearly understand what you're asking for between mixed use versus business park, because when the holding is lifted that will be what your neighbor looks like. And you'll really want to have a clear understanding for those people that say that they're interested in a rural life-style, well, inside an urban growth boundary you really have to try and work at a rural life-style.

So that being said, this is a long-term planning venture, and so the decisions that this body makes tonight are looking at it in the long term. We understand that everybody that lives there today feels like this is an impact that's pending, and at some point in time it's going to roll forward, but right now we have time to discuss the size and the type of use and that's where your input is the most important.

DELEISSEGUES: Eileen.

QUTUB: In the interest of time, I would be redundant to say anything because what's been said is basically what I would comment on. Thank you.

DELEISSEGUES: I think when this zoning was put into the comp plan we were looking at the past, Clark County was moving ahead rapidly. And I think as Ron said, we were probably looking at the future in the same context of the past where things were moving ahead and were going to continue to do so, but that hasn't obviously been the case.

The economy slowed down, land use that we already have zoned isn't really in short supply by any means. I think this particular subarea is going to be a long time in developing to what you see here on the map. There's a lot of constraints. The State's put all their money into other higher priority infrastructure throughout the state, and Clark County's really got quite a bit of it already, I don't think that we're going to get a lot more soon. Our two Senators may not be too friendly to this area, I don't know about that.

And I agree with Ron, I think now is a good time to let the County Commissioners know how you feel, what you would like to see changed and you'll have that opportunity when it comes before them. We'll make a recommendation, but that's all it is, we're not a decision-making body.

The purpose I think of the Planning Commission is to get out into the record exactly what we've got tonight, people come forward and testify, your testimony goes into the record, they, being the County Commissioners, have an opportunity to look at that record and maybe broaden their perspective and prepare them better for their public hearing. So that's really the purpose that we serve, we serve as a sounding board for the County Commissioners.

And with that, we'll go ahead with hopefully a motion and a recommendation and get on with the Salmon Creek subarea plan. So somebody want to take a shot at it?

BARCA: I'll make a **MOTION** to approve the changes as proposed by staff for the Discovery/Fairgrounds subarea.

USKOSKI: **Second.**

DELEISSEGUES: Moved and seconded. Any discussion on the motion? If not, roll call.

ROLL CALL VOTE

BARCA: AYE
GIZZI: AYE
USKOSKI: AYE
QUTUB: AYE
DELEISSEGUES: AYE

DELEISSEGUES: With that, we'll move on to the Salmon Creek subarea plan, which is CPZ2012-00014. Can we have a staff report on that.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

D. Salmon Creek Sub-area Plan

The county is seeking to change the Comprehensive Plan and zoning designation for approximately 2,400 acres at the north eastern edge of the Vancouver UGA and the Three Creeks Special Planning Advisory Area. The area is bounded by Salmon Creek and Interstate 205 on the south, Interstate 5 to the west, approximately NE 58th Avenue to the east, and NE 190th Street alignment to the north.

Contact: Jeff Niten (360) 397-2280, Ext. 4909

E-Mail: jeff.niten@clark.wa.gov

NITEN: A short one. Commissioners, Salmon Creek is the largest of the eight areas in the Three Creeks subarea, it's 2400 acres. And we've proposed a couple of zoning changes here and along with the creation of a university district for WSU-Vancouver. And here's the current zoning, that's what we have today, and the proposed is here.

There are a couple of changes. This one was never brought before the Planning Commission as Discovery/Fairgrounds was previously in 2010.

PUBLIC: Could you speak up, please.

NITEN: We reviewed all the criteria in the staff report and found that this subarea met the criteria and recommend the changes that you see here. There are two exceptions that we'd like to amend in the university district use tables, they were oversights because of the long break in the planning process.

The first is Vancouver Public School District has established a high school on the campus of WSU-Vancouver and we'd like to note that in the use table, which it's not today.

The second is currently in the use table there is a conditional use permit required for dormitories on the campus of WSU-V and we'd like to change that to permitted use. The reason being, the concern for the conditional use permit for dormitories for WSU-V was traffic, and we have an agreement. The County entered into an agreement with WSU-V to reserve those trips expected to be generated by all uses in WSU-V's master plan, I believe it was 2008. No, actually it was 1999. So we wanted to amend that line in the use table to a permitted use rather than a conditional use.

DELEISSEGUES: Is that it?

NITEN: That's it.

DELEISSEGUES: Any questions of staff?

USKOSKI: What about the questions that we had raised during the work session regarding some of the zoning?

NITEN: The zoning between the Salmon Creek subarea and Discovery?

USKOSKI: No. I think it was also on the north side of the university district there what we are showing as R-18, I think there was some talk or discussion about that being more of a commercial based rather than a residential.

NITEN: That's certainly up for discussion. With the proposed mixed use on the

east side of 50th and the R-18 on the east side of 50th, the problem with additional commercial there is you can kind of see -- let me pull up the environmental constraints map.

This is the area we're talking about here. And proposing commercial development there might be kind of difficult, it's certainly doable. But in the advisory group's opinion and staff's opinion looking at commercial there, it might be a better use of the zone to leave it as residential, but if the Planning Commission wishes to recommend something different, we can do that.

DELEISSEGUES: Any other questions? Eileen, do you got a question?

QUTUB: No, I don't. Thank you.

DELEISSEGUES: Jim?

GIZZI: No.

DELEISSEGUES: We'll go to the sign-up sheet. First on there is Barbara Cederholm.

PUBLIC TESTIMONY

CEDERHOLM: I'm not sure. Barbara Cederholm, 14204 NE 29th Avenue is our property. And my concern is the traffic on 29th Avenue and whether the University is going to develop more parking. Because right now the parking on 29th Avenue has become a real issue, and I'm quite away down, I'm just right above Highland Park there, and I think I'm in the R-22, and they're parked clear down to our driveway and that's a long walk.

And so by doing all this with the University, I'm not too sure that they really have the parking infrastructure and stuff established, so that's just a concern.

GIZZI: So I understand that most of the time the parking lots are full. It's not really a capacity issue, it's a cost issue, and the students park for free on 29th and they don't want to pay to park in the lot, so I don't know if that's going to change.

CEDERHOLM: It's still an issue.

GIZZI: I mean I drive 29th all the time and I see exactly what you're talking about, but I don't know that putting more parking in the University is going to fix that, we may have to have some discussions with them about cost --

CEDERHOLM: I agree.

GIZZI: -- because I think the students don't want to pay is the issue.

CEDERHOLM: I agree.

GIZZI: And we see that down by Clark as well.

DELEISSEGUES: Oh, yeah, but they have free parking at Clark. Don Hardy.

HARDY: I'm going to pass for right now.

DELEISSEGUES: Ralph Edwards.

EDWARDS: My name is Ralph Edwards. My address is 3405 NE 136th Way. I have more of a question. I'm in an R1-10 zoning area, and since my property is on Salmon Creek we're impacted by a tremendous amount by all sorts of State and local regulations relative to being in a flood zone basically right on the creek, which takes precedence, does the environmental regulations or the zoning? This looks like -- and my understanding is, what does R1-10 exactly allow as far as housing?

NITEN: R1-10 is 10,000, average 10,000-square foot lot.

ORJIAKO: Single-family.

NITEN: Yeah, single-family homes.

EDWARDS: It is single-family homes.

NITEN: Yes.

DELEISSEGUES: High density.

EDWARDS: I was hoping that that wouldn't change. It looks like the university zone in this map is just the gray area; is that correct?

NITEN: Yes. Correct.

EDWARDS: In effect right now we have one zoning. Well, one set of rules for the people on the south side of my road and a different set of rules for the people on the north side because the people on the north side are further away from the creek, there's a 250-foot limit. I was wondering if that was going to change? It looks like that will not change.

NITEN: No, we're not proposing to change that.

EDWARDS: Thank you.

DELEISSEGUES: Thanks. Cheryl Hinkle.

HINKLE: I signed the wrong paper.

DELEISSEGUES: Thank you. Edon Campser. What does that look like to you?

BARCA: Edgar. Egdon.

DELEISSEGUES: It looks like Egdon Campser.

BARCA: Well, it was close.

DELEISSEGUES: Daniel Brooks.

BROOKS: I just signed in.

DELEISSEGUES: Thank you. Steve Yochim.

BARCA: That's Steve, he's gone.

NITEN: He's gone.

DELEISSEGUES: Ann Perrin.

BARCA: Gone.

DELEISSEGUES: Lynn Valenter.

VALENTER: I'm with the University, so I'd be happy to answer questions if you have them later, but I don't need to make a statement.

DELEISSEGUES: Thank you. Peter Serpent. If it sounds anywhere close come up. Arthur Serkov, S-e-r-k-o-v, Serkov. Lloyd or something Norez. And Dennis Johnson. That's the sign-up sheet. Does anyone in the audience wish to testify on Salmon Creek? Well, come up. We can have two up, one and then the other.

CEDERHOLM: My name is Bill Cederholm. We live on 29th and 143rd is where our property is. And I keep hearing all about the zoning, is that strictly confined to the University? Are there any plans for changing roads, for changing access roads on the rest of that area?

NITEN: No. There are a couple of other zone changes throughout the 2400 acres, most of it has to do with land on the east side of 50th and then a little bit on north of where the Kaiser is on 10th, but nowhere else.

CEDERHOLM: But no major changes on the rest of it?

NITEN: No. Nothing, well, nothing I would call major.

CEDERHOLM: Have noticed.

NITEN: Yeah.

CEDERHOLM: Thank you.

PUBLIC: What is R-22?

DELEISSEGUES: Did you wish to testify, sir?

PUBLIC: What is R-22 zoning?

NITEN: It's 22 units per acre.

GREENWALD: Floyd Greenwald, 3403 NE 160th Street. Our property backs up to the University, and I am on record at the University at their hearing when they changed their plans, they're planning on a three-story parking lot pushed up against the back of my house. And I tried to say, well, if you're going to build a parking lot or build that close to the property line, let's do that last, let's go somewhere else.

One of the suggestions I had, I've been told it's impossible, is they have those Bonneville Power lines across the campus, and I know in a lot of parts of the country land under power lines is used, and if it's for parking it's a temporary, it's not permanent buildings and I don't know, I still think they could utilize that.

And then it comes to spending money. In Mt. Vista we have these big wide streets, and I guess it was the County that decided a thing they call ponds, and I don't know, each one of them cost several thousand dollars, so they built ponds all over the lower part of Mt. Vista. It's for the drainage, it's a pond thing they built right on the street, on the side of the street. I don't know. We have money for that, maybe we have money for a lot of other things.

But the parking, I think if you have a street I think people have a right to park on that street, period. You can't park in your driveway, you can't park in front of your mailbox, but I think if you look through any kind of law anywhere, you have a right

to park on that street. And someone says, well, let's pass a law that people can't park here. Well, what about if somebody comes to visit me and he's going to be there overnight, then I guess he can't park on the street. He's got as much right to park there as anybody.

So I mean people complaining about people parking, and you're right, somebody up here said that there was plenty of parking on the campus that's not used, which is true. The lots aren't full and I think they're a long way from a crisis in parking at that campus right now. They have, what, 360 acres or whatever it is, somewhere they could find a little parking on there.

DELEISSEGUES: Thank you. Anyone else wish to testify on Salmon Creek? Seeing none, we'll return it to the Planning Commission.

BARCA: Jeff, is it possible to overlay the proposal on top of the environmental constraints and see it both?

NITEN: These are PDFs, I can't.

BARCA: It's not GIS stuff?

NITEN: No, unfortunately. I can switch back and forth for you.

BARCA: Can you go back to the proposed map, please. Thank you. So at our work session I voiced a concern about the high density R-18 and R-22 and the traffic and road situation surrounding the University. And I think I would have to reiterate that, especially now hearing that we are going to go ahead and make it an allowed use for the University to be able to implement dormitories, which initially we had discussed the high density, R-18 and R-22, being potential locations for university students and the idea of being able to service the area with apartment and condo-type development.

I think the impact of that type of density in relationship to the constraints of the area with Salmon Creek and the mountainous-type Mt. Vista entrance, egress from it, I think that we're going to end up creating some unnecessary traffic snarls just by putting that much density there anticipating that they're all going to be moving either at regular work rush hours or they're going to be working towards the idea of getting in and out of the University.

I would still prefer to see us look more towards employment. And I think earlier discussion was we thought business park or MX are good potential matches towards environmentally constrained land areas, and I think that that might still service better in this area than having the high density. So I would like to make that part of whatever proposal that we can go forward on if the rest of the Planning Commission can see their way towards that modification of the proposal.

NITEN: You're referring to the R-18 and R-22 directly on 139th here, this area right here?

BARCA: Actually that and up there on 50th where there is the MX zoning.

NITEN: Oh, up here, okay.

BARCA: Yeah. I'm concerned about both corners because they both will have the impact on the entrances to the University and people trying to move through.

DELEISSEGUES: Anybody else? Well, we're done with that. Did you have a question or what?

VALENTER: I wanted to provide information that might be helpful, but if that's not allowed, I certainly would respect that.

DELEISSEGUES: I'm sorry, I can't hear you.

GIZZI: She wants to provide information that might be helpful, but it's okay if it's not allowed.

DELEISSEGUES: Well, come forward, we need all the help we can get.

VALENTER: Thank you. Lynn Valenter, I'm the Vice Chancellor for Finance and Operations at WSU-Vancouver. I wanted to talk a little bit I think - it's hard for me to hear back there, but - about the traffic concerns.

Two points I would make. First of all, the University has reserved trips regardless of use, and we've paid over a million dollars to do improvements to the surrounding area to ensure that there would be capacity for growth, and that growth is neutral as to what purpose. So adding dormitories wouldn't change the traffic profile or what we are and are not allowed to do in terms of traffic, so that's just a clarification.

The other piece of information that I would ask staff to maybe help me out on is that research park, the blue in the upper right corner, that's something that we've been asked by both County administrator staff elected's as well as the Columbia River Economic Development Council, and they've included it in their economic development plan to have, hopefully that will eventually be a research park.

It's not going to happen any time soon, like many of the other things you're speaking of tonight, but I believe staff and the task force were doing those in conjunction so that there could be mixed use in its broadest sense, not in its planning sense, but a variety of uses that would all support each other around

economic development kind of held to the research park. So if that's helpful, I would just offer that. And if you have any questions, I'd be glad to try and answer them.

HARDY: I would just like to add. Don Hardy, I'm with BergerABAM representing the University. Our address is for the record 1111 Main Street, Suite 300, Vancouver Washington.

PUBLIC: Could you speak up.

HARDY: I'm sorry. Don Hardy, BergerABAM, representing WSU-Vancouver. Our address, 1111 Main Street, Suite 300, Vancouver, Washington 98660. I just wanted to add to what Lynn was saying. In addition to that there was an environmental impact statement WSU did in 2007 as part of the master plan update process that went through a public hearing process. The result of that was a 20-year look out in terms of a study for the University for the full build-out of the University.

At the same time we were going through the process with the County through a development agreement process to reserve those trips, as Lynn was saying. There's 1361 peak hour trips that are reserved for the University that were studied, and it looked at growth, not only for the University, but for the build-out of the area around it, there was a growth projection for that.

So essentially the area around the campus and the campus itself was all reviewed at once. And the development agreement was adopted in 2008, there was an initial development agreement in 1999 as well, that was the first development agreement, this was the second one.

In addition to the million dollars, the University is also funding two traffic signals as well within the vicinity of the campus. So the mitigation for the build-out of the campus is essentially done and contributed to the County for that development.

So the trips essentially are for the University to use, they could use those for whatever purpose they need on the campus as long as they don't exceed that number. There's a vested amount of trips that the development agreement allows. So I just wanted to add that to the record.

BARCA: So that being said then, when they build-out an R-22 development down there of say five acres, we're going to credit the University against those trips, not the developer, is that what you're saying?

HARDY: I'm saying for the university's development for on the campus for whatever the University is building --

BARCA: Inside the university --

HARDY: Yes.

BARCA: -- boundaries.

HARDY: Yes.

BARCA: All right. Fine. You guys do what you need to do inside your purple boundary. I'm talking about outside of the purple boundary that the rest of these people here are impacted by. So doing high density outside of the university boundary, unless you're giving up your trips for that, then this is kind of exclusive of that; right?

DELEISSEGUES: Why would they?

BARCA: Well, of course they wouldn't, but I'm just trying to clarify.

QUTUB: Ron, didn't you also mention the dormitories? I think that's what they were addressing.

BARCA: Yeah. And you are well within your right to build those dormitories because that's already been stated. My point is that if we're doing high density for the sake of housing students, you're covering that within your purple shaded area.

HARDY: And you got a good point. I mean the area outside of that purple area of the University would have to go through its own traffic analysis. I think no matter what the designation is on that property, it's going to have to be tested for concurrency.

And I'm not going to necessarily argue one way or another for what that designation should be, but mixed use or business park is also going to generate trips as well, so anything on that property is going to generate trips. I'm just throwing that out there for additional information.

I think it would be important to look at that in context would mixed use actually generate more trips or about the same trips as high density, and I don't have an answer to that, but that would be an important question to look into.

DELEISSEGUES: Thank you very much, I think that helps.

CEDERHOLM: May I speak again?

DELEISSEGUES: Any other deliberation? We're back, we have it here. Do

we have a motion?

GIZZI: I'm good.

CEDERHOLM: I'd like to speak again.

QUTUB: Dick.

GIZZI: She wanted to talk.

BARCA: We have a person in the audience that would like to come forward.

CEDERHOLM: I'd like to speak again.

DELEISSEGUES: By all means, yeah, come forward.

CEDERHOLM: I don't quite understand the traffic. I know that you pay a certain amount in permit fees if, for example, on an R-22 you build apartments or whatever there, those permit fees they're charging you, and I don't know what it is now, but I'm just going to pick a number out, it could be \$1,000 per apartment because you've got two cars. And so I don't know that that was taken into consideration when the University went in and you've got this 29th Avenue there, that wasn't widened out.

I don't know whether the University paid additional permit fees to cover that additional usage that the students are using because they don't want to have to pay for parking on the University. And we had looked at our property alone and those fees kind of turned us away from being able to move forward on it because it was quite high.

BARCA: So I don't know if everybody was able to hear or not, but just for the record, the testimony from the University was that they have paid a significant amount of money for the traffic impact and they paid that in advance. So I am not putting any kind of weight on the utilization of the campus and the structures of what happens inside that.

My discussion about the high density zoning is strictly in the context of saying the surrounding area and how does that area become impacted by having high density in there versus the concept of low density or employment lands. So it just happens to be adjacent to the University, but my concern is still around the neighborhoods and the idea of moving through the area.

DELEISSEGUES: Well, I think we got it. Anything else?

GIZZI: No.

DELEISSEGUES: Well, the only thing I would say is if there's high density development there, it's going to have to go through the planning process. Whoever the developer is, is going to have to mitigate the traffic impacts like anybody else would or he's not going to get a permit, so I'm not concerned about that.

Hopefully, any university that I've seen needs housing, needs student housing to succeed, and they're not able always to provide that on the campus nor is it desirable for university housing to be on the campus in all matters.

I think that it's a good opportunity for somebody to provide that housing if the demand is there. And if it isn't, they're not going to do it; and if it is, they're going to have to meet all the requirements including traffic mitigation to get the permit, so the system will work.

And, again, when that happens they'll have a public hearing, and people that own property in the area can make sure their interests are being at least acknowledged, if not met in the process. So I hope we have a motion and we can move ahead.

QUTUB: I move that we approve the Salmon Creek subarea plan.

USKOSKI: Eileen, did you also want to include the update to the use tables --

QUTUB: Yes.

USKOSKI: -- that staff was recommending?

QUTUB: Yes. Sorry.

USKOSKI: I'll second that.

DELEISSEGUES: Any discussion?

GIZZI: No.

BARCA: I guess I would just like to keep the record open on the context that I think all down Highway 99 there's a lot of high density zoning available. It's well within short reach of the University. There's good transportation that goes to the University. That this particular area, this is supposed to be a long-range plan.

Utilizing this land for employment opportunities, especially adjacent to the business park which could potentially become a research area, I think it's just very shortsighted of us to put this in the context of building apartments because they'll

be the first thing that goes in as soon as they can while the rest of it goes wanting. I think Highway 99 provides everything that we need in that and I don't like it.

DELEISSEGUES: Any other discussion? Can we have roll call, please.

ROLL CALL VOTE

GIZZI: AYE
BARCA: NO
USKOSKI: AYE
QUTUB: AYE
DELEISSEGUES: AYE

DELEISSEGUES: With that, we'll move to the last item which is Pleasant Highlands subarea plan which would be CPZ2012-00010 it looks like. Staff report, please.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

Pleasant Highlands Sub-area Plan

The county is seeking to add future road alignments to the 2,035 acres at the northern edge of the Vancouver UGA and the eastern boundary of the Three Creeks Special Planning Advisory Area. The area is bounded by Salmon Creek and NE 139th Street to the north, NE 72nd Avenue to the east, Interstate 205 to the west, and the NE 99th Street alignment to the south.

Contact: Jeff Niten (360) 397-2280, Ext. 4909

E-Mail: jeff.niten@clark.wa.gov

NITEN: Commissioners, on this one we are proposing no zone changes, land use zone changes. What we're proposing for Pleasant Highlands is two roadway alignments. And I'll use this map to illustrate those. The purple lines on the map here are what I'm talking about now. This area specifically --

PUBLIC: I'm sorry, but this is, good God, I cannot hear you.

BARCA: Ladies and gentlemen, since he can't speak much louder, please, anybody that wants to hear this come forward.

PUBLIC: I haven't heard half of what's been said.

GIZZI: Well, this is abnormal and it's never happened before.

DELEISSEGUES: And it will never happen again.

GIZZI: That's probably true.

NITEN: So what we're talking about here, this area between 50th Avenue and 72nd Avenue, and 119th Street and 139th Street was brought into the urban growth boundary in 2007. It was zoned for single-family residential homes. And what we're looking at is providing traffic circulation, assuming full build-out of those homes, providing a way for people to get in and out of their properties.

What the lines represent are roads for people to get in and out, they do not represent exactly where the roads will be on the ground once construction has started. Those lines can move east or west or north and south so long as there's no loss of function for the proposed roadways.

Additionally, when we look at the construction of those roadways, if there's properties that are wet that need to be moved, the road needs to be moved to go around them, that's consideration.

We met with the Pleasant Highlands Neighborhood Association six times starting last August, August 24th, and we had a neighborhood meeting at the Glenwood Fire Station. It was very well attended and talked to a lot of the residents there about some concerns they had about the County condemning roads and things like that.

What this is intended to do is when a development is proposed for the area that the developer would be required to dedicate these roadways as a mitigation measure. This isn't something that I think the County has any plans for the foreseeable future to go in and build the road itself, this is we're waiting for build-out for that area to take place.

The residents of that area, the neighborhood association, what these green areas are on the map are parks that are proposed for the area; however, I want to make clear this is simply an advisory something from the neighborhood association that they would eventually like to see and how they would like their area to develop in the future.

I did talk to the Parks and Recreation Department, the red spot there just south of 119th, the neighborhood association was concerned that parking along 119th Street for the park might be dangerous. The Parks and Recreation Department was concerned, or focused on that area specifically, because when the urban growth boundary moves the Parks District also moves, but the Metropolitan Parks District, which is the funding mechanism, does not.

So the funding mechanism for this area boundary stops at 119th Street and they have to serve the area where the revenue comes from with the park and that's

why Blueberry Park is located where it is, that's the red spot there. And that's the conclusion of the staff report.

GIZZI: So for the record, the green splotches are only on there, they're not showing parcels that we're suggesting to put a park, they're not suggesting that we're going to have three parks, they're just in there to kind of symbolize --

PUBLIC: There could be parks.

GIZZI: -- the possibility of parks in the area.

NITEN: Right.

QUTUB: A wish.

NITEN: The potential, right. And I also included in your packet the criteria that the neighborhood association used to kind of select those areas.

DELEISSEGUES: Any other questions? Questions? We'll go to the sign-up sheet. First on it is Martel Fish.

FISH: Pass.

DELEISSEGUES: James Olson.

OLSON: I'll pass.

DELEISSEGUES: CA Olson.

OLSON: Mistake.

DELEISSEGUES: Matley. Mammey, M-a-m-m-e-y. Chuck Rabitoy. If I don't pronounce it right --

RABITTOY: You got that right.

DELEISSEGUES: Oh, good, finally.

RABITTOY: Rabbit and toy.

DELEISSEGUES: I got one tonight anyway. Thank you.

RABITTOY: Chuck Rabitoy, 6307 NE 129th Street. From what I understand, so the way you do these things, these lines are just kind of like you were talking about in that first one by 119th and 72nd, they're just lines you are establishing on

a map to establish right-of-ways for future roads, correct, at this point?

NITEN: Well, it's not necessarily right-of-way because right-of-way is when we buy it. I mean where it would be on the ground, we go out there and put surveyor stakes in. What this is for is to say in the future when it develops, we need roads in this area to serve all these people. Now that doesn't necessarily mean they're going to be exactly where they are on the map, they could move side-to-side, up and down to avoid wetlands or going through somebody's kitchen, things like that.

RABITOY: So I live right on 129th, so part of your guys' proposal is that that's going to be a main connector road and so it's going to be like a 60-foot easement. Well, right now I think the easement along there is only like a 30 foot one, 15 feet each way, so that's another 15 feet of my property. Am I not going to be able to use that property once you've established this or --

NITEN: No.

RABITOY: -- would that be further down the road when something like that would take place?

NITEN: That's much further down the road when a development is proposed and it would have to be purchased by the developer in order to build it.

PUBLIC: The easement would?

NITEN: Yes.

PUBLIC: Sorry.

RABITOY: So is there any kind of timeline on this?

NITEN: No.

RABITOY: I mean any rough idea or are they talking 10 years, 15 years?

NITEN: Well, this is all contingent on private development. So if somebody comes in there and wants to buy 50 acres and build a subdivision on it, that could happen tomorrow; although, given the conditions that we have today, I seriously doubt it's going to be any time soon.

Basically what this is about tonight is planning, trying to get ahead of the game, so if somebody does come in and propose it, propose a large development, that we have something on the record that says there's going to be roads necessary to serve that development and that's all.

RABITOY: And then the last thing I have is, and I'm not sure exactly how that works, I think they call them like road taxing districts or whatever you can set up, like if a developer comes in and buys up most of the property, he can kind of establish that and force people who are still there to take part in the cost of the roads or how does that work?

NITEN: It's an LID, it's an improvement district. And basically what that is, say as a for instance, somebody came in and of that quadrant, the northeast quadrant, they bought all that. And then the developer said, well, we'll just construct all of it. We'll construct the roads all the way to the west and all the way north and south, the LID would apply to those other three quadrants. When they developed, they would have to pay back what the original guy built, and usually those last for 15 years I think, and then after that it's free and clear.

RABITOY: So as long as we're using our property as it is at that time, it's not going to affect us --

NITEN: No.

RABITOY: -- only at the time of selling our property?

NITEN: Correct.

RABITOY: Thank you very much.

DELEISSEGUES: Alison or Tim Foren.

FOREN: It's Alison Foren.

DELEISSEGUES: Whatever.

FOREN: Do you want the address?

DELEISSEGUES: That's what they tell me when they can't pronounce my name.

FOREN: Well, I have one question and then I have one comment I'd like to make. I understand the purple dotted line is the road proposal; is that correct?

NITEN: Yes.

FOREN: What is the little yellow one just north of that?

NITEN: It's part of the parks network, the proposed trail. Or not the proposed trail, I don't want to misinterpret that. It's part of the advisory recommendation for

future parks in the area, potential parks.

FOREN: And then let me ask another question, on 132nd Way where it looks like there's a little bit of purple and maybe there's even some yellow, what is exactly up there? Is there a yellow dotted line there just north of that green blob?

NITEN: Right here?

FOREN: Yeah, that line.

NITEN: No, there's nothing there, that's a parcel line.

FOREN: Well, I own, Tim and I own that property that borders on that line that you just pointed to, and I know that green blob as you've said is just plopped down somewhere to suggest a park, but I would just like to get it on the record that I would rather have that park somewhere else.

I had come down here a little while back with some of the Pleasant Highland people and we had talked about moving it south, and if south weren't to work, I might suggest north onto Philbrook's property. When he were to sell that, perhaps up near that corner piece, which I guess is supposed -- what is that zoned, commercial?

NITEN: Uh-huh.

FOREN: That would be another possibility, a park near a commercial area might be preferable. But as it sits there now, it sits on my, you know, the blob, it covers my property, my neighbor's property next to me, and it's just not where I would like to see it, and I hope to live here for quite a while. Thank you.

DELEISSEGUES: Any questions of Alison? Thank you. Tim, do you have anything to add?

FOREN: No, I'll pass. She did a good job.

DELEISSEGUES: Subu Swayam, if I even came close. Leland Liston. Daryl Payne. Randall Shipp. Going through them fast, nobody. Floyd Greenwald.

BARCA: Floyd left.

DELEISSEGUES: Floyd left. Stephan Haramon.

ABRAMSON: Abramson.

DELEISSEGUES: Abramson. Do you want to testify?

ABRAMSON: Yes. I'm Stephan Abramson, 4211 NE 131st Street. I'm president of the Pleasant Highlands Neighborhood Association. And I wanted to talk for a couple of minutes on behalf of the neighborhood association, and particularly of its interest group on subarea planning in support of the subarea plan that Jeff has proposed. And I appreciate the opportunity to address the Planning Commission.

I want to express our groups gratitude to Jeff Niten for his hard work in developing the subarea plan and the opportunity that he gave to our group to have a substantial input in its development. We also had cooperation, input and advice provided by several local property owners and developers, and that helped us to focus our discussions and has been very helpful in the proposals that we gave to Jeff. And the plan as you have it now reflects several of our concerns and objectives for development in the area that I'd like to briefly summarize.

First, we have a strong desire to retain and enhance the characteristics of this neighborhood that initially drove the decision of many of the residents to live in Clark County, including the physical beauty and accessibility of the area and its current semirural ambience.

The future development of the area should be designed and executed in ways that preserve the areas beauty, the quality of life for its residents and safety for motorists, bicyclists and pedestrians.

We think it's important to ensure a full development and maintenance of our current parks, which has been hampered by budget limitations, and the inclusion of the new parks as the map up here outlines, especially in the development block up in the northeast corner of the neighborhood. The proposed locations for these parks, which we've suggested on an advisory basis, is based on walkability from current housing developments and expected future probable residential developments, and has the potential for connecting trails between them, and that's the reason for the placement of the yellow dashed lines.

We think that the creation of new walking trails and the extension to current ones is particularly important to increase the number of walkable destinations in the region and make it easier to reach current and proposed park lands from residential housing. Each of the regions of our neighborhood include population elements ranging from seniors to families with young children, so it's essential that the parks and the trails and other facilities enable and encourage multigenerational access and activities.

The planned commercial development in the area should also enable walkable access. For example, the availability of one or more local markets near housing developments has the benefit of mitigating local vehicle traffic, but also increases

the ability of seniors to continue to live independently in this area.

I wanted to also mention road safety, which is an important consideration for the neighborhood association, especially with regard to traffic speed and volume and provisions for safe and enjoyable walking and cycling, and there's a particular emphasis here on NE 50th Avenue which is experiencing a rather substantial increase in vehicular volume and traffic speed. And the road alignments, which also follow suggestions from the neighborhood association, are intended to minimally disrupt the current property lines, but also relieve traffic pressure for current residents of 139th Street up at the top of the block there and provide sensible traffic routing through and around new development in the area.

We also believe it's crucial to have sidewalk extensions and bike lanes for 50th Avenue especially between the Pleasant Valley schools and the adjacent residential subdivisions in order to widen the area of safe access and movements for students and their parents.

Jeff's subarea plan effectively addresses many of these concerns. And we believe that the essence of our proposals can be approved and implemented by the Board over the next several years, that will go a long way towards maintaining and enhancing the beauty of the area and the quality of life for its residents. And I'd like to thank you for your attention.

DELEISSEGUES: Did your group have any concerns that you felt were not addressed in the subarea plan?

ABRAMSON: No, I think the degree of input that Jeff provided really allowed us to have substantial oversight into how all the pieces fit together. I think the major concern that we did have, and it actually minimally affects most of the residents in the bulk of the neighborhood, is the high density zoning, which doesn't really appear here, but on the northwest corner, basically that region of 119th and 72nd. Yeah, exactly, where the cursor is now.

But it's a rather concentrated area that's away from most of the semirural development now. So I don't think that overall for a very long time it's going to affect the quality of life for most of the current residents. So, no, I think that the residents, members of the neighborhood association, and especially the subarea interest group were very pleased with what Jeff came up with as a final plan.

DELEISSEGUES: Thank you any questions? Other questions? Thank you very much.

ABRAMSON: Thank you.

DELEISSEGUES: What's this?

BARCA: Looks like Michelle.

DELEISSEGUES: I'm going to give this a try, Michelle Girts.

GIRTS: I'll second Steve's testimony and let it go at that.

DELEISSEGUES: Thank you. William Moyer.

MOYER: You have my address already, but I can repeat it if necessary.

DELEISSEGUES: Oh, you can give it to us again just for the record.

MOYER: 14012 NE 47th Avenue. I have a question. For those who might wish to tweak the placement of the green blobs representing potential future parks, how would they go about doing that?

NITEN: These are, as I mentioned previously, simply advisory recommendations.

MOYER: Understood. But advisory recommendations, unless challenged in the future, have the tendency to become relatively concrete things upon the ground which are there forever. And if the advisory recommendation were to say move one of the blobs a little bit, then that is the more likely location where you're going to see a future park.

NITEN: I would say that because the criterion was developed by the neighborhood association, that that would be the place to challenge it.

MOYER: So if a resident or a group of residents wanted to change something, they would bring it to the neighborhood association board and request that they make the recommendation then to you?

NITEN: To the Parks and Recreation Department.

MOYER: To the Parks and Recreation Department then.

NITEN: Right.

MOYER: Thank you.

DELEISSEGUES: Jeff, aren't they just placeholders?

NITEN: Yes.

DELEISSEGUES: I mean they want some park somewhere and --

MOYER: Well, they want a park somewhere, but if some people would prefer that it say be located on the drawing --

DELEISSEGUES: Well, then they need to follow his suggestion then.

MOYER: -- a couple of inches to the side and that then is the place where people are then focusing in the future for where we'll put a park maybe some day, that makes for better comfort certainly for people who are living adjacent to a property where they don't want to see a park for instance.

DELEISSEGUES: Well, there would certainly be opportunity for you to get your input in when they're developing a park. All we're doing is saying they would like some parks.

MOYER: Sure, they'd like some parks.

DELEISSEGUES: Don't get too excited about where they are on the map.

MOYER: But then you could move it over a couple of inches and then that would just suggest --

DELEISSEGUES: Nah, they're just there.

USKOSKI: Yeah, we won't be making a recommendation tonight on parks.

DELEISSEGUES: No.

MOYER: Understood. I'm just asking a question to understand the process and how one goes about as I say tweaking the green blobs on the map.

BARCA: Right. And I think Jeff's explanation is appropriate as far as how to start moving the graffiti around on the map.

Obviously there has to be some funding and then there has to be an agreement with the landowner. So under the circumstances I think you have an adequate amount of time to get your wishes in, and the viable nature of that coming with the neighborhood association to the Parks Department is an appropriate venue when doing that.

MOYER: Okay, thank you.

DELEISSEGUES: Any questions of Mr. Moyer before he leaves? Thank you very much.

GIZZI: He's got a question in the back.

DELEISSEGUES: Susan Phillips.

ABRAMSON: I just wanted to mention that --

DELEISSEGUES: Well, let us go through the sign up and then you can come back and make your --

PHILLIPS: I hope I can talk tonight. Susan Phillips, 5801 NE 119th Street. I have a couple of questions about the red park shaded area. That's apparently Blueberry Park, it's got a name?

NITEN: Yes.

PHILLIPS: And what's the brown or green in the middle of it, is it a dedicated park to some sort of a --

NITEN: I think that was actually just a pigment on the mapping process, yeah, it's just supposed to say Blueberry.

PHILLIPS: So now how is that going to be developed to take into account the speed on 119th?

NITEN: That from what I understand is being left as open space and is not planned for development any time in the near future due to lack of funds.

PHILLIPS: So the horses will stay there?

NITEN: Yeah, for the foreseeable future anyway.

PHILLIPS: And when is 119th going to be widened and have the sewer put in?

NITEN: Next year I believe they're starting on the intersection on 50th and 119th, there's a bunch of surveyor stakes out there with the pink ribbon on them, and I believe that segment between 50th and 72nd is the next phase of the project.

PHILLIPS: So now the 60th Avenue extension, is that going to be a what speed limit type of street?

NITEN: I believe it's 30, it's a two-lane road with bike lanes on the other side. It's not another 119th or anything like that.

PHILLIPS: Thank you.

DELEISSEGUES: Thank you. Mr. Abramson, did you have something to add then on the parks?

ABRAMSON: Yes, I just wanted to quickly mention --

DELEISSEGUES: Well, could you come up because we need to get it on the record and we can't hear you from the back.

ABRAMSON: Just primarily in response to the question about placement of the parks, and I wanted to second what Jeff said, which is that the appropriate and probably most effective way for individual residents to make their concerns known, is to address them through the neighborhood association because we have the interest group, which will report back to Jeff, and also through the Clark County Council of Neighborhood Associations, we have direct access to the Parks Department, so I think that we can be the most effective way of voicing individual concerns.

But I just wanted to mention also very briefly that our considerations in selecting the advisory locations for the blobs were that they be concentrated primarily in wetlands and other constrained areas so that they disrupted, as far as we could tell from the map, disrupted current property owners as little as possible.

Now of course since the maps don't totally overlay congruently, our advisory locations are probably off somewhat and obviously amenable to suggestions for movement. But what we wanted to do was place parks where they could connect easily to each other and be walkable from one to another, and again be in areas that were already constrained from residential development. That's all I had to say.

DELEISSEGUES: Well, thank you.

ABRAMSON: Thank you.

DELEISSEGUES: That's all the names I have on the sign-up sheet. Does anyone else want to testify on Pleasant Highlands?

QUTUB: Weren't there several people there that signed on the wrong sheet, the first sheet?

DELEISSEGUES: Come on up.

AMERY: My name is Guy Amery, 6814 NE 129th Street. I just got to say that I think I met Jeff in a couple of meetings before. But the gentleman that was up

here just before me, he definitely doesn't like our area because 129th Street right now is exactly the way it is that we want to live it. I don't know anybody that wants it broke through to 50th, I'm now zoned in a zone of R-30, yeah, which I don't want to see happen.

You're talking about taking and putting apartments up there on 72nd Avenue when it's already hammered as it is, and you're going to widen 72nd at one point to be able to deal with all the traffic, that's what you were talking about earlier I believe. But to break through over to 50th and basically just destroy the way we live there, I don't know anybody on that street that wants that broke through. There might be one person, but they might own the property, so that could be it.

I don't understand. I understand the guy before me, he's talking about where they live and what they want, but I'm talking about where I live and what we want. It just doesn't make any sense for, one, to put apartments on the 72nd side. That as you know at 6:00, 7:00, 8:00, you're talking to get on the road period is ridiculous. To add apartments there you're adding a few thousand extra cars that are going to want to break through and get in on that same road.

To be honest with you it made me mad that somebody's sitting here talking about how perfect and how much he appreciated Jeff making it right for him and his area, his district; it's terrible for us, it just splits everything up. I don't know anybody around there that wants anything to do with that, and that's my opinion and I'm sticking to it.

DELEISSEGUES: Any questions?

AMERY: Thank you.

DELEISSEGUES: Thank you. Anyone else?

BINDER: I'm Tim Binder and I live at 6615 NE 129th Street. And I affirm what Guy has said. I've talked to a lot of people along our street and we all feel like this is -- we live on our street because it's a dead-end street. It's a private road, and I think that enhances the livability of the area, and also enhances the livability of the residents there and the kids and people who walk up and down the street.

And I think we're just really concerned if the plan is, if it's on the plan to put a through-street through on 129th Street, I think that creates a great concern for our area. Kids walk their dogs up and down our street, they ride their bicycles up and down our street because it's a dead-end private road. And I think most areas residentially like to have dead-end roads because they don't get the through traffic and I think we're just really concerned about that through traffic for our little road, so that's my testimony.

DELEISSEGUES: Thank you. Did you have something you wanted to testify? Can you come up, please.

STUART: Charles Stuart. I live at 6614 NE 129th Street. I'd like to reaffirm with the last two folks, fellows have said. This is the first I had heard about any of this.

Supposedly the whole area had been invited to a homeowner's association and I had heard nothing about it, and I don't think anyone else had in our area either. The homeowner's association is basically on the west side of 50th Avenue, that's where the bulk of the people live who are active in that. I don't understand how they have so much sway for what's happening on the east side of 50th Avenue clear to 72nd Avenue.

You're talking about building walking trails and bike trails and good sized roads with much more traffic. Just like the two fellows ahead of me commented, we moved to this area because we like the quiet nature of the area, and to do what you're proposing here would destroy it basically.

Back when they did the adjustment to the urban growth boundary we went out and we took a petition, basically the whole area of where we live, it was probably 25 homes represented, basically 100 percent of them signed the petition saying that they wanted to have larger lots. And that petition wasn't even -- we got no feedback at all from the County Commissioners about it. I personally e-mailed it to each one of them several times and nothing happened, we weren't even contacted.

So I don't know. Folks in that area feel like they're being overrun by other influences and a lot of it is this homeowner's association that has been commenting that what a wonderful job this is, well, we don't think it is, so just throw that out for what it's worth.

DELEISSEGUES: Thank you. Anybody else wish to testify? Come up, please.

GRAFFY: James Graffy, 6713 NE 129th Street. You're seeing a common thread here, 129th Street. The big surprise to me is that I'm living in an undeveloped area, that's the way it's being represented to you this evening, is this area in this quadrant is undeveloped. My property is fully developed as is Guy's and Dan's up here at the corner and Tim's, we are living in an established built up neighborhood.

And they look like grids on the map here, you've just gone through, hey, this looks really great, we're just going to bisect it and put roads through it. Well, those roads that you're talking about punching through, and that trail you're talking

about putting through, is my front yard. Those roads, the way they go through, are going to destroy our way of life on that street.

So, yes, they're pretty pictures and they're talking about wetlands with the map on where one of the parks is, I'll assure you that's very dry and it's up on top of a hill, they mow hay on it currently.

Yes, we recognize that some things are probably going to happen with a lot of that land as it becomes more valuable and as the urban boundaries grow, but to just go through and indiscriminantly draw lines on the map to say, hey, this is where it looks good to put a road because development is coming, some of those are already developed areas.

DELEISSEGUES: Thank you. Anyone else wish to add to it? Please, come up.

MAGNUSSON: Hi. I'm Dan Magnusson, 7103 NE 129th Street. I'm kind of just on the corner there on 72nd and 129th. I second just everything the last four or five folks here have said. I kind of have a question too, that yellow line you were saying that was kind of going to be trails, is that the idea?

NITEN: Proposed.

MAGNUSSON: Those are proposed trails, the yellow?

NITEN: Advised, yes.

MAGNUSSON: It's interesting because like I said, I'm right there on the corner of 72nd and 129th Street, that one kind of like goes right through my property right like a quarter of it, yeah. So, yeah, anyway, like these guys said, basically putting a road through there, none of us want the traffic and all that. So anyway, I second everything they said.

DELEISSEGUES: Thank you. Anyone else?

COBB: Good evening. My name is Connie Cobb. I live at 12621 NE 66th Avenue. I didn't come here to speak tonight, but I was so angered by Mr. Abramson and his familiarity with all of you and acting like he speaks for us when it's bologna. This is the first I've heard of any of this. This stuff is being ramrodded over our area and he acts like we all agree to this, we don't know anything about it.

We got apartment complexes pushed right along us, that's going to devalue all of our property. And now they're talking about taking our wonderful road and developing, punching it through so that more traffic can move down it so that it

could relieve their area, are you kidding me.

I mean I didn't choose to live where they choose to live. The gentleman that said that they represent the west side of it is absolutely right on. I looked at that area when I moved in there 15 years ago, it was way too crowded for me. I purposely moved out where I'd have a quiet little dead-end road, I chose that. To have other people say, oh, well, we would like to relieve the congestion in our area so we're going to punch a road through your area to get it, it's just ludicrous.

There are two major roads there already, 119th and 139th, we don't need another punched through road. Yes, if there are developments, the developer should be able to punch small little arterial roads off of the main roads to get to them, but they don't need to take away from our quality of life for to enhance their quality of life, it just doesn't seem fair to me.

And I was completely affronted by how familiar he is with all of you and how he acts like he speaks for us when he does not, and that's what I have to say about it. Thank you very much.

DELEISSEGUES: Thank you. Well, that's what we're here for is to hear both sides or all sides of the issue, and the purpose is to get it into the record and get it before the County Board of Commissioners, and I'm sure you'll have your day in court if and when this comes up before them.

A subarea plan is just that, a plan, and it certainly can be modified. I don't think much of this is going to be implemented before probably the next comp plan changes, it's way in the future.

AMERY: Can I say something again?

DELEISSEGUES: And there would be a chance then, and when it's closer to implementation, to get it right in your opinion, you'd have your input and the opportunity to change. Right now it's just lines on paper and we put it out there for the purpose of getting comment, and in that regard, it's done its job. We're getting the comment and that's exactly what we want to do, that's what we're here for. So I appreciate your testimony on both sides.

There's not going to be any decision by us. In our recommendation we certainly could recommend that the testimony be considered, and we will, we will do that.

So does anyone else want to testify that hasn't already testified? I think we've got a pretty good idea of where everybody's coming from.

AMERY: Could I ask a question?

DELEISSEGUES: A question?

AMERY: Just a question.

DELEISSEGUES: Why don't you come up and talk to Jeff because we can't hear Jeff or you either one.

AMERY: Owning land on where the purple lines run through there and some contractor comes in or developer and he wants to build a subdivision out there some place, do I have to sell him my property --

NITEN: No.

AMERY: -- so he can get easement?

NITEN: No.

DELEISSEGUES: No. Heck no.

NITEN: You do not.

DELEISSEGUES: And if somebody else sold property you'd have every opportunity to go in and testify --

AMERY: Well, I'm talking about the road, he wants to build a road through there and I own that property, do I have to sell it to him?

NITEN: No, you do not.

DELEISSEGUES: Well, they could condemn it though.

BARCA: The developer can't do that.

DELEISSEGUES: The developer can't, but the County could.

AMERY: But the County would condemn my property so a developer could make money?

BARCA: Whoa, whoa, whoa, whoa. Come on now.

DELEISSEGUES: Now it's getting too far out.

USKOSKI: No. So just to clarify with the question that you're asking, typically if a developer wanted to come in and do a development and they needed to cross your property, they would have to negotiate with you directly. They cannot go to

the County and ask the County to condemn your property on their behalf, that's not going to happen.

Should the County need to put in a roadway or expand an existing roadway, they can go through an acquisition process to acquire some of your property, but they're not going to do it on the behalf of a developer who wants to come in.

AMERY: Well, then it's pretty obvious what would happen. I mean you just said it. I mean if -- I'm sorry, Guy Amery again, 6814.

What I just heard, you told us two things, and if a big developer comes up and wants to build a big development, you're going to actually tell me that you're going to turn him down by not doing what you said that you guys had the right to do if you --

USKOSKI: He cannot do his development unless he meets the requirements of the code, the zoning laws as far as meeting the traffic requirements and concurrency and something like that. Now the County, the burden's not upon the County to come in and put the infrastructure in place for him to go --

AMERY: I understand.

USKOSKI: -- that's not how the development process works. So I think like with the area that you're talking about on 129th, if somebody on the other side wanted to develop and they built the road but just not through your section and they weren't able to connect that, if you guys held on to your property until there was -- but a developer couldn't come in without negotiating with you guys to build-out and connect your section of 129th with everything else.

AMERY: Right. But if you get a big contractor out there that wants to do something big and this gentleman didn't want to sell his property to them, they'd go straight to you, as probably happened before, and would guarantee that he'd do all the infrastructure, he'd make sure all the permits are correct, then we're done for because you're going to turn around and you're going to say okay.

USKOSKI: I don't believe that the, and, Chris, perhaps you can speak better to this, but I don't believe the County has the ability to partner with a private developer to do that.

AMERY: Well, it wouldn't be called partnering, it would just be called okay because you just said it. You said you had the right to allow a contractor to come through if he hit all the --

USKOSKI: He could have to negotiate with you. He could not supersede you in any fashion.

AMERY: Yeah, but you just said it, you did say that. But you also said that if it came down to it that --

USKOSKI: So independently of developers coming through and doing something completely independent. Say like when you look at the 72nd and 119th interchange being improved, now the County will go in and acquire right-of-way to improve that intersection because of the traffic loading on that, so in a situation like that the County will come in and acquire that right-of-way.

BARCA: It's not the same.

AMERY: It's not the same, okay.

USKOSKI: No.

COOK: No, not the same.

DELEISSEGUES: Let Chris answer your question.

(EVERYBODY TALKING AT THE SAME TIME)

GIZZI: She's the attorney for the --

DELEISSEGUES: Let Chris answer your question.

COOK: And I think that Commissioner Uskoski said it well, it's not the same.

AMERY: That's all I need to hear.

DELEISSEGUES: Well, let's --

PUBLIC: Can I just make one final comment?

DELEISSEGUES: I think we've got a pretty good idea of what everybody's going to say, and if you --

PUBLIC: No. The only thing I'm going to say is that I appreciate what you guys are doing, I mean you're doing what you have to do.

DELEISSEGUES: You're the only one.

PUBLIC: I think the problem here is I think that the Pleasant Highlands Neighborhood Association did not do a very good job of contacting people in this area. We're all kind of surprised by it, and that's not your guys' fault because

they're not a party, but I think they need to do a better job of reaching out to us over there when they're having their meetings and stuff because I've not been invited to them. I live on 129th, I mean we all live there, and we're not getting asked to come to the meetings.

DELEISSEGUES: Well, I'm not sure if it's their fault. They were asked by the County to work with them, the County should have asked you to also work with them. We understand that.

PUBLIC: I'm just saying, though, that I think it's a lot of miscommunication here, they need to --

DELEISSEGUES: I agree.

PUBLIC: -- reach out to us a little bit.

DELEISSEGUES: It's pretty obvious. Anybody else?

MAGNUSSON: Can I just ask one quick question?

DELEISSEGUES: Okay, you're next. You're the very last guy.

BARCA: Quit saying that.

MAGNUSSON: I want to go home too. Dan Magnusson again, 7103 --

DELEISSEGUES: It's got to be quick.

MAGNUSSON: It will be. So the right-of-way there where 129th is, right now I believe it's a 30, is it a 30-foot easement?

PUBLIC: 30-foot easement, yeah.

MAGNUSSON: So if this was to happen there would have to be a 60-foot easement for the road that's being proposed; right? So that's going to take property on both sides. Now what happens there, is there compensation for the property owners for that?

QUTUB: Of course.

MAGNUSSON: There is, okay.

PUBLIC: Well, especially since we paid 20,000 to have it widened and paved ourselves.

DELEISSEGUES: Did you get your question answered?

MAGNUSSON: I think so, yeah, it sounds like it.

QUTUB: Mr. Chair, I have a question.

DELEISSEGUES: We're going to return it to the Commission here to do something with it. Go ahead.

QUTUB: At the very beginning when you started explaining this whole plan and you talked about the dotted lines on the page, the thought went through my mind, well, these are lines on a page, you said it may not be where it's drawn. Obviously if 129th goes to a certain point and it's the shortest way to punch through to get to another street, I can see how that would happen, but my initial thought was why even put lines on a page.

Well, I mean I know why you're doing it, it's for planning and it's to say that there's going to be some roads here if we develop this, but earlier with other similar lines on a page there really was nothing sure about where those roads were going to be. My question is, are these the most, oh, what's the word I want, likely, likely spots where the roads will be?

NITEN: From the information that we have today, yes; however, there's so many variables that go into it when a development occurs, including whether the people that own the property now want to sell it. That if a more viable option exists that produces no loss of function of the anticipated roadway, then whichever option is cheapest is what's going to be done.

QUTUB: Thank you.

DELEISSEGUES: Anybody else? Jim, do you want to weigh in on this?

GIZZI: Well, so if these are just random lines on a page, is it possible to not put that extension for 129th in the plan?

NITEN: One of the reasons why we need to put the lines on the page in the arterial atlas is because if the lines aren't there, we can't require a developer to mitigate his development. So he could build or the development company could build a 99-lot subdivision, 99 because they don't require sprinklers, into an area with just one road in and out and don't --

GIZZI: Using the existing 129th --

NITEN: Exactly.

GIZZI: -- and not make improvements, et cetera, et cetera.

NITEN: Exactly.

ORJIAKO: And, Commissioners, if I may add, we went into this process not to change the current zoning of the property out there. So the current zoning is already in place, we're not proposing to change the zoning.

GIZZI: Right. Understood.

QUTUB: We understand that.

ORJIAKO: The primary concern for the Pleasant Highland Neighborhood Association was the circulation, traffic circulation for the area. And that's what we went in trying to work with them to provide what appears to be a future circulation plan for the area. And when the area develops, as Jeff was trying to explain, the line may move one way or the other.

But for the interim, this is what we believe is the alternative circulation plan for the area. And we need to do that to be able to reserve those potential future roads that will provide adequate circulation for the area, that was the primary reason at the request of the neighborhood association.

I think the testimony tonight is well taken, we appreciate that. Throughout the process I know that the meeting was very open to the public, so I am very surprised, but it is not unusual, but I welcome the testimony tonight.

GIZZI: But I would suppose that the residents of the properties along the lines would have been invited to the meetings --

NITEN: Everybody that --

GIZZI: -- and I'm hearing that that didn't take place and that actually concerns me.

NITEN: Everybody that owns property within the boundaries of the subarea received a notice in the mail, every single one.

PUBLIC: We didn't. I got the notice for this meeting, but I didn't get any others.

PUBLIC: That's the only thing I've ever gotten is for this meeting.

DELEISSEGUES: Well, let's don't get into an argument about that right now. That's the way it's supposed to work anyway. Jim, you got more to add or are you through, you give up?

GIZZI: Well, it surprises me that it was such a surprise --

DELEISSEGUES: Well, me too, that's what I said.

GIZZI: -- I guess that's my concern.

DELEISSEGUES: Valerie.

USKOSKI: I have nothing further to add.

DELEISSEGUES: Ron.

BARCA: Sonja, is it possible to pull up the zoning map as it sits right now, do we have that?

NITEN: I didn't bring the zoning map --

BARCA: You didn't load it?

NITEN: -- because we weren't changing the zoning.

COOK: I think it's in your binder.

DELEISSEGUES: It is in the binder.

BARCA: It would be and my binder's in my garage.

COOK: Maybe Dick will share.

BARCA: I'll share with Eileen, that's all right.

DELEISSEGUES: He don't want yours.

BARCA: This one's just closer.

PUBLIC: See, just off the record, the only way to go is 129th Street if you're going to break through to 50th because there's already a private dead-end road there.

BARCA: So looking at the concept of this particular region subarea plan, I'm going to go all the way back to our traffic routing that we did on the first bypass at the intersection of 119th and 72nd and start looking at the idea that we're talking about another intersection just to the east of 72nd, and now we're going to be at 119th and we're going to be looking at potentially another intersection right here at

this proposed intersection.

I have some real concerns about how we're putting our plans together when we continue to do subarea plans and we look at them inside the boundary. And the bad news for everybody is, is you're inside the Vancouver urban growth boundary; the good news is there's no money anywhere so they're not going to develop it very soon.

DELEISSEGUES: If ever.

BARCA: Yeah. So the comp plan review continues to slice and dice and create subareas for development. And we find ourselves in this position that we're trying to handle the growth of what we see potentially within these boundaries, but we are losing sight I think of the idea of really trying to make the transportation corridors work east and west when we continue to put these signalizations in, we're killing the idea of actually getting anywhere.

So I see this where it may make sense to us from the discussion about how the subarea works, but when I look at what's happening to 119th within the matter of three hours tonight, we've talked about two new intersections on it. And maybe they're going to take a long time to develop, that might be true, but when we're done everybody's going to start looking for another way to go besides 119th, and where are they going to go, 129th.

PUBLIC: The same thing as --

BARCA: So I don't want to hear from you, I'm just telling you. So I think this is the problem about the lines on the map and how we move forward. I think we really have to be much clearer about what we want for outcome on this. And I would much prefer to say that if we're going to go ahead and make 119th the major thoroughfare, then make 119th the major thoroughfare and don't bisect these subareas with all these additional roads.

What quality of life they have is going to be predicated on them choosing to sell when they sell. We've already changed the zoning on them. And as much as you'd like to have your life-style and the way it is, sometimes circumstances change and you need the opportunity to sell, you'll know with certainty what it will look like.

But the concern is if we just drop these lines on the map, you're going to get sections of this stuff built, and that's what you're going to have, you're going to have a piece of it here and a piece of it there, and when it's all done I don't think anybody's going to be happy with the results.

GIZZI: It's going to be the same on 72nd.

PUBLIC: Yeah, 72nd is --

BARCA: Yeah. So outcome based I think would be much preferable for us in this circumstance, and I just don't think the arterial is going to give us the outcome that we want. Thanks for sharing.

DELEISSEGUES: Eileen, do you want to say anything?

QUTUB: No, I'm done. Nope. Thank you.

DELEISSEGUES: Someone want to make a motion?

GIZZI: I've made two tonight, I'll let somebody else have the pleasure.

DELEISSEGUES: Ron, go.

BARCA: Well, I'm not in favor of this.

DELEISSEGUES: You don't have to be.

BARCA: I make the motion --

GIZZI: You can still vote no, I did on the last one.

BARCA: Oh, I'm going to make a motion to approve it --

QUTUB: We don't ordinarily do that.

BARCA: -- and then vote no on it, I don't think so.

GIZZI: That's what I did.

DELEISSEGUES: Why not, it's been one of those nights.

BARCA: So I'm ready to vote, but it won't do me any good to make the motion.

USKOSKI: I'll make a motion to approve staff recommendation for the arterial atlas in the Pleasant Highlands subarea.

DELEISSEGUES: Is there a second? Just to get a vote I'll second it.

BARCA: Great.

DELEISSEGUES: Can we have roll call.

ROLL CALL VOTE

BARCA: NO
GIZZI: NO
USKOSKI: NO
QUTUB: NO
DELEISSEGUES: NO

DELEISSEGUES: Back to the drawing board.

BARCA: Now you do recall we're only an advisory board; right?

GIZZI: So you need to show up at the Commissioners' hearing.

DELEISSEGUES: I want to thank everybody for your patience with the fact that we couldn't hear anybody and no microphones working and staying here to the late hour and changing the order. The reason the order got changed is I went by the order they are in our book and then had noticed that the order that they have in the agenda was different, so next time maybe the order in the book will match the order in the agenda and we won't have that confusion.

PUBLIC: I think for us the signing up there, we signed on the 119th and 72nd because that's where we are, that's basically where we are.

OLD BUSINESS

None.

NEW BUSINESS

None.

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

BARCA: It was a long night.

ADJOURNMENT

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

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

Chair

Date

Minutes Transcribed by:
Cindy Holley, Court Reporter
Sonja Wisner, Administrative Assistant