

**CLARK COUNTY  
PLANNING COMMISSION MINUTES  
Thursday, July 25, 2013**

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

**6:30 p.m.**

**I. CALL TO ORDER 6:30 P.M.**

USKOSKI: Good evening. We'll go ahead and call to order the Planning Commission for July 25th, and we'll start with roll call.

**II. ROLL CALL**

BLOM: HERE

JOHNSON: HERE

QUTUB: HERE

USKOSKI: HERE

**III. WELCOME TO NEW COMMISSIONER & INTRODUCTION OF GUESTS**

USKOSKI: We'd also like to take a minute and welcome our new planning commissioner, John Blom, first night with us for a hearing. And moving on to the agenda, do we have any changes for the agenda tonight? Okay.

**IV. APPROVAL OF AGENDA & MINUTES**

**A. AGENDA FOR JULY 25, 2013**

JOHNSON: I move that we accept the agenda dated --

USKOSKI: It's July 25th.

JOHNSON: -- July 25th.

QUTUB: Updated. And I second it according to these minutes.

USKOSKI: Motion to approve. All in favor.

EVERYBODY: AYE

**B. APPROVAL OF MINUTES FOR JUNE 6 & JUNE 20, 2013**

QUTUB: I move that we accept the minutes to the Clark County Planning Commission meeting held on Thursday, June 20th, they are before us.

MCCALL: June 6th is before you as well.

QUTUB: And June 6th.

BLOM: Second.

USKOSKI: All in favor.

EVERYBODY: AYE

**V. COMMUNICATIONS FROM THE PUBLIC**

USKOSKI: Do we have any communication from the public on anything that is not on the agenda tonight? Okay.

**VI. PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION**

**A. CPZ2013-00002 WARD RD./NE 172<sup>ND</sup> AVE. AMENDMENTS**

So moving on, we'll go ahead and get into the hearing items and start off with CPZ2013-00002, Ward Road/NE 172nd Avenue improvements. Staff report, please.

MABREY: Good evening, Commissioners. Mike Mabrey, Community Planning. I'll try to do this without any maps, but if we need to look at something, there's some copies of maps in your binder.

The proposed actions are five arterial atlas amendments in the same area, as noted Ward Road, NE 172nd Avenue and 182nd Avenue. There's some history to this, but just to be brief.

At one time it was thought that 172nd was going to become the dominant north/south route when we built bridges over China Ditch, and we ended up building those bridges in 2009 following a safety audit by the Federal Highway Administration which strongly encouraged us not to try to divert traffic up 172nd Avenue because it would lead to much higher crash rates in the area because of turning movement conflicts.

So the proposed action simply reflects the current reality which is that 88 percent of the traffic uses Ward Road going north/south rather than 172nd. Also that 99th Street will not be extended between 172nd and Ward Road as was originally planned, and that the new section of 172nd where the bridge over China Ditch is that goes between Ward Road and 99th Street is now in the urban growth boundary and built to an urban collector standard. And, finally, that Ward Road from 88th Street north to the bridge will be in the future a three lane rather than a five-lane road section. So those are the effects of the action before you tonight. I'd be glad to answer any questions.

USKOSKI: Any questions?

JOHNSON: None.

USKOSKI: Okay. So we'll go ahead and open it up to comment from the public. Do we have sign-up sheets?

MCCALL: No.

USKOSKI: Does anyone from the public wish to testify on this matter?

KELLEY: Yeah, I guess. So my name is David Kelley.

USKOSKI: Would you also give us your address for the record, please.

KELLEY: It's 9404 NE Ward Road. So we are here because we saw the sign on the --

USKOSKI: Can you pull your mic up to your mouth, please. There you go. Thank you.

KELLEY: We are here because we saw the sign down the street from us and we're just here to -- so this is a proposal? Is this what, this is in the future this is planned?

MABREY: No. What this does is changes the road classifications in our arterial atlas or plan map, that sets kind of what the road classes are going to be.

KELLEY: It's going to be a three lane eventually?

MABREY: Ward Road north of the bridge is a two lane and will continue to be a two lane unless, you know, growth moves out there and the urban growth boundary takes more of that area in, but from the bridge north it's proposed to be a two lane, but just recognizing that it gets a lot more

traffic. It's a major collector road than a minor collector, so that's the change that we're proposing.

KELLEY: So there's no widening proposed?

MABREY: No.

KELLEY: Perfect. That's all I needed to know. Thank you.

USKOSKI: Anyone else from the public wish to testify? Seeing none, we'll go ahead and close the public portion and bring it back to the Planning Commission. Does anybody have any comments?

QUTUB: No. We went over it quite thoroughly in the work session and that's why we sit here rather silently because we actually know what we're addressing here.

BLOM: Do you need a motion?

USKOSKI: Yes, please.

**ROLL CALL VOTE**

BLOM: Motion to approve the changes.

JOHNSON: Second.

USKOSKI: So we have a motion and a second to approve CPZ20013-00002 for Ward Road/NE 172nd Avenue. Can we have roll call, please.

JOHNSON: AYE

QUTUB: AYE

USKOSKI: AYE

BLOM: AYE

MCCALL: 4 in favor, 0 against.

**B. ADOPTION OF AMENDMENTS TO THE STORMWATER ORDINANCE**

USKOSKI: So moving on to the second item on our agenda tonight for the adoption of the amendments of the stormwater ordinance. Could we have the staff report, please?

COOK: Good evening, Commissioners. Rather than reading verbatim from the staff report - which is pretty concise - I thought I would explain a little more about what's been going on. I'm Christine Cook and I'm a Deputy Prosecuting Attorney, and I have represented the County in dealing with some of the disputes about stormwater control.

So tonight you have before you an ordinance that would amend the Clark County Code as a replacement for the interim amendment that was adopted by the Board of County Commissioners on June 18th. This is to make both the Clark County Stormwater and Erosion Code, which is in Chapter 40.385, and the Clark County Stormwater Manual consistent with the actual operating practice of the county since late 2011.

Additionally, the Federal District Court before which Clark County was sued under the Federal Clean Water Act issued an order in June that described the county's ordinance prior to the interim amendment as not complying with the County's Phase I Municipal Stormwater Permit under the Federal Clean Water Act.

So although the Clark County Board has specifically and staff have specifically requested the Department of Ecology for guidance in complying with the permits, and should we amend our

ordinance, what do you think we should do here, the guidance has not been forthcoming from Ecology.

So as a consequence, the stormwater ordinance as adopted on the interim basis by the Board allows the County to take the initiative in ensuring that Clark County, both in operations and on paper, is in full compliance with its State Stormwater Permit.

For this amendment to be effective, however, for more than 40 days -- or 60 days after the interim ordinance was adopted, the regular public process for ordinance amendment is required, that's why we're here. And that includes consideration by the Planning Commission at a public hearing, a public hearing before the Board of Commissioners, review by the State Department of Commerce and SEPA review.

The SEPA comment period and the 30-day review by the Department of Commerce have been completed, and my understanding is that there have been no comments received on the SEPA notice, and I don't know what we've heard from Commerce, if anything. Nothing. Okay.

So the amendment as you can see in your notebook is pretty simple. Changes the date of the stormwater manual, and then it changes the land cover requirements for flow control purposes under the stormwater ordinance so that the condition that must be matched after development is the historic forested condition.

That is the staff summary. Staff recommends your approval this evening of the ordinance. If you have any questions, I would be happy to answer them.

BLOM: On the part C, Quality Control --

COOK: Right. Quantity Control.

BLOM: -- Quantity Control - thank you - portion b, was this the part that Clark County was using to, or was the initial proposal as an alternative to the prehistoric -- pre- -- I'm sorry -- the predevelopment conditions?

COOK: The predevelopment condition.

BLOM: Yes.

COOK: No. The simple answer is no because we don't have an approved basin plan. A basin plan is a highly technical document that's defined.

BLOM: So this was not our proposed mitigation as proposed to an on-site to setting aside land elsewhere? We're not adding another layer on top of what we're required to do I guess is my question?

COOK: No.

BLOM: Okay. Thank you.

USKOSKI: Any other questions of staff? Okay. So we'll go ahead and open it up to the public, and seeing as how we have nobody here at this time, we'll just go ahead and return it right back to the Planning Commission. So, any further discussion?

QUTUB: I guess my comment would be that, you know, in our discussion at the work session and this and all that's gone before that it doesn't make me happy to pass this in the sense that I don't agree with how all of this actually came about historically. But I understand that we've been ordered by the court to do it, and because of that I will vote in favor when we have a motion to change this, but I just need to say that it isn't happily that I do it.

JOHNSON: And I'd like to echo the same sentiment. You know, we just kind of -- people that are not thinking this through, making things a little bit more difficult for all of us. But, again, I too will

support it based on staff's recommendation.

BLOM: I agree as well. I think it's unfortunate that the arrangement that Clark County worked out with Ecology was -- who was supposed to be the expert in this was not approved down the line is unfortunate, but this is what the court has ordered, so...

USKOSKI: Yeah. I think one of the other items that came up during our discussion at the workshop was that some of this comes down to how we as voters make our decision and who our governor ends up appointing to the Pollution Control Board and the court system.

JOHNSON: That's very important.

USKOSKI: Yeah. That all has an impact down the line and that's what we're seeing now, so... I'd also say that it's with a heavy heart I'll be voting for this. So any further discussion or do we have a motion?

#### **ROLL CALL VOTE**

JOHNSON: Make a motion we accept as written the updates to the Stormwater Ordinance, CCC Chapter 40.385.

BLOM: Second.

USKOSKI: Roll call, please.

QUTUB: AYE

JOHNSON: AYE

BLOM: AYE

USKOSKI: AYE

MCCALL: 4 in favor, none against.

#### **VII. OLD BUSINESS**

USKOSKI: All rightly. So do we have any old business to discuss?

#### **VIII. NEW BUSINESS**

USKOSKI: Any new business?

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

USKOSKI: Any other comments from Planning Commission?

#### **X. ADJOURNMENT**

In that case, I will go ahead and adjourn this hearing for tonight. Thank you.

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The record of tonight's hearing, as well as the supporting documents and presentations can be viewed on the Clark County Web Page at: <http://www.clark.wa.gov/planning/PCmeetings.html>.

Proceedings can be viewed on CTV on the following web page link:

<http://old.cityofvancouver.us/cvtv/cvtvindex.ask?section=25437&catID=13>

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