

FRIENDS of CLARK COUNTY
ANALYSIS and COMMENTS on the
20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN

June 6, 2007

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Friends of Clark County

Concerns on the Final Environmental Impact Statement

What's the rush?

- Joint Hearings are with both Planning Commissioners and County Commissioners. With the current schedule there will be no time or opportunity to respond to the recommendations of the Planning Commission.
- Capital Facilities and schools plans came out after the SEPA appeal period ended.
- There was only the minimum legally required time to review massive informational documents.
- The plan does not include the adopted 2004 plan as an alternative (no action) choice in the FEIS study.
- The higher population assumption causes a **ruined and unneeded expansion**.
- The code actually allows for a reasoned and steady look at expansion every 7-10 years and has a built-in mechanism that allows expansion to happen earlier if more than 75% growth takes place from the expanded land inventory already adopted into a growth plan.

What will it cost?

- The infrastructure (roads, sewer, water) costs are figured for the first six years.
- Revenue to pay for infrastructure includes new taxpayer revenue and assumed grants. It also counts upon new growth to pay a portion of the growth costs.
- **There will still be \$163.7million shortfall!**
- There is no plan to pay for growth needs after the first six years. The law requires the County to say how growth will be paid for in the full 20 year plan.
- When there is not enough money, the incentive to lower the standards to allow growth will be high. **That means more traffic and limited or slower services.**
- Most main roadways will drop to a level of service of "F". Freeways and Highways are included.
- School Districts will have to keep building and asking for more taxes to handle the growth of new students.

What about farm and forest lands?

- **4,572 viable farm acres** and 155 forest acres will be absorbed into the urban growth boundary. These lands are not currently in urban or industrial reserve areas so absorbing them is against the County's own policy.
- Schools being built outside urban growth boundaries (UGB) can cause more urban growth around the new area due to sewer and water services being expanded outside of the UGB.

Code changes

- A new modification in code (40.560.010) will allow urban growth boundaries to expand annually thus unnecessarily adding more burden to the taxpayer. **Therefore this burdensome, time-consuming and costly boundary expansion process can, but should not, happen yearly!**
- A code change should occur to not allow minimal development review application submissions where an applicant can then hold to current rules thus avoiding potential new rules put in place when they finally finish submitting the required information.
- Density zoning does not adequately plan and provide for an aging population who will need one-story housing with nearby amenities such as transit and neighborhood commercial. The "Baby Boomers" will have limited options in the next 20 years.

Bottom line: “Table the Plan” until growth actually uses up 75% of the available land already added in the 2004 plan.

We just don’t need another 12,063 acres on top of the new 9,000 acres from the current (2004) plan.

The current (2007) FEIS proved it is just too expensive to allow growth to happen too quickly.

COMMERCIAL LAND USES

By Bridget Schwarz,
Executive Director, Friends of Clark County

Sustainable growth in Clark County - indeed, Anywhere USA - is inextricably tied to a strong local economy. Creating a strong local economy is, to a great extent, dependent on land use planning.

We have two primary tools for local land use policy. They are the comprehensive plan, which is essentially a vision statement containing general guidelines for development, and the zoning code, which implements the plan through concrete rules governing land use.

The advantages of locally owned businesses are well documented. The reverse is also true - current books and magazines, studies, documentaries and even college courses thoroughly debunk the myths about positive impacts from national retail chains.

The Comp Plan must include the tools we need to protect Clark County from the negative impacts of retail sprawl and build a sustainable local economy. Both the Comp Plan and Land Use designations must implement those goals.

Size matters. National retail chains are often referred to as Big Box stores. The discount mass merchandisers typically build stores of 100,000 to over 200,000 square feet. The category killers use a much smaller footprint - but a 20,000 square foot bookstore still dwarfs a local book seller.

In contrast, most local retailers on Main Street USA occupy less than 5,000 square feet.

Using zoning rules, retail store size caps are being used by municipalities nationwide. The purpose is to create or preserve a strong local economy by leveling the playing field between national retail chains and locally owned businesses and preventing a stark uniform landscape.

Zoning rules and decisions must reflect legitimate public purposes, be reasonable and fair, and not arbitrary and capricious. Courts have consistently upheld the right of local governments to exercise authority to preserve the vitality, physical, and commercial character of their community.

Land use decisions that result from comp plan goals demonstrate an adherence to the public welfare rather than arbitrary or unequal treatment of a particular land owner or developer. A properly crafted comprehensive plan will give Clark County legal protection if a particular land use decision is challenged in court.

40.230.010 Commercial Districts (C) Table 40.230.010-1 Uses defines allowable uses in the various zone districts.

- 1) We ask that additional categories based on square footage be added.
- 2) We ask that an additional category based on formula commercial uses be added.
- 3) We ask that a new review authority designation (Special Permit) be added for national retail chains.

COMMERCIAL LAND USES

(continued)

DRAFT DEFINITIONS:

- NATIONAL RETAIL CHAINS are absentee owners that draw community wide, sometimes region wide traffic, resell goods from distant suppliers, usually have integrated warehousing and distribution systems and lack local control.
- FORMULA COMMERCIAL USES have standard architecture, corporate signage and goods or services. This includes fast food chains and franchises.
- SPECIAL PERMIT requires an analysis of economic impacts on existing businesses, employment figures including wages and benefits, compatibility with community character, and compliance with adopted Comp Plan goals.

PROPOSED REVISIONS Table 40.230.010-1 Commercial Land Uses

USE	CR-1	CR-2	C-2	C-3	CL	CH
2. Retail Sales – Food						
a. Markets >25,000 square feet	X	X	X	X	X	S
b. Markets 5,000 to 25,000 square feet	X	X	X	X	X	S
c. Markets < 5,000 square feet	P	P	P	P	P	P
d. Bakery > primarily retail 10,000 square feet	X	X	X	X	X	S
3. Retail Sales -= General						
a. >200,000 square feet	X	X	X	X	X	S
b. 100,000-200,000 square feet	X	X	X	X	X	S
c. 25,000 – 100,000 square feet	X	X	X	X	X	S
d. <25,00 square feet	X	X	X	X	S	P
e. Single purpose/specialty <10,000 square feet	X	X	X	X	S	S
f. Single purpose/specialty 10,000-25,000 square feet	X	X	X	X	X	S
g. Single purpose/specialty >25,000 square feet	X	X	X	X	X	S
h. Yard and garden supplies inc nurseries	P	P	P	P	P	P
i. Formula retailers	X	X	X	X	S	S
j. < 5,000 square feet	P	P	P	P	P	P
k. Single purpose.specialty < 5,000 square feet	P	P	S	S	P	P
4. Retail Sales – Restaurants, Drinking Places						
a. Restaurants with associated drinking places	C1	C1	C1	P	P	P
b. Drinking places	C1	C1	C1	C	P	P
c. Formula restaurants and fast food chains	X	X	X	X	S	S
5. Retail Sales and Services – Automotive and Related						
b. Quick vehicle servicing	X	X	X	X	P	P
c. Filling station	C1	C1	X	C	P	P
k. Formula vehicle servicing	X	X	X	X	S	S
l. Formula filling station and convenience store	S	S	S	S	S	S
6. Retail Sales – Building Material and Farm Equipment						
a. Lumber and other building materials	X	X	X	C	P	P
b. Heating and plumbing equipment	X	X	X	C	P	P
c. Hardware, home repair & supplies >100,000 sf	X	X	X	X	X	S
d. Hardware, home repair & supplies 25,000-100,000 sf	X	X	X	S	X	S
e. Hardware, home repair & supplies <25,000 sf	X	X	X	S	P	P
h. Hardware, home repair & supplies <5,000 sf	X	X	P	P	P	P

LACK OF HOUSING DENSITY IN THE PREFERRED ALTERNATIVE

By Sydney Reibick
Vice President, Friends of Clark County

Housing density is important for working families and senior citizens. Both single workers and retirees can occupy medium and high density dwellings.

The small amount of medium density housing in the 2007 Growth Management Plan is more in tune with the needs of workers than those of senior citizens.

- Workers need to be close to jobs and stores and can use larger units.
- Some retirees would like to be near stores, doctors, habitat and transit.

In the next 20 years, many people will be downsizing out of their big homes into one-level smaller homes. High density may be valuable and profitable in some cases for attracting transit and sharing rides to doctors. Not all retirees will be poor. Many will be searching for a quality home without stairs. It is possible that we could save more habitats if we clustered living units near habitat and stacked them up a little. Or even put a few high-value high-rise condos with very small footprints just outside habitat edges, with views of the habitat and a chance of attracting native birds and wildlife. Some will pay top dollar for these.

As you can see in the table below, there are almost zero high density land use areas designated in the Urban Growth Area expansion in the preferred alternative. This is a big mistake for habitats, transit, life style and housing choices, especially for senior citizens.

This table rates the amount of medium and high density housing proposed (zero, minimal, moderate). It includes nearby amenities (commercial, jobs, habitat)with easy access. (Transit and Medical amenities are not listed because of the lack of information of their location available from transit and emergency response resources.)

There are very few places where density is located near commercial and habitat resources. There should be better planning for the aging Baby Boomers in our community.

Density and Nearby Land Designations of Uses or Services

City	Medium Density	Mixed Residential/Use	High Density
Battle Ground	Moderate Commercial, Jobs	Moderate Jobs	Zero
Camas	Minimal Commercial, Habitat	Moderate Jobs, Habitat	Zero
La Center	Moderate Commercial, Jobs	Almost Zero	Zero
Ridgefield, south	Minimal Jobs, Habitat	Zero	Zero
Ridgefield, north	Minimal Jobs, some Habitat	Zero	Zero
Washougal	Zero	Zero	Moderate Jobs, Commercial
NW Vancouver	Minimal Habitat	Almost Zero	Zero
NE Vancouver	Minimal	Zero	Zero

WHY SHOULD WE SAVE FARMLANDS?

By Val Alexander
Secretary, Friends of Clark County

The Clark County Planning Commission and Commissioners are considering converting farmland to urban uses. We question their basing much of this decision on the document *Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington*.

The original draft document, carefully prepared by Bruce Prenguber of Globalwise, differs greatly from the final form that appears on the county website. The criteria that describes commercial agricultural lands has been removed. It was replaced by an Appendix that uses the Washington Department of Community, Trade and Economic Development as the criteria.

The elimination of Alternatives 2 and 3, which have been replaced by the preferred alternative, adds to the confusion. They are continually referred to in the document as well as the preferred alternative. It seems that this document has been hastily revised without the author given enough time to reorganize and check the contents for accuracy.

For one example, figure 8 on page 15 identifies farms by classifications along with the preferred urban growth areas in Clark County. This writer's neighborhood shows just one nursery type farm when in fact there are many farms of 40, 80, 100 acres raising hay, beef, berries, fruits and produce.

The Snohomish court case mentioned in the staff report resulted in the Supreme Court ruling regarding the criteria for agricultural lands that:

1. are not already characterized by urban growth;
2. are primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), including land in areas used or capable of being used for production based on land characteristics and
3. have long term commercial significance for agricultural production.

A discussion of these criteria follows. Regarding the first criteria:

1. The reckless development of land in Clark County during the last 20 years has broken up many areas into small parcels even though they are remote from services and could support valuable crops. In addition, allowing rural centers has brought urban growth to outlying areas. This definition needs to be clarified.

2. The use of the term commercial production of agricultural products is controversial and needs definition. One use specifies that the farmer can earn a living wage (\$40,000 or more per year for a family of four) in order to qualify as a commercial farmer.

Benefits to the farmer of growing food for their family adds to the value of his/her crops that will not show in statistics. The June 3rd edition of The Columbian quotes Jim Hunter, co-owner of Hunters' Greens. He sells to farmers' markets and is a CSA. Jim states that: "The average farmer doesn't require \$40,000 a year because he or she gets benefits that people in offices don't get."

Some of the agricultural land included in the preferred alternative is prime agricultural land by any definition, with present and long term significance for agricultural production.

Preserving this land is becoming more and more critical due to the skyrocketing costs of transportation, the increasing public awareness of food nutrition and the importance of buying local produce that has resulted in more and more farmers' markets and CSA's.

WHY SHOULD WE SAVE FARMLANDS?

(continued)

A recent article in the Seattle Times cites a study that shows that produce prices in farmers' markets are lower than supermarket prices and that Farmer's Markets have gone from 20, thirty years ago, to more than 100 in Washington today.

The long term commercial significance of agricultural land is also controversial. The development of any agricultural land is permanent destruction. Clark County has a variety of soils and terrains, many of which will produce abundantly. Much of the land proposed for inclusion in the UGB's under the preferred alternative are prime farmland.

One crop of importance is raspberries. Washington leads the country in raspberry production, according to the USDA Annual Statistical Bulletin.

http://www.nass.usda.gov/Statistics_by_State/Washington/Publications/Annual_Statistical_Bulletin/2006/content6.asp

Attachment B of the report from Clark County Planning titled "Bringing Resource Lands into UGAs" includes a sub title "In commercial production" which uses the above referenced criteria and could be extremely misleading in describing the potential uses of the lands involved.

Agriculture in Washington in 2005 revealed a record high of \$6.41 billion with Clark and Cowlitz Counties showing \$84.9 million dollars in sales in 2002. Nursery crops lead the sales in Clark County with a 4% increase. (<http://clark.wsu.edu/horticulture/commercialHort.html>)

There is great value in the tools used to assess the value of agricultural resource lands. Our changing environmental issues, focus on nutritional values of foods, and quality of life issues where availability of local produce is a major factor, bring into play a whole new set of criteria. That criteria should be considered before allowing the permanent destruction of our farmlands.

This deserves much more study than has been allowed in the few weeks made available for comments. It is a huge disservice to the public to deny them the chance to understand what is at stake, not just with the economic values of resource lands, but with the loss of their access to fresh, healthy, and reasonably priced food. We encourage the commissioners to delay these changes to the urban growth areas until all information has been shared and the public extensively involved.

COMMENTS ON THE TRANSPORTATION ELEMENT

By Lora Caine
President, Friends of Clark County

Background

- 2004 Plan says “Failing levels of service and the need for additional taxing authority are irrefutable effects of the proposed growth rate and subsequent land use map. ***These negative effects are lessened if the level of growth were to be reduced.*** Staff recommends actively phasing development, especially in areas identified to have capital facilities issues, through use of urban holding zoning overlays and development of interlocal agreements with service providers.” (July 2004 Clark County Comprehensive Capital Facilities Plan, Summary Report, page 75).(italics and bolding added)

Add to the above even more growth and the results are worse.

Transportation Element PROCESS (page 5-2)

Bullet six: States that the county will revert to revising the LOS standards if the county cannot afford transportation projects. Another choice should be added to this option: “If not, revert to step 3 and revise LOS standards or reduce the size of the urban growth expansion proposal.” Reducing the expansion will reduce the costs.

GOALS AND POLICIES (page 5-35)

5.0 “recognizes financial constraints”

5.0.4 “...to optimize the use of and maintain existing roads to minimize the construction costs and impact associated with roadway facility expansion.” If you don’t expand the UGB too quickly you can follow the above policy more easily. It will also be easier to afford other expansion such as in High Capacity Transit (HCT) modes. (5.0.7)

GOAL: Provide a safe transportation system (page 5-41)

Implementation Strategies – “Priority shall be given to sidewalk construction projects in transit corridors, near school facilities and major activity centers.” Is this funded in the 20 year plan?

UNAFFORDABLE IN THE CITIES’ UGAs

Capital Facilities Plan (Appendix E) (page E-49)

“Some documents are fully compliant, while others fail to address this requirement entirely.”

City of Camas—“The plan appears to be financially balanced over the 20-year period, but no explicit statement to that effect was found.” How can something appear without the proof? And there is an additional need for \$20 million in transportation projects needed to serve the expansion area. At least Camas is willing to re-evaluate the land use plan to handle the shortfall.

City of La Center—“Funding sources for a second bridge over the East Fork of the Lewis River are not fully identified.” No money—no bridge. That should be the choice. The expansion also causes La Center to seek aggressive funding. They, too, are willing to reassess the land use plan if funding projections are not met.

City of Ridgefield—“...transportation capital facilities plan contains a section regarding financial analysis. The analysis explicitly states that existing funding streams would not be sufficient to address the 20-year needs.” This is another city counting on aggressive fundraising and willing to reassess the land use plan.

COMMENTS ON THE TRANSPORTATION ELEMENT

(continued)

City of Vancouver—is committed to “reassessing its land use plan if funding is insufficient to provide the necessary public services and facilities to implement the plan.”

City of Washougal—has a \$23 million shortfall and has no financial analysis of the shortfall.

Clark County—The six-year plan is funded but no information found for the rest of the 20 years funding sources and estimates of expenditures.

Summary (page E-4)

Two words stand out: “reasonably”, and “almost”. The word “reasonably” is describing the cities current transportation capital facilities as mentioned above. How reasonable is it if a city has shortfalls or doesn’t know how it is going to fund the full 20 years’ plan? The word “almost” is used to say that “almost all have been updated...”. **If they have not all been updated then the County’s growth plan is not ready to adopt.**

CONCLUSION

As long as there are any jurisdictions including Clark County who do not know how to pay for 20 years added expansive growth, then there is no need to expand until the plan is affordable and a need is shown to expand.

SEWER AND WASTEWATER TREATMENT FACILITIES

By Cathy Steiger
Treasurer, Friends of Clark County

Sewer Costs are \$158 Million Short in the 6 year plan and Unknown in the Years After
(Growth cannot pay for this kind of growth.)

Background

The forecast of future capital facilities needs is a direct function of the size (both geographic and density) of the urban area to be served, which is set by the land use plan. It is also a function of the level-of-service (LOS) standard adopted by the jurisdiction for that particular capital service.

The Clark County Commissioners, with a sewer service it cannot let fail, has set an expansive and very expensive policy with its current preferred land use plan.

Clark County Commissioners' "preferred alternative" 2007 Comprehensive Plan adds 12,063 acres for 193,000 more people (FEIS 5/2007). That requires more wastewater treatment capacity (bigger, better, new facilities), more pipeline, more force mains, collectors, interceptors, wastewater service staff, pumps, manhole covers, discharge licensing, and DOE, WDSF, FWS and any other impact studies. The Clark County Comprehensive Plan estimates this will cost \$504.3 million for the sanitary sewer system (FEIS 5/2007) over the next 20 years.

How will this effect today's ratepayer?

The intent of "growth pays for growth", used by sewer finance staff, is that the capital costs will be paid for by new users through connection and development charges (i.e. by the owner of the new connection to the treatment and conveyance system).

Hazel Dell Sewer district (now Clark County Wastewater District) raised the monthly service charge on rate payers during 2004-2006 to build a reserve for a time of decreased connections. Debt service must continue on the bonds that paid for the new capacity even if demand for new connections stalls. Our leaders knew the financing plan wasn't working.

The funding demands of wastewater treatment capital projects is immense, requiring public loan mechanisms that all but guarantee payment. A change in the economy can devastate rate payers.

For the Phase IV expansion, this wording was included:

"The method of repayment will be collected from both existing and new customers. The new capacity will primarily be financed by the Regional Facilities Charge (RFC) collected from all new connections to the sewer systems by Hazel Dell and Battle Ground. **Some portion of the cost will be borne by existing customers through the monthly sewer fees charged** by Hazel Dell and Battle Ground.

The county will also provide parallel additions to one section of the piping and pump stations leading to the treatment plant as part of the next expansion program. These improvements to the regional wastewater conveyance system are also required to serve existing and future demand from growth. Table 6.5 lists the projected 6 year capital improvements required for the county treatment plant and regional conveyance system. "

The reality is that improvements to the system may be required that benefit current users. That line may be a blur at times. The interminable \$100,000 studies that are required to assess current service, planning, and producing reports inflate the cost of change which growth constantly demands.

SEWER AND WASTEWATER TREATMENT FACILITIES

(continued)

In recent years the Clark (Salmon Creek) Wastewater Treatment Facility was funded for Phase III, started 1996, finished 2006, and cost \$56 million. Then came Phase IV, started 2005, pending 2008/2009 completion at a cost of \$77 Million. It is notable what happened to impact fees over that period:

1994 connection	RFC \$2480	GFC \$1445
2004 connection	RFC \$4077	GFC \$1898
2006 connection	RFC \$4444	GFC \$1898

The Board of Commissioners capped the Regional Facilities Charge (RFC) amount in 2006. From 2004-2006 a repeated \$3.50 increase per month per Equivalent Residential Unit in user rates (service charge) was instituted. The purpose is to have funds for debt service if RFC funds are insufficient. The General Facilities Charge (GFC) covers the collection system and varies with length of extensions of services, complexity, and the need for maintenance of existing facilities.

Wastewater service may not go over 85% capacity without triggering the requirement for a study to plan for expansion. Be ready for the next big land rush. How can you be looking to develop new capacity while having no certainty that new customers will be there to pay the bill? How will financing be procured in time to have a facility added, changed, or improved to be online at the optimum time? This is risky.

Some of that risk could be mediated by choosing density, rather than sprawl. Adding customers where infrastructure exists lowers costs and increases predictability. Developing new capacity for 350-home subdivisions, or multiple subdivisions out on the edges of an expanded UGA means more expensive infrastructure requirements and peaks in new demand, without the certainty that those connections will be purchased as scheduled.

The County's Capital Facilities Plan for six years sees a need for \$600.6 million with 40% (\$202.4 million) from new development sources.

\$600.6 debt - \$202.4 new development - \$240.2[40% of \$600.6] equals \$158 million of unknown debt payment, just in the 6-year plan

One study shows the County wastewater Treatment Facility will need a new outfall to the Columbia in the near future, or possibly use some of the City of Vancouver's capacity. Either way, the outcome of the studies and negotiations will fall to rate payers as operating costs.

The schedule of collecting funds is convoluted - in advance, reserve accounts, new project debt, new funding, debt payment schedules on different bond packages, system development charges on different projects, etc. Debt is financed over 20 years. Generally it is collected from new customers over 10 years, building a reserve, and then repaid in 20 years.

Decisions can be made to alter rate payer obligation. Uncertainties of time, funding, demand and politics leave the rate payer blind to future rates. For example, the Board of Commissioners capped the amount of the Regional Facilities Charge (RFC) at \$4,444. Then the rate was raised to create a debt stabilization fund.

The biases of the Wastewater Advisory Board of Commissioners can influence expenses/timing for collection lines and the facilitation of new pump station/force main facilities.

There are no cheap solutions to dispose of the effluent in this new age of higher environmental standards or energy neutral ways of conveying wastewater or free installation of running extensions of pipe.

SEWER AND WASTEWATER TREATMENT FACILITIES

(continued)

The intense capital investment required by wastewater treatment facilities, especially for small towns and explosive collection system growth, is financially risky for the existing rate payers. If growth slows rate payers must pay the capital facility building debt.

Using current population trends for population growth estimate, 8.7%, or using a 2% figure, \$15 million is needed for treatment expansion. As population growth materializes it will have vastly different impacts on the few thousand rate payers who must pay the debt service, even with new connections paying a System Development Charge.

- Battle Ground soon needs a fix for new treatment capacity for its 1,500 new acres and is looking at a Water Reclamation Facility at \$35 million.
- La Center, with an unpredictable financial future due to outside influences, has uncertain growth predictions and the possibility of \$140 sewer bills.
- Ridgefield has \$42 million in its 6-year plan for sewer with a \$6,950 impact fee.
- The urbanizing North County has problems because small town treatment facilities cannot accommodate "preferred growth plans".

Developers complain about the rising cost of land and loss of easily developable acreage. Who is running the numbers for a comparison of the increased cost of a lot in the new UGA and the increased impact fees on fire, school, sewer, water, roads caused by sprawl

Leaders must find an area-wide solution to accommodate the desired growth in this rural area of small towns. The Comp Plan is out, the solutions are not. The effect on rate payers, especially those in the smaller towns, is as uncertain as the economy. But for certain any borrowed money for new facilities will have to be repaid by new customers or today's rate payers. \$150 monthly sewer bills?

PUBLIC SAFETY SERVICES

By Cathy Steiger
Treasurer, Friends of Clark County

Public safety financial needs grow with population increases. Currently:

- Clark County needs a new jail
- Ridgefield needs a new police station
- Vancouver needs a new fire station

With more people the need becomes more urgent.

County fire districts and cities show a need for \$29 million fire related expenses in their capital facilities plans. These facilities are usually built with bonds controlled by citizens who can vote up or down.

As population grows and spreads, so does the need for services and facilities to cover wider areas, i.e. fire stations, precinct offices, more staffing, etc.

Personnel to serve and protect proportionately is a greater problem and a long-term one. A new Clark County jail, built at a one time cost for \$100 million will require operational staffing at \$15-16 million per year, *every year*.

We already experience undesirable jail population management (early release), increased emergency response times and fewer officers per population from recent growth.

Currently a 0.1% increase in sales tax increases the general budget only \$6 million/year. That won't even fund additional staffing for the law and justice center.

Without addressing sprawl, possible efficiencies are lost and services become more expensive or degrade. Even if the Commissioners use every taxing authority made available to them, we will find our quality of life further deteriorated.

SUSTAINABLE ECONOMY

By Bridget Schwarz
Executive Director, Friends of Clark County

National retailers are “mining” our community. The majority of sales come from existing businesses, most products and services come from distant suppliers, and the majority of profits go back to corporate headquarters.

National retailers are also turning the Clark County landscape into blobs of retail sprawl. Our landscape is becoming typical of Anywhere, USA.

Public policies that allow absentee-owned businesses to proliferate come at the expense of a strong local economy. Our comprehensive plan should include an intention to preserve and strengthen local businesses and restrict the proliferation of corporate chain stores.

We propose the following policy be added to the Comp Plan Land Use Element (Chapter 1). *It is our intention to preserve and protect local businesses, our community’s unique character and build compact walk able neighborhoods. National retail chains will be required to provide an analysis of impacts on existing businesses, new jobs, tax revenues, their burden on public infrastructure, etc under the Special Permit review authority.*

We propose the following goals and policy be added to the Comp Plan Economic Development Element (Chapter 9). *It is our intention to promote, preserve, and protect a home grown economy of humanly scaled, diverse, neighborhood-serving businesses that will provide a healthy, dynamic and rooted retail sector in Clark County. Local businesses contribute significantly to our community’s civic life and distinctive character, provide competitive pricing, economic diversity and stability, support other local businesses, and are usually able to weather economic ups and downs.*

Concerns about a sustainable local economy and the negative impacts of national chain stores are not frivolous or without merit. In a recent decision Whitman County Superior Court judge David Frazier lamented that he had to rule in favor of Wal Mart despite significant negative impacts. “Zoning laws trump comprehensive plans.” The 20-year comprehensive plan and Title 40 changes will remedy the problem.

TITLE 40 TEXT CHANGES
By Bridget Schwarz
Executive Director, Friends of Clark County

Friends of Clark County has reviewed the proposed code changes related to the adoption of a new 20-year growth plan. There are both deletions from the current code that we do not support and critical elements that are missing. In both cases our view is that these changes provide for better planned growth and reduces urban sprawl.

40.350.020 Transportation Concurrency Management System Table 40.350.020-1 defines Travel Speed Standards (LOS) for designated transportation corridors. *Standards should not be reduced for the benefit of future development without compensation for previous developments required to meet the higher standard.*

40.350.020 Transportation Concurrency Management System Table 40.350.020-1 defines the Corridor Limits Description for designated transportation corridors. *Corridor limits should not be reduced for the benefit of future development without compensation for previous developments required to mitigate their traffic impacts in the area removed from the transportation corridor.*

40.350.030 Street and Road Standards B.2.d requires a Rural Circulation Plan to show how the development connects to arterials within eight hundred (800) feet of the site that are defined in the Arterial Atlas. *Without this provision, conflicts with the Arterial Atlas are possible.*

40.510.010 (D) Vesting allows Type I vesting when a fully complete application for preliminary approval is submitted and contingent vesting when a complete pre-application is filed (provided a fully complete application is filed within 180 days). As a result, minimal paperwork allows a developer to avoid stricter standards when development codes are revised – no matter how far into the future the project is begun. *This code should be changed to vest only when building permits are issued.*

40.510.020 (G) Vesting allows Type II vesting when a fully complete application for preliminary approval is submitted and contingent vesting when a complete pre-application is filed (provided a fully complete application is filed within 180 days). As a result, minimal paperwork allows a developer to avoid stricter standards when development codes are revised – no matter how far into the future the project is begun. *This code should be changed to vest only when building permits are issued.*

40.510.030 (G) Vesting allows Type III vesting when a fully complete application for preliminary approval is submitted and contingent vesting when a complete pre-application is filed (provided a fully complete application is filed within 180 days). As a result, minimal paperwork allows a developer to avoid stricter standards when development codes are revised – no matter how far into the future the project is begun. *This code should be changed to vest only when building permits are issued.*

TITLE 40 TEXT CHANGES

(continued)

40.510.030 (C) (6) Type III Process - Quasi-Judicial Decisions C.6 Review for Fully Complete Status describes the deadlines for determining fully complete status. It allows the applicant to submit additional information needed to make the application fully complete. That is appropriate.

During the review the applicant is again allowed to submit additional information necessary for the Staff Report. That prevents a timely review and Staff Report and places an unfair burden on parties of record to know what it in the public record.

Finally, during the Hearings Examiner's public hearing the applicant is still allowed to submit additional, and possibly significant, information. As a result the Staff Report is not a "fully complete review" of a "fully complete application".

No further information should be accepted once the Staff Report is issued. As a result, Fully Complete Status will have meaning. The applicant should be allowed to start over with a new development review application.

40.560.010 Plan Amendment Procedures C.1 outlines the criteria to change the comprehensive plan text, policies, etc:

1. County-wide comprehensive plan map changes involving urban growth area (UGA) boundary changes and rural land uses on a rotational basis.

Item (1) above may only be initiated by the city or county at intervals of not less than five (5) years.

Without this provision, the urban growth boundary can be expanded every year.

40.560.010 Plan Amendment Procedures L.3 outlines the criteria to change adopted UGA boundaries:

3.a A UGA expansion of residential or commercial lands may occur only if 75% or more of the respective residential or commercial vacant and buildable land base....has been consumed through development or

3.b A UGA expansion of industrial lands may occur if 50% or more of the vacant and buildable prime industrial land base has been consumed through development.

Without this provision, the urban growth boundary can be expanded no matter how much land is available.

WA DEPARTMENT of FISH & WILDLIFE
WA COMMUNITY TRADE & ECONOMIC DEVELOPMENT

By Lora Caine
President, Friends of Clark County

The conclusion of 2 state of Washington agencies is that the FEIS is first, incomplete and second gives proof that the Alternative 2 (the "preferred option") is too expansive and unaffordable.

The Washington Department of Fish and Wildlife (WDFW) letter says "The GMA *requires* that fully-planning cities and counties establish "open space corridors" within and between urban growth areas" GMA guidelines for critical areas encourage "creating a system of fish and wildlife habitat with connections between larger habitat blocks and open spaces."

The WDFW says "There is no map, nor mention of meeting the GMA requirement for identifying open space corridors in the FEIS. When WDFW commented on this lack of open space corridor planning in our October 2, 2006 letter on the DEIS, the county response was that the UGAs currently lack open space corridors, and the County's emphasis is instead on maintaining open space. This response fails to address a clear deficiency in the UGA plans."

Therefore the FEIS is not complete.

In the words of the Department of Community, Trade and Economic Development (CTED): "Expansion of the UGA is a permanent commitment of land to urban development." CTED does not recommend adopting the preferred alternative and we agree with them.

There is a slowing of the housing market. Houses are on the market longer. People have canceled their plans to buy, leaving unsold inventory for the owners and builders of subdivisions.

CTED says "By promoting low-density development Alternative 2 could actually create serious *disincentives* by increasing traffic congestion, reducing freight mobility, and providing inadequate funding for development of highway alternatives."

CTED and the DFWW have resources, information and tools to help with the planning.

Our suggestion is to be creative. Why not require all developments to include 15% in open space? This could include parks, critical areas, open space corridors, interconnected trails, large enough culverts to allow animal migration and safety of drivers and road kill. This would be on top of the parks impact fees.

Developers would know up front what is required. It has been done before. (Check out how Contra Costa County has done it in California. Their land values and therefore taxing bases have remained high due to the greenway systems incorporated in their county.)

We recommend that before you make a decision by going through each UGA area one-by-one you:

- Go through the CTED and WDFW letters point-by-point to make sure that any decision made in the site-specific areas or UGAs will at least follow their recommendations.
- Be realistic and take time to read and ponder all information submitted.
- Look at the bigger picture and decide what values and policies you established are to be followed.
- Decide if there is enough information from each city to prove the practicality and affordability of their plans.
- Set Hearings dates only after the FEIS is fully complete.
- Do not adopt the overly expansive and prematurely proposed "preferred alternative."

WHAT'S THE RUSH?

By Donna Roberge

Board of Directors, Friends of Clark County

What is the rush to make major changes to the 2004 Comp Plan at this time? It supports sustainable growth and the county has not implemented much of what is already in that 2004 plan!

When the 2004 Comp Plan was proposed, there were a series of open houses that looked at everything the county was considering. That included a comprehensive bottom line of estimated costs. In addition to that public process, the Planning Commission held a series of public workshops related to the 2004 Comp Plan. There were many opportunities for all residents to have their voices heard.

This is NOT happening for the 2007 Comp Plan update. Many citizen voices are loud and clear - we want sustainable growth - not a runaway train seemingly driven by developers.

Revisions to the Comp Plan have been issued piece meal. Critical documents have not been made widely available to the public in a timely manner.

Why haven't the County Commissioners taken a formal action regarding the code and policy language-- such as NO NET LOSS OF INDUSTRIAL LANDS? This industrial segment is being shrunk in the two proposals under consideration. That segment gives us long term jobs versus expensive housing. Clark County needs sustainable growth.

Again, what is the rush to adopt a new Comp Plan? This writer has served on two elected public boards. I know from experience that there is simply not enough time to digest all the information that is coming out piece meal and then make an immediate decision. It is not a responsible way to conduct this consideration. And there is certainly not enough time for the public to begin to understand such complex areas.

So, what is the rush here? The final Environmental Impact Statement has been issued with legally required minimal comment period.

Where is the Capital Facilities Plan that spells out how many new schools will be needed, how many fire stations, extensive road projects, parks and jail beds? Yes, there is an 18-page summary document of the county's anticipated needs for the next six years on the web site. Again, it does not give us any idea of the price tag for ALL the proposed changes or the 20 year cost.

Most importantly what will the additional cost be to the taxpayers? We have no idea at this time of the TOTAL proposed costs.

The Commissioners have a fiduciary responsibility to the citizens of Clark County to provide answers to these questions. Upon what information are such complex decisions being made? What is the rush?

The Capital Facilities Plan is supposed to give citizens an idea of what the needs will be and how the elected officials anticipate the costs for the infrastructure will be paid. Are we going to have to accept lower level of services in Clark County as a result of tampering with the current 2004 Comp Plan at this time?

Again, you have a fiduciary responsibility that dare not be taken lightly in re-zoning these areas without a total approximate cost accompanying these major changes.

Actual growth has not used up 75% of the available land already in the 2004 plan. We don't need another 12,063 acres on top of the new 9,000 acres from the old plan. The current FEIS proved it is too expensive to allow growth to happen too quickly!!

WHAT'S THE RUSH?

(continued)

If you proceed to adopt one of the proposed changes, are you not insuring we will have more congestion and less sustainable growth within the next six years? How responsible is this position that you are endorsing at this time?

Again, I ask, What is the rush? It feels like a runaway train with the developers in the engine room. Development is a PIECE of the county pie--not the centerpiece!! How does this deliver sustainable growth in our county at this time? Please table the proposed changes!

