

Development and Engineering Advisory Board Meeting
September 5, 2024
2:30pm - 4:00pm
Public Service Center
Meeting held by Microsoft Teams

Board members in attendance: Sherrie Jones, Mike Odren, Ryan Wilson, Dan Wisner, Eric Golemo, Andrew Gunther, Seth Halling, Terry Wollam, Jeff Wriston

Board members not in attendance: James Howsley

County Staff: Shannon Nashif, Megan Fletcher, Hunter Decker, Naomi Patibandla, Rod Swanson, Brent Davis, April Furth, Devan Rostorfer, Dianna Nutt, Kevin Tyler, Victoria Abram, Maureen Patronaggio,

Public: Houston Aho, Max Booth, Brittney Salter, Teresa Hardy, Norm Harker, Justin Wood

Call to Order: 2:30 pm

- **Administrative Actions:**
- Introductions
- DEAB meeting is being recorded and the audio will be posted on the DEAB website.
- Review/adopt last month's minutes (adopted with correction)
- Review upcoming events:
 - Public Hearings:
 - COUNTY COUNCIL Work Sessions:
 - COUNTY COUNCIL Meetings:
 - No agenda items posted as of 8/20/2024
 - PLANNING COMMISSION Work Sessions:
 - September 12, 5:30 pm - Alternative for DEIS
 - DEAB MEETING:
 - October 3, 2:30 pm
- DEAB member announcements:
 - Due to technological updates for the 6th floor training and hearing rooms, the DEAB meetings will be virtual until January.
 - The Assessor's office recording freeze is lifting on September 17th.
 - Megan Fletcher has accepted employment elsewhere.
 - DEAB will have a new coordinator assigned.

Biannual Code Updates

Presenters: Davis

- Mr. Davis is scheduling a work session with Council to review the items ahead of the formal process.
- Scrivener's errors and minor changes:
 - Title 32 Code Enforcement

- Clearing up gender references regarding male pronouns used to refer to the Hearings Examiner.
 - Correcting references to the Board of County Commissioners.
 - Impact fee revenue:
 - Request from Public Works finance team to increase the time limits for expending impact fee revenue from six years to ten years to reflect changes in state law from 2011.
- Clarifications:
 - Middle Housing code updates
 - Clarifying the language regarding the number of attached units allowed in the single-family districts; the code allows for up to four units per attached structure. More than four attached units must go through a PUD (planned unit development).
 - ADU standards – There is a provision that allows ADUs to be placed in front of the facade of the primary structure if there is at least a 40-foot front yard setback from the street. The language currently limits the width of the ADUs to 50% of the front façade, intending to ensure ADUs are visually subordinate to the primary structure. This code update works to clarify this issue.
 - Fee Reductions
 - Development Engineering has allowed fee reductions, for instance when adding early grading to an existing plan review, which is not codified in the fee table.
 - Staff is proposing to create an hourly-based fee option. The reviewing manager will calculate how many hours they think the additional work will take and adjust the fees accordingly.
 - The Auditor’s office finance group has recommended the institution of a late fee for past due invoices for the Fire Marshal safety inspections.
 - The current code states if you are 105 days past due, the county will add 12% interest.
 - The intent is that at an earlier point, there will be a flat late fee in addition to the 12% if you go past 105 days.
- Outdoor lighting standards in rural areas
 - Council requested for Mrs. Furth to investigate this topic.
 - Through research, Mrs. Furth found a provision from another jurisdiction that staff is proposing to add to the development standards in the rural and resource districts.
 - This would only apply to new developments, short plats, subdivisions, etc. that are subject to Title 40.
 - Clark PUD needs to be notified of any lighting standard changes.

- Updates to the Forest Practice and Forest Conversion code, a special use standard in Title 40:
 - Hunter Decker and Kevin Tyler in Public Works are available for questions.
- Standards for temporary hardships
 - Current standards require a hardship to be applied to a manufactured/removable type of structure, with an exception for life estates.
 - The county has encountered cases where landowners are building a new home, replacing the existing home, and request to use the existing home for a hardship, which makes sense. Why demolish the existing structure just to replace it with a mobile structure?
 - The proposal is to make an exception to the removable structure that allows for this specific circumstance.
 - If the existing dwelling is going to be replaced, it could be used for a temporary hardship provided there is a covenant requiring it to be decommissioned once the hardship is over.
 - Decommissioning doesn't necessarily mean demolition. It can be converted to a guest house, storage, or another accessory use.
 - Hardships must be renewed every two years.
- Middle Housing code changes issue with compact development
 - There are safety concerns with off-property guest parking and sidewalks proposed to go between the street-adjacent parking spaces and the street.
 - The proposal is to add a provision to the pedestrian circulation standards specifying how sidewalks in urban areas are supposed to be constructed.
 - The provision added will prohibit sidewalks from passing between this parking layout and the street.
 - If there is a driveway to access the parking lot, this will not apply.

Stormwater Code and Manual Update Intro

Presenters: Rostorfer & Swanson

- Clark County Public Works, Clean Water Division is required to update the stormwater code and manual and have it adopted by June 2026. To achieve this, there are milestones to be met over the next year, starting with the submittal of their proposed changes to the Department of Ecology by June 2025.
- Clean Water has a professional services contract with Otak, Inc. to help facilitate the update of the stormwater code and manual.
- The update will commence internally starting in October.
- DEAB will receive updates and requests for feedback throughout the process, ahead of bringing this to the Planning Commission for their recommendation for Council approval.

- Otak will be invited to the October DEAB meeting to provide a full update of the scope of work and timeline.
- The first milestone is compiling a descriptive table of changes.
- Ecology has mandated changes to be integrated into the stormwater code and manual to ensure equivalency with the Western Washington Stormwater Management Manual.
- Additionally, there are some technical and guidance changes that Ecology is recommending we incorporate.
- Mr. Swanson has kept a spreadsheet of items that have been brought to attention over the years for consideration regarding the manual and code.
- If the DEAB members have identified improvements for the manual, from technical clarifications to scrivener's errors, Clean Water would like to hear of them.
- Staff is conducting a training needs assessment on the code and manual to develop new fact sheets and training modules. These will be resources for the community and staff alike.

Work session discussion

Presenters: Group

- Mrs. Jones spoke with Mr. Wood regarding condominiums as a housing option for the county after Council requested the DEAB look into this topic.
 - Mr. Howsley participated along with a lobbyist from the SWCA (Southwest Washington Contractor's Association) and some partners from throughout WA state who have been working on this issue.
 - The attorneys representing condominium owners have an excess of cases that prove contradictory to the argument in favor of condominium development.
 - The region, along with Council, would have to arm their lobbyists with resources. This is a sizeable topic; many partners and jurisdictions would need to align in their perspectives to make any impact.
 - The liability aspect of condominium development could be reviewed and tackled by the building industry; however, it would be an uphill battle that no one has succeeded in, to date.
 - The law governing condominiums in Washington state is the Washington Uniform Common Interest Ownership Act (WUCIOA), which includes a construction defect liability.
 - One local option is using a binding site plan.
 - Mr. Wood contacted Brian Snodgrass from City of Vancouver; they have not had any residential projects use the binding site plan option.

- It would take a large number of resources at the state level to make changes to WUCIOA and make condominiums a more viable homeownership product.
 - The DEAB will report to Council that they have looked into this item and it is a state level conversation that the board can provide some resources and contacts for, but it is outside of the scope of the DEAB.
- Regarding the Comprehensive Plan:
 - There will be a push for the climate action portion to be included; there have been workshops.
- Regarding multifamily housing development:
 - Three-bedroom units are proving not feasible, and developers are unable meet the recreation space requirements. They are sticking with single and two-bedroom units.
 - Nationally, there is an excess of three-bedroom units with high vacancy rates.
- County staffing levels:
 - Mr. Odren requests an update on planning, development engineering, building inspection staffing levels.
 - Are they able to meet current timelines? How is the recruitment process going? How is retention?
 - Is there something specific in the county that is making retention challenging?
 - Update from Mrs. Furth:
 - For most positions, we are able to grow and hire from within with positions moving up the ranks.
 - There have been some retirements among building inspection and have hired from within to fill those vacancies. We have also hired a new inspector.
 - Permit Services is staffed and so are the Land Use planners.
 - Development Engineering has vacancies we are working hard to fill; there are some candidates in the works.
 - The Baker-Tilly compensation study the county commissioned to analyze the pay scales and job positions within Clark County.
 - There were many positions being underpaid, but that has been rectified.
- The DEAB received a letter from Clark County Citizens United regarding their workplan, how they're addressing the work session request from staff, and rural housing.
 - Some of the items are state-level and not in the DEAB's purview, white oaks in particular.

- The DEAB will respond to the letter and include their workplans/accomplishments from the past 5-10 years, because several items referenced in the letter are being worked on already in the workplan.
- This letter seems like it should be directed to the County Council rather than the DEAB.
- Mrs. Jones will draft a short and sweet response for the rest of the board to review.

Public Comment

- N/A

Meeting adjourned: 4:00 pm

Meeting minutes prepared by: Diana Schotanus

Reviewed by: Megan Fletcher