

Development and Engineering Advisory Board Meeting
March 6, 2025
2:00pm - 3:30pm
Public Service Center
6th Floor Training Room #679
& Remote Participation via Microsoft Teams

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

Board members not in attendance: Jeff Wriston, James Howsley, Sherrie Jones.

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

Public: Houston Aho, Noelle Lovern, Dan Trisler, Trista Kobluskie, Jackie Lane, Justin Wood, Luke Kevan, Brittney Salter

Call to Order: 2:00 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)
- Review upcoming events:
 - COUNTY COUNCIL Work Sessions:
 - March 5, 2025, 9:00 am
 - Neighborhood Traffic Management Program
 - Bicycle and Pedestrian Advisory Committee - Annual Presentation
 - COUNTY COUNCIL Meetings:
 - March 4, 2025, 10:00 am
 - Road Vacation- Right of Way for portion of NE 45th Ave
 - CCC 36.04A.210 Telecommunications - Meetings
 - PLANNING COMMISSION Work Sessions:
 - March 6, 2025, 5:30 pm
 - Comp Plan Policy: Rural and Natural Resource Element (Chapter 3)
 - Comp Plan Policy: Parks, Recreation & Open Space Element (Chapter 7)
 - PLANNING COMMISSION Public Hearings:
 - No agenda items posted as of 3/6/25
 - NEXT DEAB MEETING:
 - April 10, 2025
- DEAB member announcements:
 - DEAB has yet to prove a recommendation for new DEAB members; Mr. Odren volunteers to draft a letter of recommendation to distribute to DEAB for approval before sending to county staff.

- Bills under state legislative review:
 - Senate Bill 5184 – Concerning minimum parking requirements
 - House Bill 1353 – Establishing a self-certification program for accessory dwelling unit project permit applications
 - Condo law – 12 units; reduces requirements for litigation pursuit and warranty of items
- Required tree plantings on smaller lots - Issues that arise where the builder isn't required to have landscape certifications done and then the developer becomes responsible; the lots have already been granted occupancy, and the warranty bond can't be released without verification of required plantings.
 - Mrs. Furth to follow up with more information.

Bi-Annual Code Updates

Presenters: Mrs. Furth, Mr. Davis, Mr. Tyler, Mr. Decker

- Title 32 update
 - Address gender references to responsible parties
 - Update County Commission to County Council
- Title 40 updates
 - Minor change to Type II/Type III timelines for applications holds under new state law
 - Update to time limit for the county to expand impact fee revenue per state law; county has a 6-year time limit, but state law allows 10 years
 - Several changes to ADU standards due to inconsistencies with state law:
 - Updating the county definition of ADU to be consistent with the definition in state statute, which allows ADUs to not only be an accessory to a detached single-family dwelling, but to duplex, triplex, townhome or other housing units.
 - Changes to use table in residential, office residential, and multi-family districts; ADUs are listed as “review and approval” and will now be listed as “permitted”.
 - Applicability language in the urban ADU standards will be more consistent with state statute, where ADUs will be allowed in any zoning district that allows for single family homes.
 - Clarifying language where state statute allows for 2 ADUs – specify combinations of attached/detached structures.
 - Clarify language regarding number of townhomes that are allowed in low density development
 - Clarify School Impact Fee Calculation Methodology to provide flexibility for alternative methods
 - Rural light and glare standards for new development – this proposed change remains the same from October 2024

- An allowance in the temporary hardship standards for use of an existing structure, i.e., someone using an existing home as a hardship when constructing a new home.
- Change to off-street parking – parking that is abutting the ROW, sidewalk proposals
- Title 6 updates
 - Late fee for overdue Fire Marshal invoices for annual inspections; currently there is no penalty for not paying that invoice on time.
 - Consolidate Class I and site inspection fees.
- Update to Forest Practices Ordinance 40.260.080
 - There are instances where the state doesn't require Class I forest practices permits, but the county does; provisions are being added where they are currently absent from code
 - Code language is being updated for consistency with RCW 76.09, WAC 222-16, and critical areas ordinances
 - Develop a clear list of exemptions from permit requirements
 - Update to provisions for Class IV/Conversion & Conversion Option Harvest Plans, which are uncommon
 - *Question: What is the reasoning behind the timeline changing from 10 years to 2 years for the Conversion Option Harvest Plan?*
 - *Answer: Title 40 code consistency and vesting requirements; we don't want to create a situation where we allow for vesting of conversion that would then conflict with development, engineering, stormwater, etc. Also to be consistent with other jurisdictions in the state that also have it as 2 years.*
- Any suggestions/comments made by DEAB for the Bi-Annual Code Updates are requested to be submitted prior to April 17th.

Land Use Process Audit Updates

Presenters: Mr. Davis

- Changes to Type II/Type III timelines for applications holds under new state law:
 - There are no changes to the requirements for a fully complete review. These changes apply to the actual review process. The statute does not require jurisdictions to accept revisions to an application after it is fully complete. Other jurisdictions are considering adopting this.
 - There is language that indicates a threshold at which revisions to applications could essentially “reset” the review time window if it relates to items that are required for the application to be fully complete.

- When a jurisdiction requests additional information, such as in early issues, the review clock stops. When an applicant resubmits in response to that request, the clock restarts.
 - There is also a provision that states if an applicant is non-responsive for 60 days, Clark County can add 30 days to timeline.
 - Applicant requested holds -the state statute states that the jurisdiction can put conditions on that hold, Request must be in writing.
- The state mandated timeline for a Type I review is 65 days; county code is 21 days; county is not proposing to change that. Type II timeline in the state statute is 100 days – county is at 78. Type III timeline is 170 days. – county is at 92.
- Clark county is required to report annually on deadline performance for applications that relate to residential development, but is held to county code timelines, not the state statute timelines.
- Road Modification Requests submitted after a fully complete require a suspension request. Suspense requests must be submitted with a timeline provided by applicant.
- Late revisions may not be considered in the final decision if the applicant doesn't agree to suspend their application to have proper time to review.
- Land use worked with the Auditor's office last fall – primary recommendation for Type III process was to streamline communications internally and externally and to avoid relying on email as the primary communication method.
 - *Question: Why does the Auditor's office recommend avoiding using email as primary communication?*
 - *Answer: When you're making revisions with your land use planner, sometimes that doesn't get communicated to Dev. Eng. or vice versa because you're having 1-on-1 emails, and there are more people involved with the decision. Revisions then aren't universally communicated until a few days before they're due.*

Stormwater Code & Manual Proposed Updates

Presenters: Ms. Rostorfer, Ms. Kobluskie, Mr. Trisler

- Batch 2 of proposed updates
 - Book 1, 4.3.1:
 - Clarify the subsurface characterization requirements
 - Include infiltration tests in the language as where beforehand they were absent; requirements D & E cross-reference some other sections that have requirements about the number of tests necessary. The note additions are to reinforce to geotechnical engineers to make reasonable attempts to complete tests in work locations. Supplemental exploration or

testing may be required by the Responsible Official if the testing areas/methods are not adequate.

- Update infiltration rate correction factors
 - The recommendation is to change the correction factors to what is provided in the 2024 Western Washington Stormwater Manual. There is a carryover from 2019 version, where the ascending falling head test would meet the criteria of a small-scale test, which is allowed in Clark County and other nearby jurisdictions.
- Book 2, 1.3.6:
 - Update closed depression analysis requirements
 - Minor clarification for closed depressions that currently or historically have contained standing water; added an explicit recommendation to review the county's 1996 infrared flood imagery; added distinction that if the seasonal high groundwater table is to be less than 15 feet from a proposed infiltration facility bottom, then the groundwater mounding analysis shall be completed in accordance with Section 5.1.1.2
 - Update groundwater mounding analysis requirements
 - Added language to reinforce update in closed depression analysis requirements; depth changes and clarifications on where those measurements begin/end; a note that the Responsible Official may require a groundwater mounding analysis if there is potential for adverse effects to the proposed infiltration facilities; added that the mounding analysis shall demonstrate that groundwater does not mound above the bottom of the infiltration facility.
- Questions:
 - *Mr. Golemo: We had this coefficient of permeability before – for that safety factor for the double ring and falling head. Is that still there or is that just replaced by the .4?*
 - *Mr. Trisler: Those have been replaced; now there are multiplicative correction factors that you invert which would generally be below 4.*
 - *Mr. Golemo: For the groundwater mounding analysis – the 15 feet. What does the manual require? Because it seems more stringent than what the manual states.*
 - *Mr. Trisler: The manual currently requires 15 feet if your infiltration facility is draining more than a one-acre drainage basin; the clarification that we added to that specific bullet is that it's 15 feet from the bottom of the facility, not 15 feet below the ground surface.*
 - *Mr. Golemo: The mounding analysis shall demonstrate that groundwater does not mound above the bottom of the infiltration facility – what if it does?*

Does that area then become undevelopable? If this is an absolute there will be a lot of sites we can no longer develop because we won't be able to meet this requirement.

- *Mr. Trisler: That becomes an issue of the hydraulic performance of the system beyond the basic geotechnical issues, because yes, there are systems that are designed to back up*

Council Work Session Discussion

Presenters: Mr. Wilson

- DEAB is scheduling a Council Work Session date in April 2025.

Public Comment

- Public comment provided by Mr. Aho and Ms. Lovern regarding gas being utilized in building construction.

Meeting adjourned: 3:30 pm

Meeting minutes prepared by: Mariah Shandra
Reviewed by: Victoria Abram

Revised 4.11.2025 – V. Abram