

From: [Sonja Wiser](#)
To: [Blake DeFrance](#); [Cnty 2025 Comp Plan](#); [Oliver Orjiako](#); [Jacqui Kamp](#); [Jose Alvarez](#); [Gary Albrecht](#); [Bart Catching](#)
Cc: [Janet Kelly](#); [Ray Toler](#); [David Feist](#); [Bill Peterson](#); [Mark Krant Remax Real Estate](#); [Susan Scott](#); [Amanda Trig](#)
Subject: RE: UPDATE Comp Plan Public Participation Comments
Date: Tuesday, February 7, 2023 6:45:09 AM
Attachments: [Comp Plan Public Comment Statement FOCV.docx](#)

Good morning Blake and all; thank you for your comments related to the periodic update of the 2025 Comp Plan, and the impact of the Chelatchie Prairie Railroad. Your comments have been forwarded to members of our staff and will be added to the 2025 Comp Plan Index of Record. In addition, I will be adding all your names to our database to receive future communications related to the 2025 Comp Plan. Again, thank you for your interest and communication.

From: Blake DeFrance <b_defrance@yahoo.com>
Sent: Monday, February 6, 2023 7:16 PM
To: Cnty 2025 Comp Plan <comp.plan@clark.wa.gov>
Cc: Janet Kelly <jankelly@icloud.com>; Ray Toler <rtoler@gmail.com>; David Feist <davidfeist9@gmail.com>; Bill Peterson <smilinwill@hotmail.com>; Mark Krant Remax Real Estate <clarkcountyrealestate@yahoo.com>; Susan Scott <sgallag239@aol.com>; Amanda Trig <calibear411@yahoo.com>
Subject: UPDATE Comp Plan Public Participation Comments

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Clark County Community Planning and Public Comments Dept,
Please find attached comments relative to the recent request for public comment to the Periodic Update of the 2025 Comprehensive Plan. Myself and the neighbors grouped into the Friends of Central Vancouver would like to make ourselves available for input relative to the Clark County Comprehensive Plan as the Periodic Review progresses through 2025.

Sincerely,
Blake DeFrance

For the record, my name is Blake DeFrance and I live on 9710 NE 83rd Ct, Vancouver, Wa 98662. I am writing as part of the Friends of Central Vancouver, a neighborhood group advocating for responsible growth in Clark County. I appreciate the opportunity to weigh in on the Comprehensive Plan. Of particular interest to myself and many of my neighbors is the impact of the Chelatchie Prairie Railroad, it's usage and resultant zoning impacts particularly through residential areas.

I am most immediately concerned with the development of 7511 NE 10151 Street Vancouver, Clark County, Washington and known by Assessor Parcel Number 119480-000.

The county rejected a zoning change twice as evidenced by The Clark County Hearings Examiner denial of the rezone request in a Final Order under County File No. OLR-2020-00059. In the relevant Covenant Running with the Land, under recital item D, the Clark County hearing examiner denied the rezone of the property from Light Industrial to Rail Industrial. In item E of the same document, Clark County opposed the rezone because it believed that "some of the uses allowed in the IR zone, as set forth in Table 40.230.085-1 UDC, would cause a significant impact to surrounding properties."

Rather than finding a use for the land suitable for its Light Industrial zoning, which already allows for use of the rail line for freight and distribution purposes, rather than finding a use appropriate for its proximity to the surrounding residential areas zoned RI-1 to RI-6, Pioneer Industrial decided to sue the County. The property owner appealed the Rezone Decision under the Land Use Petition Act in Clark County Superior Court, Case No. 20-2-01634-06 The settlement document states that Pioneer Industrial disagreed with the County's concern that nearby properties would not be impacted.

This statement beggars belief, as the lawsuit was clearly an attempt to strong-arm the county into allowing a heavy industrial use in a residential area. Instead of fighting to keep the integrity of the plan for the area and to protect residential neighborhoods established decades ago, the County inexplicably decided to settle and grant the zone exemption.

When home buyers are making their decision on a property, the County's Comprehensive Development plan is the only resource they have to know if they're buying in an area where future development might harm the single largest investment most people make in their lives. For long-time residents of a neighborhood, the ability to participate in the plan's development and evolution is the primary way they can protect their homes and families from inappropriate land uses nearby.

This exemption was made in direct conflict with the will of the council and the county's then-active comprehensive plan solely to avoid a court battle. This was done without informing or involving any of the residents whose health, finances, and quality of life will be fundamentally harmed by the change.

Personally, had I known about it, I would have wanted the County to go to court to fight on behalf of the people and to send a message that developers need to understand and adhere to the

comprehensive plan. It may have been legally permissible to quietly settle this matter, but it flies in the face of representative democracy and transparent government.

On January 13, 2021, the Council decided to settle out of court and grant a Rail Industrial zoning exemption to Pioneer Industrial, LLC. On the very same day, it also approved a new, 62-home residential development on a parcel directly across the railroad tracks from this newly-exempted zone. This new neighborhood, currently under active construction by DR Horton, is just a couple hundred feet from a parcel zoned to allow heavy industrial usage- among other things, slaughterhouses, water treatment facilities, petroleum mining, and concrete batch plants.

The settlement agreement was signed by the Councilors on January 13, 2021, and by Kathleen Otto two days later on January 15. This chain of events indicates to us that decisions are being made in a vacuum, and without referring or adhering to the Comprehensive Growth Management Plan for 2015-2035.

Why would anyone approve a major source of vibration, noise, light, hydrocarbon, and particulate matter pollution just a few hundred feet from a residential zone?

Perhaps these zone changes aren't even being communicated within the County government itself - we've certainly received numerous responses of "we had no idea this was happening" to our questions.

At best, these types of decisions and lack of communication give citizens far less faith that the people's business is being conducted in a professional and competent manner.

We urge the council to change the rezoning process to require conspicuous public notice and proposed zoning changes and exemptions within one mile of a residential zone, and an opportunity for the public to comment when the change will allow heavy or rail industrial development, or significant nuisances that can damage our properties, health, and quality of life.

We similarly encourage the Council to revisit notification requirements. 300 feet is an inadequate limitation for changes of this magnitude. In the specific case we're concerned with, this limitation required notifying only a single household among the thousands that will be subjected to the light, noise, and air pollution, including cement and silica dust fallout. The high water table in the area will likely lead to vibration transmission whenever the plant is operating. Nearby homes will be at risk for foundation damage; it's hard to sleep when your bed is shaking.

Current notification regulations are insufficient to ensure that the public can be an informed participant in the progress and growth of the County.

The point of creating the Comprehensive Growth Management Plan is to manage growth appropriately; to balance the need for growth with the rights of residents to the quiet enjoyment of their homes and property, not to mention their health and financial welfare and the health of nearby protected ecosystems.

If unelected employees and contractors can overturn the decisions and plans of an elected body, if spot zoning exemptions can be granted in complete opposition to the ratified plan, if this council can sit here and say that there's nothing they can do about a direct threat to the health of citizens living less than 300 feet away from a concrete batch plant that shouldn't be built, then the citizens of Clark County have no reason to think that their votes mean anything or that plans and statements from the county can be relied on in the future.

It's time for the Council to take control back from the unelected, unaccountable bureaucracy and put more comprehensive restrictions in place, keeping incompatible land uses from being built next to each other and keeping dangerous new hazards from being introduced to decades-old neighborhoods.

I am asking on behalf of the voters that were here a few weeks ago, and the hundreds of others that could not attend, that one of the Councilors make the motion to place a temporary moratorium on the county accepting any new application in any Industrial Railroad zoned area. I am also asking that one of the Councilors second the motion, and finally that the Council as a whole vote to pass the temporary moratorium, effective immediately.

This immediate moratorium is imperative to allow the Council to assess what has gone wrong and to correct the non-compliance to the Master Plan without additional new permitting to complicate the issue.

Sincerely,

Blake DeFrance
And the Friends of Central Vancouver, Inc.