

From: [Sonja Wiser](#)
To: [Byran Halbert](#); [Eldon Wogen](#); [Jack Harroun](#); [Jeremy Baker](#); [Karl Johnson](#); [Mark Bergthold](#); [Steve Morasch](#); [Bryan Halbert](#); [Eldon Wogen \(Wogen5@msn.com\)](#); [Jack Harroun](#); [Jeremy Baker](#); [Karl Johnson](#); [Mark Bergthold](#); [Steve Morasch \(stevem@landerholm.com\)](#)
Subject: Planning Commission Lt-Clark County Population, Housing, and Employment Allocation
Date: Thursday, March 21, 2024 6:31:00 AM
Attachments: [Planning Commission Letter 3-20-2024.pdf](#)
[image001.png](#)
[image002.png](#)

FYI

From: Sonja Wiser
Sent: Thursday, March 21, 2024 6:25 AM
To: Darlene Ferretti <Darlene.Ferretti@jordanramis.com>
Cc: Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Christine Cook <Christine.Cook@clark.wa.gov>; James D. Howsley <jamie.howsley@jordanramis.com>; Ezra L. Hammer <elh@jordanramis.com>
Subject: RE: Planning Commission Lt-Clark County Population, Housing, and Employment Allocation

Received; this will be sent to the PC members and added to the Index of Record. The comments will be posted to the webpage this morning. Thank you

From: Darlene Ferretti <Darlene.Ferretti@jordanramis.com>
Sent: Wednesday, March 20, 2024 4:17 PM
To: Sonja Wiser <Sonja.Wiser@clark.wa.gov>
Cc: Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Christine Cook <Christine.Cook@clark.wa.gov>; James D. Howsley <jamie.howsley@jordanramis.com>; Ezra L. Hammer <elh@jordanramis.com>
Subject: Planning Commission Lt-Clark County Population, Housing, and Employment Allocation

EXTERNAL: 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.

Good afternoon,

Please see letter of today's date from Jamie Howsley. Please confirm receipt.

Thank you,
Darlene

Darlene Ferretti | Legal Assistant
Direct: (503) 598-5551

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March 20, 2024

VIA EMAIL ONLY

Clark County Planning Commission
c/o Sonja Wiser
PO Box 9810
Vancouver, WA 98666-9810

Email: Sonja.Wiser@clark.wa.gov

Re: Clark County Population, Housing, and Employment Allocation

Dear Clark County Planning Commission Members:

Jordan Ramis PC has worked with property owners and businesses in Clark County for over two decades. We currently represent a number of property owners who are engaged in the County's 2025 Comprehensive Plan update process and are deeply committed to ensuring that Clark County can continue to thrive and remain a world class place to live, work, and play.

Determining capacity for housing and jobs and directing future growth are some of the most important steps that the County will take as part of its 2025 Comprehensive Plan update. The two, housing and jobs, are intrinsically interconnected, and the County has the responsibility to plan and accommodate an ample supply of land for both.

We are concerned that the current draft Population, Housing, and Employment Allocation proposal includes some significant assumptions that – if left unchanged – will greatly diminish the ability of the County and local cities to provide for critically needed housing and jobs. The Washington Department of Commerce projects that Clark County will need 103,000 housing units over the next twenty years, of which the County will need 60% for those making up to 80% of the Area Medium Income (“AMI”). This means our county needs to produce approximately 430 housing units per month to meet projected needs. Additionally, the local office vacancy rate for 2023 was 6.6 percent, which is far lower than the double-digit rates seen nationwide. With these needs in mind, we ask that the Planning Commission adopt the four recommendations below and recommend the same to the Clark County Council.

1. Choose Method A for housing allocation;
2. Approve adequate land for the siting of construction companies so that they can provide jobs for Clark County residents, include Construction jobs in the category of those jobs needing land as part of the Vacant Buildable Lands Model (“VBLM”) process, and direct staff to revise the (“VBLM”) analysis to fully account for these jobs;
3. Treat mixed-use zones in Vancouver the same as in all other cities and modify the VBLM to adjust downward the probability that jobs will occur in mixed-use zones such that no zone includes an assumption that jobs and housing will occur greater than 100% of the time; and
4. Treat low density residential zones in Vancouver the same as in all other cities and modify the VBLM to adjust downward the expected capacity in these zones to reflect actual capacity.

1. Method A Provides Cities Maximum Flexibility to Plan Locally

In 2021, the Washington Legislature changed the way counties are required to plan for housing. House Bill 1220 (2021) amended the Growth Management Act (“GMA”) to instruct local governments to “plan for and accommodate” housing that is affordable at all income levels. HB 1220 also directed the Department of Commerce to project future housing needs for jurisdictions according to various income brackets and made updates to how jurisdictions should plan for housing in the housing element of their comprehensive plans. As part of this process, the Department of Commerce prepared a guidance tool to help assist counties in crafting their local housing allotments, which is called the Housing for All Planning Tool (“HAPT”).

The HAPT is not designed with local considerations in mind. Rather, it is a statewide tool that provides a 30,000-foot overview and has not been refined for the particularized needs of Clark County. It merely takes the County’s current population, breaks it up into economic quadrants, and then extrapolates out these quadrants based on the county’s future growth number which is 718,154.

The HAPT was not designed to produce exact allotments for specific areas or jurisdictions. The state designed the HAPT with a high level of flexibility in finalizing housing allotments to meet the unique needs and characteristics of each jurisdiction. It explicitly permits counties to refine their allotment methodology to ensure that the housing allocation is appropriate and fair for each city.

The HAPT breaks down the housing needed to accommodate future residents with two different Methods:

1) Method A, the HAPT extrapolates out the existing economic quadrants within a jurisdiction based on the existing population and future growth numbers. Option A provides more flexibility for jurisdictions to address the specific and unique characteristics of their community including population percentages in each economic quadrant.

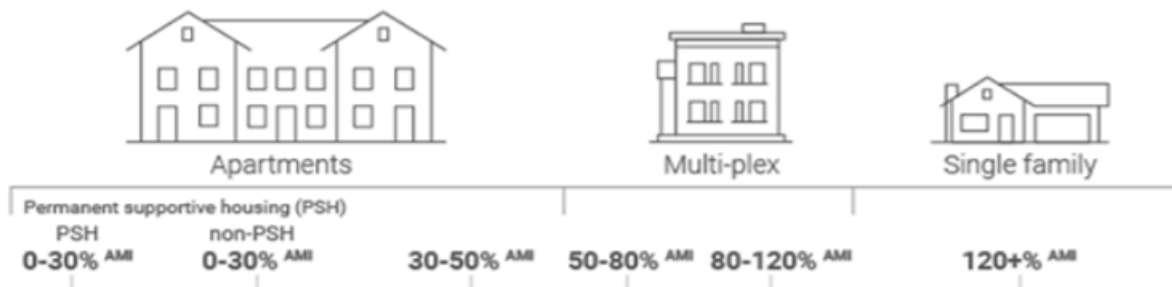
2) Method B, the HAPT extrapolates out the future population with a goal of normalizing the percentage of people in each economic quadrant across every jurisdiction within the County. Method B restricts local jurisdictions from effectively planning and accommodating growth through the implementation of a ridged statewide mandate that completely fails to address the unique local needs and characteristics of each community.

Method B directs that neither Camas nor Ridgefield are justified in adding new housing for people making over 120% of the AMI, which was \$106,500 in 2022 for a family of four with two working adults. Rather, they would both need to plan almost exclusively for those making less than 80% of the AMI and would not be justified in planning any new single-family homes over the next 20 years.

County staff indicated both in the staff report and at a previous Planning Commission work session that the only way the County can determine whether a city is planning for the correct amount of housing in an economic quadrant is through zoning for various housing types as shown in Image 1 below.

Image 1

Future housing needs broken down by area median income (AMI) groups



This idea is extremely prescriptive and says that those making less than 50% of the AMI can only live in apartments, those making 50-120% of the AMI can only live in “multi-plexes” (understood to mean townhomes, duplexes, triplexes, and quad-plexes), and those making at or above 120% of the AMI can only live in single-family homes. This leaves no room for flexibility, and dictates that families making less than \$120,000 should not live in single-family homes and those making more should live only in single-family homes. This approach does not reflect the facts as they exist in Clark County.

Method B runs completely contrary to the idea of using local strategies to address housing needs as well as the historic prioritization of local flexibility that Clark County has emphasized in previous comprehensive plan updates. Never has Clark County told a city that they are effectively prohibited from planning for a development of a specific housing type or segment of the population. We strongly caution the County from doing so now. Camas has submitted a letter to the Planning Commission expressing its understandable concern with Option B. We echo those concerns.

For these reasons, we ask that the Planning Commission recommend the County Council adopt Option A.

2. Construction Companies Need Land For Jobs

Per the staff report, “Construction employment is primarily done on a job site and there typically isn’t dedicated land type to accommodate those jobs in a permanent way. Most of the workers are in the field and don’t report to a location other than a job site. We recommend discounting these jobs in relation to land needed for construction employment.” However, nothing could be farther from the truth.

Construction companies require significant amounts of land to meet their needs. These companies need both administrative space to support back of house departments such as customer service, sales, accounting, workshops, fabrication areas, construction meetings, and marketing, as well as also both indoor and outdoor areas to store equipment and machinery. The County fully recognizes this fact and the County’s development code specifically identifies multiple construction related uses and their associated development that are either permitted or prohibited in certain zones.¹

¹ The County identifies the following “Construction” land uses as permitted in Employment Districts (IL, ID, IR, BP zoning):

Certainly, the County must believe that land is needed to support construction businesses, otherwise they would not bother identifying where those companies and their associated buildings and storage facilities are permitted. Importantly, the staff report for the previous Planning Commission work session indicated that land was needed to accommodate construction related jobs and companies. Only in the most recent iteration of the staff report were these jobs removed from consideration for needed land. Importantly, these jobs were never excluded from the needed land analysis as part of previous VBLM adoption processes.

For these reasons, we ask that the Planning Commission recommend that the County Council approve adequate land for the siting of construction companies so that they can provide jobs for Clark County residents, include Construction jobs in the category of those jobs needing land as part of the VBLM process, and direct staff to revise the VBLM analysis to fully account for these jobs.

3. Plan for Mixed-Used Projects that Align with Market Realities

As part of the VBLM process, the County reviews each zone in each jurisdiction and applies an expected yield assumption to determine how many jobs or housing units it can accommodate. This process is generally straightforward but becomes challenging in certain contexts. One especially unique situation is where zones allow for both housing and job related uses. In these instances, the VBLM assumes that either jobs or housing will occur and applies a likelihood to both (e.g. in the HX zone in Vancouver, 80% of the time housing will occur and 20% of the time jobs will occur).

-
- Construction of buildings,
 - Heavy and civil engineering construction,
 - Specialty trade contractors, and
 - Storage yards for building materials, contractors' equipment and vehicles.

The County notes that the above are, “businesses that are actively working on construction projects and not just coordinating with other contractors. Uses include the storage of materials for use on construction projects, trucks, and other equipment, and shall not be a purely office use. These uses shall not include professional offices such as engineers, planners or architects that support land development and subdivision projects.” CCDC 40.230.085.C.

This exercise becomes particularly challenging when the uses are assumed to occur at the same time. This is the case with mixed-use zoning that encourages – or requires – a commercial component as part of a residential development. To capture the possibility of having both jobs and housing occurring at the same time, the VBLM assigns likelihoods that equal greater than 100% as seen below in Table 1.

Table 1

Zone	Houses Per Acre		Jobs Per Acre	
General Commercial	24.8	50%	20	75%
Waterfront Mixed Use	26.2	100%	20	10%
Mixed Use	26.8	50%	20	75%
City Center	152.4	50%	20	75%
Community Commercial	79.3	50%	20	75%
Neighborhood Commercial	32.7	25%	20	90%
Riverview Gateway Mixed Use	65.9	50%	20	75%

Oddly, these greater than 100% assumptions occur only in Vancouver, even though other jurisdictions allow mixed-use projects in certain zones. Regardless, the true issue lies in the fact that the methodology assumes projects that include both high density housing (e.g. apartments) and high intensity jobs (e.g. large, multistory commercial buildings) at the same time, in the same project. Simply put, this is not how mixed-use projects work in Vancouver, Clark County, or anywhere in North America outside of the highest density metropolises, such as New York City.

Mixed-use projects most regularly include low intensity commercial uses on the ground floor of residential buildings. Many of these buildings exist in Downtown Vancouver. They feature ground floor retail space with multiple levels of housing located above. These ground floor uses are oftentimes focused on meeting the needs of the building residents, and include coffee shops, laundromats, and small restaurants, all of which employ people at a far less dense rate than assumed in Table 1. These commercial uses are best described as providing an incidental number of jobs.

Absent a revision to the assumptions for jobs in mixed-use zones, the VBLM will greatly inflate the available land for jobs within Vancouver, even though this land does not actually exist.

For these reasons, we ask that the Planning Commission recommend that the County Council treat mixed-use zones in Vancouver the same as in all other cities and modify the VBLM to adjust downward the probability that jobs will occur in mixed-use zones such that no zone includes an assumption that jobs and housing will occur greater than 100% of the time.

4. Plan for Lower Density Projects that Align with Market Realities

As referenced above, the County reviews each zone in each jurisdiction and applies an expected yield assumption to determine how many jobs or housing units it can accommodate. In each jurisdiction, except for Vancouver, the expected capacity for low density zoning conforms with the requirements of that zone. As shown in Table 2 below, the County expects Vancouver to see far greater density than otherwise permitted by the underlying zoning.

Table 2

Low Density Residential Zone	Zone Density	Expected Density
R-2	2 du / acre	4.4 du / acre
R-4	4 du / acre	13.2 du / acre
R-6	6 du / acre	18 du / acre
R-9	9 du / acre	27.9 du / acre

This expected density, which is 2-3 times greater than the underlying zoning calls for, indicates an assumption that every single-family zoned lot will see multi-plex housing. This does not reflect market reality. Single-family homes remain the overwhelming majority of all dwelling units built on lots with low density residential zoning. Other housing types, such as duplexes and triplexes, make up a modest percentage of the dwelling units. The VBLM assumptions undermine the planning process in that they fail to reflect actual development patterns in the community.

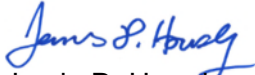
Absent a revision to the assumptions for housing capacity in low density residential zones, the VBLM will greatly inflate the available land for housing within Vancouver, even though this land does not actually exist.

Clark County Planning Commission
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For these reasons, we ask that the Planning Commission recommend that the County Council treat low density residential zones in Vancouver the same as in all other cities and modify the VBLM to adjust downward the expected capacity in these zones to reflect their actual capacity.

Sincerely,

JORDAN RAMIS PC



Jamie D. Howsley
Admitted in Oregon and Washington

cc: Oliver Orjiako, Clark County
Jose Alvarez, Clark County
Christine Cook, Clark County Counsel
Ezra Hammer, Jordan Ramis PC