

**From:** [Rebecca Messinger](#)  
**To:** [Cnty 2025 Comp Plan](#)  
**Subject:** FW: GMA Site-Specific Property Request Parcels 137501000 and 986066527  
**Date:** Wednesday, October 16, 2024 3:00:28 PM  
**Attachments:** [image001.png](#)  
[LT Oliver Orjiako-GMA Site-Specific Property Request Parcels 137501000 and 986066527.pdf](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Hello,

Just want to make sure you receive the attached letter. Thank you!



**Rebecca Messinger**  
Clerk to the Council  
COUNTY MANAGER'S OFFICE

564-397-4305



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**From:** Darlene Ferretti <Darlene.Ferretti@jordanramis.com>  
**Sent:** Wednesday, October 16, 2024 1:10 PM  
**To:** Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>  
**Cc:** Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Bart Catching <Bart.Catching@clark.wa.gov>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; chris.cook@clark.wa.gov; James D. Howsley <jamie.howsley@jordanramis.com>; Ezra L. Hammer <elh@jordanramis.com>  
**Subject:** GMA Site-Specific Property Request Parcels 137501000 and 986066527

**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.

Hello Oliver,

Please find attached a letter of today's date from Jamie Howsley. Please confirm receipt.

Thank you,  
Darlene

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

**JORDAN  RAMIS**

1211 SW Fifth Ave, Suite 2700  
Portland OR 97204

[jordanramis.com](http://jordanramis.com) | (888) 598-7070  
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October 16, 2024

VIA EMAIL ONLY

Oliver Orjiako, Community Planning Director  
Clark County  
1300 Franklin St.  
Vancouver, WA 98660  
Email: oliver.orjiako@clark.wa.gov

Re: **GMA Site-Specific Property Request – Parcels 137501000 and 986066527**

Dear Oliver:

Our client owns real property, consisting of approximately 148.92 acres of land and two parcels with property identification numbers 137501000 and 986066527, located within unincorporated Clark County (the “Property”).

As part of the Clark County 2025 Growth Management Act Comprehensive Plan update process, the Property owner submitted a site-specific request to bring the Property into the Ridgefield urban growth area boundary and change the zoning designation from agriculture to residential. This letter explains that the Property is “characterized by urban growth” and does not have “long-term commercial significance” as forest land. For these reasons, it is appropriate for the County to act in accordance with the site-specific request under *Lewis County v. Hearings Bd.*, 157 Wn. 2d 488, 502 (Wash. 2006)<sup>1</sup> and WAC 365-190-060.

The Washington Legislature recently defined the term “characterized by urban growth” and included it in Revised Code of Washington (RCW) Section 36.70A.030(44), which states,

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<sup>1</sup> While the *Lewis County* test related to agricultural land, the framework that the Supreme Court delineated to determine the basis for de-designation of agricultural land is similarly applicable to the de-designation of forest land.

"Urban growth refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. *"Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth"* (emphasis added).

The Property is adjacent to an urbanized and growing part of the County. In fact, the Property is completely surrounded by land located within the city's jurisdictional boundaries and zoned for urban development. Immediately west and north of the Property is fully parcelized land zoned for various levels of residential density. There are new communities in the area and, due to the existing demand for new housing, it is expected that this area will continue to grow in the coming years. While there is land zoned for forest uses to the east and south, the Property is at the very edge of the forest zoning. Additionally, parcel 986066527 is smaller than the minimum lot size than its FR-80 zoning requires, limiting the ability of the Property owner to fully utilize their land.

Importantly, due to environmental constraints the Property does not have long-term commercial significance as forest land. Parcel 137501000 contains a significant amount of environmentally sensitive land and topographical change, which makes the Property sub-optimal for use as forest land. Specifically, parcel 137501000 includes multiple riparian habitat areas, areas with sloping greater than 15% and severe erosion hazard. Collectively, these

October 16, 2024  
Page 3


factors make the Property ideal for the structured management and enhancement commensurate with rural residential development, rather than timber operations. Importantly, due to the presence of these environmental constraints, the Property is not actively utilized for timber harvesting purposes.

Additionally, parcel 986066527 is further suitable for de-designation due to its small size. The existing zoning calls for parcels with a minimum size of 80 acres. However, parcel 986066527 is less than half of the required size, at a mere 35 acres. The state encourages designating predominantly large parcels with forest designation, and the Court of Appeals has affirmed the right of counties to determine appropriate minimum parcel sizes. *Manke Lumber Co. v. Diehl*, 91 Wash. App. 793, 807, 959 P.2d 1173, 1181 (1998). We recommend that Clark County exercise its right to designate only those parcels that meet the minimum lot size requirement for forest land.

Clearly, the facts on the ground demonstrate that the Property is fully characterized by urban growth in a manner. As such, it is appropriate to designate the Property with a residential zoning. Doing so would comply with the legal standards for such designation in accordance with the RCW and case law.

Sincerely,

JORDAN RAMIS PC



Jamie D. Howsley  
Admitted in Oregon and Washington

cc: Client  
Jose Alvarez, [Jose.Alvarez@clark.wa.gov](mailto:Jose.Alvarez@clark.wa.gov),  
Bart Catching, [Bart.Catching@clark.wa.gov](mailto:Bart.Catching@clark.wa.gov)  
Rebecca Messinger, [Rebecca.Messinger@clark.wa.gov](mailto:Rebecca.Messinger@clark.wa.gov)  
Christine Cook, [chris.cook@clark.wa.gov](mailto:chris.cook@clark.wa.gov)