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**To:** [finley.m.irene@gmail.com](mailto:finley.m.irene@gmail.com); [Cnty Community Planning](#)  
**Cc:** [Oliver Oriako](#); [Jose Alvarez](#)  
**Subject:** RE: Comp Plan and Codes Tree Retention & Cottage Development  
**Date:** Tuesday, May 27, 2025 9:38:06 AM  
**Attachments:** [letter to land use planning decision makers.docx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good day, Irene,

Thank you for submitting comments regarding the 2025 Comprehensive Plan Update. I am forwarding to members of Community Planning Staff, and these will be entered into the Index of Record.

We look forward to hearing from you this week at the Open House events.

Best regards,



**Jeff Delapena**  
Program Assistant  
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**From:** Irene Finley <[finley.m.irene@gmail.com](mailto:finley.m.irene@gmail.com)>  
**Sent:** Monday, May 26, 2025 6:23 PM  
**To:** Michelle Belkot <[Michelle.Belkot@clark.wa.gov](mailto:Michelle.Belkot@clark.wa.gov)>; Sue Marshall <[Sue.Marshall@clark.wa.gov](mailto:Sue.Marshall@clark.wa.gov)>; April Furth <[April.Furth@clark.wa.gov](mailto:April.Furth@clark.wa.gov)>; Cnty Community Planning <[CommunityPlanning@clark.wa.gov](mailto:CommunityPlanning@clark.wa.gov)>  
**Cc:** Megan.Walsh@leg.wa.gov; megan.filippello@leg.wa.gov  
**Subject:** Comp Plan and Codes Tree Retention & Cottage Development

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Please see my attached letter regarding my experience and recommendations for the upcoming Clark County Comprehensive Planning process currently in motion and Amendments to the Unified Development Code 40 that I believe is to be voted on by the Council soon. I am not just complaining, I have some suggestions!

I will attend the open houses and I will give public testimony when I learn about such opportunities but I would not want to blind side you when I do so. I believe the infill at 3707 NE 60th Street demonstrates institutional classist targeting of poor, older people in Unincorporated Clark County. (Not that I am poor but I have been there and I can relate. They are my neighbors who feel too disempowered to act on their own behalf.)


I am copying my elected State representatives who may not know of the unintended consequences of HB1110 or the pressure for infill from the Growth Management Act and, of course, the desperate need for an Updated Comprehensive Plan.

Thank you,

Irene Finley

[REDACTED]  
[REDACTED]  
[REDACTED]

Irene Finley



May 26,2025

TO: Elected Council Representatives and Elected State Legislators

Several months ago I contacted my local area elected Council Members about the huge trees next door being cut down. Four were heritage trees from 32 inch diameter Cedar to 60 inch diameter Douglas Fir. Three were landmark trees from twenty four inch to twenty eight inch in diameter Douglas Firs and one deciduous tree not likely over 100 years old as the others were. Based on the height and diameter of the trees, this is at least 30,000 board feet of timber and could be as much as 50,000. The developer did not seek a permit. The tree cutter refused to provide proof of licensing and bonding.

Clark County code 40.260.080 Forest Practices states that in a UGA a Class I forest practices permit for a timber harvest on less than two (2) acres of land is required unless the forest practices result in the removal of less than five thousand (5,000) board feet of timber for either personal use or the abatement of an emergency in any twelve (12) month period.

Code Compliance informed us that the trees would have to be removed from the property, not just cut down and we would have to prove that the timber was being sold in order to be out of compliance with the code. We do not know how the City/County Forester defines "removal" as he never returned our phone calls. He had moved from the address on the web site where we went and the location where he supposedly moved to, staff would not give us access to talk with him or leave him a message.

It seems that Clark County does not define "removal" in the same way as other jurisdictions. For example, the City of Covington near Seattle, defines removal as follows: "Remove" or "removal" is the act of removing a tree by digging up, cutting down, or any act which causes the tree to die within a period of three years, including, but not limited to: damage inflicted on the root system by machinery, storage of materials, or soil compacting, or changing the ground level in the area of the tree's root system; damage inflicted on the tree permitting infections or infestation; excessive pruning; topping; paving with concrete, asphalt, or other

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impervious material within the drip line; or any other action which is deemed harmful to the tree. [See <https://covington.municipal.codes/CMC/18.45>]

The trees were removed, cut down, a year ago. Personal use was described in the code as (firewood, fence posts). Code Enforcement said that wood used to make something for sale would not qualify as personal use. It should be obvious that over 30,000 board feet of timber removed at one time is not for personal use. Moving it to some neutral location does not ensure it will not be sold or used for products that will be sold. That the harvest exceeded the 5,000 board should be sufficient to enforce the code. The County should not need me to prove the developer is out of compliance with the code by my having to prove that he sells the timber.

I stated in the SEPA Determination of Non-Compliance that taking down the trees would destabilize the grove. This happened this winter in a big wind storm from the east. A tree in the grove came down on the neighbor's house. I said that we have several heritage trees near the property line which will be destabilized by the construction damaging the root system of our trees. I disagreed with the SEPA Determination but I found no mechanism to dispute the decision in the materials we were provided.

The Covington City Municipal Code defines the critical root zone as follows: "Critical root zone (CRZ)" means the International Society of Arboriculture (ISA) definition of CRZ, which is an area equal to a one-foot radius from the base of the tree's trunk for each one inch of the tree's diameter at four and one half feet above grade (referred to as Diameter at Breast Height). Example: A 24-inch diameter tree at four and one half feet above grade would have a critical root zone radius (CRZ) of 24 feet. In this example, the total protection zone, including trunk, would be 50 feet in diameter." [See <https://covington.municipal.codes/CMC/18.45>]

Now we are being offered the opportunity to learn more about the proposed Clark County Comprehensive Plan. Given the excellent job Covington City Municipals Code did to support compliance to the Growth Management Act regarding tree retention, I reviewed their Comp Plan where tree retention is identified under the Natural Environment section. I recommend that Clark County provide a Chapter for Tree Retention and a Chapter on Cottage Development standards.

As you may be aware, there is no tree retention in the current Clark County Comprehensive Plan and there are no effective Approval Criteria for tree retention in the Clark County Code. The Covington City Comprehensive Plan is not just feel

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good policies but states where in the Code you can find how they implement those goals and policies. I highly recommend that you read these documents and compare them to any that are proposed in the Clark County Comprehensive Planning Process.

This treeless cottage development has a Preliminary Approval for 10 houses on 1 lot of less than an acre of land, with the front half of the slope designated for a steep driveway and the back slope of 20% grade designated for 8 of the 10 houses. People residing in the houses on the back slope have a pathway to/from their units to the parking lot on the top of the slope. No cars can access the units on the back of the slope.

There is currently no plan to extend the pedestrian walkway from the parking lot to the street. There is a stairway between the two “carriage houses” on the ridge which does not connect to the sidewalk. Stairs are not a realistic option for moving garbage cans so the residents moving their refuse to the street will drag containers down a steep driveway that at its narrowest is 12 feet wide, used by up to 15 cars. Residents would need to store their garbage and recycling somewhere around their house and walk the containers up the 15-20 foot slope to the driveway and down the 20 foot slope to the street each week. Their waste removal containers will take up the entire sidewalk that the developer provides each week resulting in once/week, children not having a safe sidewalk to catch that school bus.

I am appalled that the County considers it sufficient that a letter from the school district stating they will bus children to school alleviates the need for planning for safe pedestrian and bicycle transportation. I am highly offended by the language of the current Comprehensive Plan because of its lack of documentation that supports implementation at the Development Standards and Approval Criteria level in my neighborhood. It is disingenuous.

In our appeal to the Preliminary Approval, the Hearings Officer and the Planner seemed mystified about our insistence that the code be followed to require a Covered Entry Feature facing the street. There are 8 small infill developments along our 8 blocks of street. All of them are single family homes on privately owned property. One of them is lovely. The houses face their private road with a driveway entrance from 60th Street that is open and inviting. Others have private roads with houses fronting to the private road, not to 60th street. We see privacy fences or the butts of their houses. They have zero relationships with the neighbors beyond their fiefdoms.

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Please know that the Covington City Municipal Code includes language specific to this issue in: Chapter 18.37 DEVELOPMENT STANDARDS AND DESIGN REQUIREMENTS FOR COTTAGE HOUSING

[See <https://covington.municipal.codes/CMC/18.37>]

What I want my elected officials to know is that I see this specific infill project to be inherently classist. As a person from a low-income background, I find this development approval insulting. What you are telling us is: if you can only qualify for middle income housing, this is what you can afford. Take it or leave it.

An apartment building, or a series of 2-3-4 plexes where renters have vehicular access to their entrance, a covered area for their car, a sidewalk or designated walkway of some impervious material from the parking lot to the street, a waste disposal system appropriate for 10 or more units and some kind of backyard would not be offensive. It would reflect a standard similar to the standards required for upper income cottage developments on individual owner or HOA owned lots. Please note that Covington City does not allow for a cottage development on one lot owned by the developer.

I intend to give input in every forum available to me as the “public” but I have no realistic belief that my input will make any difference. I hope that your influence can be heard and included.

I see that two of my State representatives sponsored HB1110 in 2023. I will let them know about the issues we have here as a result of a well-intended cottage housing concept and how it becomes another form of discrimination against the people who live in Unincorporated Clark County. Demographically, we are older, living on more land, with less income and not a very good voter turnout to reach our elected officials in any numbers to offset the pressure of the developers and the Growth Management Act itself. I do see us as being targeted by well intentioned government entities and people who do not live in my neighborhood.

Irene Finley