From: Jeffrey Delapena
To: "dustiarab"
Cc: Oliver Orjiako; Jose Alvarez
Subject: RE: Public comment re: Aug 20th agenda
Date: Thursday, August 20, 2026 3:20:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png

Good day, Dusti,

Thank you for submitting comments related to tonight's Public Hearing.

I am forwarding to additional staff. These will be added to the Comprehensive Plan Index of Record and brought to the attention of the Planning Commission.

Best,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

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From: dustiarab <dustiarab@pm.me>
Sent: Thursday, August 20, 2026 3:19 PM
To: Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Subject: Public comment re: Aug 20th agenda

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To the Clark County Planning Commission:

I'm submitting written comment on Items 5 through 9, which would de-designate significant agricultural land across Clark County, and on CCC 40.210.020(D), the rural cluster development code that incorrectly frames rural cluster development as farmland conservation.

I'm asking the commission to recommend the removal of the comp plan language authorizing rural cluster development as GMA-consistent agricultural preservation under RCW 36.70A.177.

Here's why it needs to go.

The "protected" land isn't protected.

CCC 40.210.020(D) gives applicants two paths for how the remainder parcel is handled. Under Option A, the remainder is restricted to agriculture, forestry, or open space, but the management plan enforcing that restriction requires no funding, can be modified through a standard administrative process, and is enforced only through private civil action, not by the county. Under Option B, trading one fewer cluster lot makes the remainder parcel eligible for any use allowed in rural districts. Clark County's guidance page, revised January 1, 2026, states it directly: "Any uses permitted in the rural zone districts are permitted on the remainder parcel."

The project record shows it isn't working.

- Whipple Creek Heights is a cluster subdivision in Clark County. When it was built in 1990, a 22-acre remainder parcel was set aside as the land that would stay out of development. There is no evidence that parcel was ever farmed. In 2019, the owner applied to rezone it and subdivide it into five lots, adding three more homes to land that cluster development was supposed to preserve. The only thing that denied it was a comp plan policy barring further subdivision of cluster remainder parcels. That is the policy at stake in this update.
- Mountain Estates is an active 42-lot cluster subdivision proposal with a 365-acre remainder parcel that has been in the pipeline for six years. The code requires no agricultural use on that remainder parcel.
- Friends of Clark County documented a case in Felida where a landowner purchased agricultural land, declared it no longer viable for farming, pursued R-5 rezoning to increase the land's development value, and proposed a cluster subdivision as the exit strategy. CCC 40.210.020(D) makes that pathway available to any landowner.

The code increases development capacity, not conservation.

Under a standard subdivision, density is capped at 100% of gross site area. CCC 40.210.020(D) calculates cluster density at 110%. A cluster subdivision can legally produce more lots than a conventional subdivision of the same parcel.

The Farmland Information Center recommends against relying on cluster zoning to keep land in agricultural production. Freeman et al. (2011) found cluster subdivisions "do little to ensure habitat connectivity." Every jurisdiction where this tool has functioned as conservation required a permanent conservation easement on the remainder parcel. Clark County requires none under either option.

Exhibit 4 from Clark County's planning division shows every rural unit in the current plan serves households above 120% of area median income. This is not a housing affordability tool. It is farmland being turned into homes for high-income buyers.

I'm asking the commission to put that on the record: remove the comp plan language authorizing rural cluster development as agricultural preservation under RCW 36.70A.177.

Sources

- Clark County Community Development, "Cluster Developments (PLD)," clark.wa.gov/community-development/cluster-developments-pld (revised January 1, 2026)
- Clark County Code 40.210.020(D), Rural Cluster Development, codepublishing.com/WA/ClarkCounty
- Friends of Clark County, "A Bold Vision for Agriculture in Clark County," friendsofclarkcounty.org/foccs-bold-vision-for-agriculture-in-clark-county-view-part-of-our-comprehensive-planning-comments-to-the-clark-county-council/
- The Columbian, August 18, 2026 (Whipple Creek and Mill Creek stormwater testimony)
- Clark County Planning Division, Exhibit 4: Memo on Allocation and Capacity, 2026 Comprehensive Plan Update record
- Farmland Information Center, "Cluster Zoning," farmlandinfo.org/ag-toolbox/protect-farm-and-ranch-land/
- Freeman, R.C. et al., "Conservation versus cluster subdivisions and implications for habitat connectivity," Landscape and Urban Planning, 2011

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