



CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St.
PO Box 1995 | Vancouver, WA 98668-1995
www.cityofvancouver.us

Anne McEnergy-Ogle, Mayor

Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

December 18, 2023

WORKSHOPS: 3:00 - 6:00 p.m.

Vancouver City Hall - Council Chambers - 415 W 6th Street, Vancouver WA

Workshops were conducted in person in the Council Chambers of City Hall. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, or www.facebook.com/VancouverUS.

View the CVTV video recording, including presentations and discussion, for workshops at: https://www.cvtv.org/vid_link/36119?startStreamAt=0&stopStreamAt=10194

Vancouver Police Department Update (Approximately 1 hr.)

Jeff Mori, Police Chief, 360-487-7472

Summary

Staff led Council through a discussion of the Vancouver Police Department Update.

Councilmembers Perez and Fox were late to the first workshop. Councilmembers Harless and Hansen were absent from the first workshop.

Critical Areas Ordinance (Starting immediately after the previous workshop and lasting approximately 1 hr.)

Domenique Martinelli, Senior Planner, 360-487-7943

Summary

Staff led Council through a discussion of the Critical Areas Ordinance.

Councilmembers Harless and Hansen were late to the second workshop.

Water Quality Update - PFAS (Starting immediately after the previous workshop and lasting approximately 1 hr.)

Tyler Clary, Engineering Program Manager, 360-487-7169

Summary

Staff led Council through a discussion of the Water Quality Update - PFAS.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

COUNCIL REGULAR MEETING

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Community Forum were also facilitated in person and via the GoToMeeting conference call.

Vancouver City Council meeting minutes are a record of the action taken by Council. To view the CVTV video recording, including presentations, testimony and discussion, for this meeting please visit: https://www.cvtv.org/vid_link/36121?startStreamAt=0&stopStreamAt=11184 Electronic audio recording of City Council meetings are kept on file in the office of the City Clerk for a period of six years.

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, and Mayor McEnerny-Ogle

Absent: None

Council Oaths of Office; Councilmembers Bart Hansen, Ty Stober, and Sarah Fox

City Attorney Jonathan Young administered the oaths of office to Councilmember Hansen and Councilmember Fox for their new terms of office.

Clark County Superior Court Judge Camara L.J. Banfield administered the oaths of office to

Councilmember Stober for his new term of office.

Approval of Minutes

Minutes - November 13, 2023

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve the meeting minutes of November 13, 2023.

Minutes - November 20, 2023

Motion by Councilmember Paulsen, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of November 20, 2023.

Proclamations: Honoring the Work of All Fort Vancouver Regional Library Staff; Homeless Memorial Proclamation

Mayor McEnerny-Ogle read and presented a proclamation to Jamie Spinelli, Homeless Response Manager, proclaiming December 21, 2023, as Homeless Persons' Memorial Day.

Community Communications

Mayor McEnerny-Ogle opened Community Communication and received testimony from the following community members regarding any matter on the agenda not scheduled for a Public Hearing:

- Kimberlee Goheen Elbon, La Center, WA
- Jacob Billingsley, Vancouver
- Mike Moore, Vancouver
- Dmitri Stoyanoff, Vancouver
- Peter Bracchi, Vancouver

There being no further testimony, Mayor McEnerny-Ogle closed Community Communication.

Consent Agenda (Items 1-14)

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to approve items 1-4, 6-10, 13, and 14 on the Consent Agenda.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve item 5 on the Consent Agenda.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and carried 6-1 to approve item 11 on the Consent Agenda. Councilmember Stober voted No.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve item 12 on the Consent Agenda. Councilmember Harless abstained.

1. Bid award for Blandford Drive Subbasins LID Retrofits, ITB 23-21

Staff Report: 230-23

Runoff from the plateau area adjacent to the northern end of the Blandford Canyon drains untreated and undetained to the canyon storm system, which flows to a stormwater pond along Columbia House Boulevard and ultimately drains to the Columbia River. Localized flooding occurs downstream along Columbia House

Boulevard upstream of the stormwater pond. This project will install 21 underground filter media cartridge units, two bioretention facilities and associated underground infiltration facilities. These new facilities will treat and infiltrate stormwater from approximately 22 acres of impervious surfaces reducing flows to the Blandford Canyon system.

On 11/28/2023, the City received 11 bids for the subject project. The bids ranged between \$1,456,546 and \$2,669,480. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Rotschy, Inc., Vancouver, Washington</i>	<i>\$1,456,546.00.</i>
<i>Inland Company, Battle Ground, Washington</i>	<i>\$1,565,907.00</i>
<i>Jeffries Company, Woodland, Washington</i>	<i>\$1,645,273.40</i>
<i>McDonald Excavating, Washougal, Washington</i>	<i>\$1,654,826.00</i>
<i>Tapani, Inc., Battle Ground, Washington</i>	<i>\$1,871,017.81</i>
<i>Advanced Excavating, Kelso, Washington</i>	<i>\$1,941,010.00</i>
<i>New X Inc., Monroe, Washington</i>	<i>\$1,942,341.50</i>
<i>Halme Excavating, Inc., Battle Ground, Washington</i>	<i>\$1,982,855.00</i>
<i>Nutter Corporation Vancouver, Washington</i>	<i>\$2,204,850.00</i>
<i>Clark and Sons, Battle Ground, Washington</i>	<i>\$2,273,769.00</i>
<i>North Cascade, Woodland, Washington</i>	<i>\$2,669,480.00</i>
<i>Engineers' Estimate</i>	<i>\$2,287,000.00</i>

The Contractor plans to exceed the Apprenticeship Utilization goal of 4% by using 300 apprenticeship hours out of the total 5669 project hours.

Request: On December 18, 2023, award a construction contract for the Blandford Drive Stormwater Retrofits project to the lowest responsive and responsible bidder, Rotschy, Inc. of Vancouver, Washington, USA at their bid price of \$1,456,546.00, and authorize the City Manager or designee to execute the same.

Mike Swanson, Civil Engineer, 360-487-7182; Kris Olinger, Utility Engineering Program Manager, 360-487-7188

Motion approved the request.

2. **Purchase and Sale Agreement between City of Vancouver and the Housing Authority of the City of Vancouver**

Staff Report: 231-23

As the City of Vancouver continues to grow, so do the public safety needs of our residents. As part of our continued efforts to maintain the best public safety policies and practices and to assist in the Heights Development Project, the City of Vancouver' General Services and Fire Departments, determined that the City would best be served by re-locating Fire Station #3, currently located at 1110 N. Devine Road, to a larger property within the service area.

Upon purchase of the old Lieser Elementary School site by VHA, the City and VHA agreed to the development of a new fire station at this location, which is situated on the east side of South Lieser Road, generally between SR-14 and East Mill Plain Boulevard. VHA performed the remediation and demolition of the former elementary school building and completed a boundary line adjustment from the original 8.42 acre tax parcel #0379010-411 to create a separately marketable vacant land parcel. VHA is independently proceeding with housing development on its retained 6.42 acre parcel. The purchase of this parcel will allow for a site that is larger than the existing site; allow

Fire Station #3 to serve the most miles traveled in the fewest minutes of response and better serve our firefighting and emergency medical incident response requirements.

The City will be purchasing approximately 2 acres of property and will have a purchase option for an additional half-acre of contiguous real property at a cost of \$150,000 if required to provide an adequately sized and accessible Fire Station site.

The City was provided a due diligence period and has conducted an investigation of the properties, satisfying that contingency. The Purchase and Sale Agreements contemplate a closing date on or before December 31, 2023.

Request: Ratify the purchase and sale agreement entered into between the City of Vancouver and the Housing Authority of the City of Vancouver to for the City's acquisition of the subject real property. Authorize the City Manager or his designee to take actions and execute documents necessary to close this transaction.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

3. **Fruit Valley Freight Access and Safety Improvement Project - Property Acquisition**

Staff Report: 232-23

The City has negotiated the acquisition of approximately 22.90 acres of property located adjacent to Fruit Valley Road and NW Whitney Road. The City's interest in acquiring this property comes as a result of the Fruit Valley Freight Access and Safety Improvement Project. This project provides a much-needed improved freight connection between Interstate 5 and the Port of Vancouver and reduces the volume of freight traffic on the southern portions of Fruit Valley Road within the Fruit Valley neighborhood, school and park areas.

A Purchase and Sale Agreement (PSA) has been developed between the City and the property owners with a negotiated sale price of \$5,020,000. This amount is included in the current 2023-2024 approved budget.

Request: Authorize the City Manager to execute the attached Purchase and Sale Agreement.

Ryan Lopossa, Transportation Division Manager, 360-487-7706

Motion approved the request.

4. **Main Street Promise Project - Professional Services Agreement Amendment**

Staff Report: 233-23

On August 8, 2022, City Council approved a professional services agreement (Agreement No. C-100969) with Mackay & Sposito in the amount of \$2,512,543. The agreement covers the design, environmental permitting and public outreach services needed to advance the Main Street Promise Project into the construction phase.

Due to the nature of the design process and how the design of Main Street has evolved from a traditional road improvement project to a project focused on the movement of people, the City has added additional work to the agreement. This includes additional design efforts focused on multimodal transportation, the design of consolidated solid

waste facilities, additional archeological exploration work needed for the proposed contractor staging area, and additional public outreach. In addition, the consultant team will be providing technical support to the City during the construction phase.

Attached is a contract addendum that reflects the additional services being provided to the City. The amount of the addendum is \$367,451.91.

Request: Authorize the City Manager or their designee to execute Addendum 1 to the Professional Services Agreement No. C-100969 in the amount of \$367,451.91.

Ryan Lopossa, Transportation Division Manager, 360-487-7706

Motion approved the request.

5. Primary Public Defense Services Contract - Vancouver Defenders

Staff Report: 234-23

The City is constitutionally mandated to provide public defense services to all financially qualified persons who have been arrested or charged under any City ordinance which has a possible jail sentence. These services are provided through contracts with private attorneys.

The Primary public defense firm is the main provider of these services for indigent defendants, handling between 3,000 to 4,200 cases per year. Vancouver Defenders has been a longstanding and reliable service provider for the City, having served the City in this capacity since 2007.

On November 15, 2023, the City received one proposal (from Vancouver Defenders) in response to RFP 68-23 for Primary public defense services.

The \$1.7M annual cost for this new contract with Vancouver Defenders remains within an acceptable price range for the services provided and reflects a cost adjustment on the City's part to account for several factors:

- 1. The increased amount of time required for evidence review as a result of the Vancouver Police Department's new body camera program.*
- 2. The anticipated increase in case filings anticipated in 2024 due to an increase in the number of crimes likely to be charged relating to being unhoused (through the new Community Court program) that were not previously charged, the recent reclassification of Possession of Drug charges from felonies to gross misdemeanors, and other factors.*
- 3. Compliance with Standard One of Washington Defender Association Standards for Public Defense Services, which states that compensation and benefit levels should be comparable to those of attorneys and staff in prosecutorial offices in the area.*
- 4. Remaining competitive with rates paid by the County and other jurisdictions for similar services in an environment where qualified public defenders are in short supply and high demand.*

Therefore, City staff recommends approving this contract with Vancouver Defenders under the terms set forth in the proposed agreement.

Request: On December 18, 2023, authorize the City Manager or designee to execute the contract for Primary public defense services to Vancouver Defenders of Vancouver, WA, USA for the terms set forth in the proposed agreement.

Rebecca Small, Senior Policy Analyst, 360-487-8601

Motion approved the request.

6. Conflict Public Defense Services Contract - Andrews Terry Jeffers LLP

Staff Report: 235-23

The City is constitutionally mandated to provide public defense services to all financially qualified persons who have been arrested or charged under any City ordinance which has a possible jail sentence. These services are provided through contracts with private attorneys.

On occasion, the Primary public defense firm may have a conflict of interest with a defendant and/or there are co-defendants for a particular case. On these occasions, the case will be referred to a Conflict public defense firm to provide the necessary legal defense services. The annual caseload for Conflict public defense firm has averaged approximately 150 cases per year over the past several years in Vancouver.

On November 15, 2023, the City received 1 proposal (from Andrews Terry Jeffers LLP) in response to RFP 69-23 for conflict public defense services. Staff negotiated with the firm to arrive at a mutually agreeable rate, which is presented here.

Over the past several years, the per-case fee for this contract has been approximately \$350 - \$375 per case. The \$450 per case rate for this new contract with Andrews Terry Jeffers LLP remains within an acceptable price range for the services provided and reflects a cost adjustment on the City's part to a.) account for the increased amount of time required for evidence review as a result of the Vancouver Police Department's new body camera program; b.) to meet Standard One of Washington Defender Association Standards for Public Defense Services, which states that compensation and benefit levels should be comparable to those of attorneys and staff in prosecutorial offices in the area; and c.) to remain competitive with rates paid by the County and other jurisdictions for similar services in an environment where qualified public defenders are in short supply and high demand.

Therefore, City staff recommends approving this contract with Andrews Terry Jeffers LLP under the terms set forth in the proposed agreement.

Request: On December 18, 2023, authorize the City Manager or designee to execute the contract for Conflict public defense services to Andrews Terry Jeffers LLP of Vancouver, WA, USA for the terms set forth in the proposed agreement.

Rebecca Small, Senior Policy Analyst, 360-487-8601

Motion approved the request.

7. Professional Service Contracts with Four Vendors for Yard Debris and Leaves Receiving and Processing Services

Staff Report: 236-23

Since 2002, the City of Vancouver has maintained contracts with local processors of yard debris to provide services for the neighborhood cleanup programs and for regular City maintenance and operations. Under the contracts, local facilities accept clean yard debris, leaves, woody debris and other organic materials collected at neighborhood cleanup events, through coupon programs funded by the City's Solid Waste program or in part by Clark County Public Works, and by City Operations crews as a regular part of maintaining parks, medians and rights-of-ways for diverting to composting or other

beneficial uses.

The City's Spring Cleanup coupons, Fall Neighborhood Leaf Box program, and the Saturday Cleanup and Chipper events offered to all active City neighborhoods are effective in collecting segregated organics, diverting this material from landfill disposal in a cost-effective manner, while also managing seasonal leaves that burden the storm water system. In addition, City Solid Waste manages the regional Fall Leaves Coupon program that relies on these contracted sites to benefit both city and county residents in disposing of seasonal leafy debris at local yard debris disposal sites.

This year, four prospective vendors/processors - Columbia Resource Company, City Bark, H&H Wood Recyclers Inc. and Triangle Resources - responded to a request for proposals (RFP #54-23) to provide these services. All of the processors have experience with providing environmentally appropriate yard debris and leaves disposal and processing, at a reasonable cost, for loads delivered from residents and businesses. The RFP solicitation and formal evaluation of proposals helped ensure a competitive opportunity for securing these services and allow for prospective new vendors to propose. Contracted disposal rates will allow for price stability in City budget planning for these programs.

These processors are located in areas that can be easily accessed by all residents of Vancouver and City crews and fall within an acceptable price range per unit (per cubic yard or per ton depending on whether the facility has scales to weigh incoming loads). Therefore, City staff recommends awarding contracts to all four who responded to the RFP.

The value of these proposed contracts is driven by users, comprising mostly of community members from Vancouver, Clark County and some City staff. Users typically dispose of their leaves and debris based on the proximity to their residence. These are based on reasonable estimates at the time of evaluating proposals and prior three years of actual disposal expenditures with existing contracted vendors. Also, the contract amount for each prospective vendor is dependent upon the volume of processed leaves and debris delivered by the community or City crews.

Over the past four years or less, these are the solid waste expenditures for the three current and proposed new vendors:

Columbia Resource Company: \$132,979

The figure above reflects costs over the current contract period, 2020 to current.

City Bark: \$228,496

The figure above reflects costs while participating under contract prior to 2018.

H&H Wood Recyclers, Inc.: \$311,872

The figure above reflects costs over the current contract period, 2020 to current.

Triangle Resources: \$105,630

The figure above reflects costs over the current contract period, 2020 to current.

Detailed below in the Action Requested section, are the projected expenditures by each proposed contracted vendor over the full 5-year contract term based upon the above history and the newly proposed contract rates, factoring in potential for increases in disposal cost and/or increases volumes of material delivered to the vendor.

In summary, City staff recommend approving the four contracts.

Request: Authorize the City Manager, or designee, to enter into contracts for Yard Debris and Leaves Receiving and Processing Services for as-needed

yard debris and leaves receiving and processing services effective January 1, 2024, as follows:

- CRC (C-101500): Total 5-year contract projected not to exceed \$350,000.
- City Bark (C-101501): Total 5-year contract projected not to exceed \$750,000.
- H & H Wood Recyclers (C-101502): Total 5-year contract projected not to exceed \$750,000.
- Triangle Resources (C-101503): Total 5-year contract projected not to exceed \$350,000.

Julie Gilbertson, Solid Waste Supervisor, 360-487-7162

Motion approved the request.

8. Grant Agreement for Litter Collection and Cleanup Services

Staff Report: 237-23

Presently, Share assists the City in removing litter, bulky debris and illegal dumping from City right-of-ways, City owned property and public spaces through a five-year grant agreement for litter collection and cleanup services. Through City grant funds, Share administers the Talkin' Trash program, which provides a low barrier employment pathway to connect individuals experiencing homelessness or housing insecurity with connected, engaged supportive employment and opportunities to build self-sufficiency.

Share's Talkin' Trash program participants enter as Community Cleaners gaining on the job training and tailored support. They serve an essential role in supporting community health and livability, highlighted in this video: Talkin' Trash program. Through the current five-year grant agreement Share's Talkin' Trash program has removed a total of 965 tons of litter and debris.

In September 2019, the Nonprofit Network of Southwest Washington recognized Share's Talkin' Trash program with the Nonprofit Excellence Award for Excellence in Innovation for the program's creative approach to helping those affected by homelessness while providing critical cleanup services to the City. Furthermore, Share was recently awarded a private grant to purchase a second, more reliable vehicle for the crew. The additional vehicle positioned the program to be able to have reliable vehicles when running two teams and available to work full time and cover more areas of the City of Vancouver.

The City's current five-year grant agreement with Share ends December 31, 2023. In recognition that this service plays a critical role to further the City's commitment to a cleaner and more livable community, and to continue to advance the City's Homeless Response Plan and efforts to address unsheltered homelessness, a next iteration of the grant agreement is needed to be in place to address the City's ongoing needs.

Next Five Year Agreement

This proposed agreement builds off the City and Share's prior agreement and works to retain and expand critical services for litter abatement, provide bag services to unsheltered homeless and deliver cleanup services communitywide, while adding staffing capacity and resources.

The proposed scope of work will continue to be provided by Share through a new agreement for a five-year term, beginning January 1, 2024 through December 31, 2028.

Key Provisions:

- *Share will be responsible for recruiting and hiring additional individuals*

experiencing homelessness or housing insecurity, ensuring regular trainings and job experience, and connecting employees to housing.

- *80% of Community Cleaner time (32 hours per week) dedicated to litter cleanup. 20% of their time (8 hours per week) dedicated to workforce readiness - job skills and training, housing connections and case management.*
- *Benefits include paid sick leave and vacation time. Competitive and locally comparable wages, at Washington state minimum wage for crew members, with subsequent higher wage for up to two driver positions, a manager position and new case management role to provide support and individualized support to program participants to support employment transitions.*
- *Retains the ability for the City and Share to further partner should the occasion or need arise to remove limited and select litter items from private property that present an immediate public health and/or safety concern to the benefit of these entities and the broader community, consistent with City policy.*
- *Provides basic sanitation services and peer support to individuals experiencing unsheltered homelessness offering bags and bulky waste removal to address basic sanitation need, and closes service equity gaps to enhance community trust and respect to our more vulnerable community members.*
- *In addition, Share will be required to collect data, provide administrative and program costs, and submit monthly reports, consistent with the current agreement.*

In summary, through this grant agreement, Share will deliver a program that provides individuals opportunities to re-enter the workforce, who are most likely facing employment barriers that contribute to homelessness. Through this partnership, participants will also receive case management support, on-the-job training, shelter and housing stability, and further develop transferable skills.

If authorized by Council, the City and Share agree to perform the expanded scope of work at the new grant funded level effective January 1, 2024.

Based on favorable performance and an existing community need, City staff recommends approving the new five-year grant agreement with Share for Litter Collection and Cleanup Services.

Request: Authorize the City Manager, or designee, to enter into the new Grant Agreement for Litter Collection and Cleanup in Vancouver between Share and City of Vancouver effective January 1, 2024, for up to five years.

Julie Gilbertson, Solid Waste Supervisor, 360-487-7162

Motion approved the request.

9. Comprehensive Plan Update – Equity Framework, Community Partnership Framework, and Goals Framework

Staff Report: 238-23

A RESOLUTION endorsing the Equity Framework, Community Partnership Framework, and Goals Framework for the Comprehensive Plan Update, as described below in subsequent exhibits attached herein.

The City of Vancouver's comprehensive plan provides the overall long-term vision and policy direction for managing the built and natural environment in Vancouver and providing necessary public facilities to achieve that vision. The City adopted its first comprehensive plan under Washington's Growth Management Act in 1994 (Chapter 36.70A RCW), with a major re-write occurring in 2004, and a less substantive update occurring most recently in 2011.

On February 27, City Council endorsed a project charter for the Comprehensive Plan process, which identified three initial frameworks that would outline how we do the work and what our long-term desired outcomes are, to be finalized during the initial phase of the project:

- Equity Framework – Establishes a structure for ensuring disproportionately impacted and historically marginalized communities drive the policy design process.*
- Community Partnership Framework – Provides details on how we inform, consult, involve, collaborate, and empower co-creative partners and community members during the plan development process. This also outlines overall community engagement goals and objectives, and provides details on the who, what, where and why of engagement.*
- Goals Framework – provides an overall framework and structure for goals within the plan, including the outline of plan chapters and key themes for each chapter that reflect existing policy guidance and Council universal policy priorities.*

Equity Framework

The equity framework formally identifies a definition of equity for the plan effort, identifies a set of equity principles, and establishes three initial priority equity outcomes for the plan effort:

- 1. As Vancouver grows, anyone who wants to can afford to live in the city in safe, stable housing.*
- 2. Public transportation is a viable alternative to owning a personal vehicle and offers connectivity across destinations in Vancouver.*
- 3. Create reparative policies that account for the ongoing harm caused by past racist policies, including those related to land use, housing, and the criminal legal system.*

The framework at its core establishes a process for evaluating proposed policies and decision making processes during the planning effort, as well as future implementation of the plan.

Community Partnership Framework

The community partnership framework provides an overview of the co-creative process outlined in the public involvement plan, highlights the key advisory groups engaged in the project, the public involvement goals, and the tools that will be used throughout the project to engage community members. It also describes how input will be tracked and inform the overall process.

Since the kickoff of the plan update in May of 2023, in partnership with the project's Equity team, draft versions of the three frameworks have been developed, and reviewed by City Council during workshops in June, July and October, as well as being reviewed in detail with Planning Commission in November.

In addition to Council and the Planning Commission, the project Community Partners, which are the core committee of City residents who are tasked with co-creating policy with the City, held their first meeting in June. Over the course of eight meetings, the Community Partners have helped develop the overall goals framework, provided input and helped develop the community partnership framework, and established the equity priority outcomes in the equity framework.

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Goals Framework

The Our Vancouver Goals Framework was developed in alignment with the project vision statement, feedback received during the community visioning process, and input from the community partners. In addition, it reflects existing adopted policy directives, including the Climate Action Framework, 2023-2029 Strategic Plan, the Transportation System Plan, the Parks, Recreation and Cultural Services Comprehensive Plan and the Urban Forestry Management Plan. The goals framework outlines twelve individual chapters for the Comprehensive Plan, and associated themes from which more specific goals, policies and implementation measures will be developed during subsequent phases of the plan effort.

Upon adoption, these three frameworks will inform and shape the development of land use alternatives that outline how and where growth could occur over the next 20 years during the next phase of the Plan update process, and well as the development of chapter-specific goals and policies. Each alternative will reflect Council's core policy priorities of safety, equity and climate action and the final version of the draft vision statement including above.

Request: Approve a resolution formally endorsing the Equity, Community Partnership, and Goals Frameworks.

Domenique Martinelli, Senior Planner, 360-487-7943

Motion adopted Resolution M-4262 to approve the request.

10. Adopting the 2024 - Transportation System Plan

Staff Report: 239-23

AN ORDINANCE of the City of Vancouver, Washington relating to the mandatory transportation element of comprehensive planning in compliance with the Washington Growth Management Act, as identified in RCW 36.70A.020, adopting the 2024 – 2044 Transportation System Plan for the City of Vancouver, Washington; providing for severability and an effective date.

The Vancouver Transportation System Plan is our 20-year vision for maintaining and growing a transportation system that supports a safe, equitable, and resilient city. Transportation investment during the past 75 years focused primarily on cars. This TSP expands the focus to walking, rolling, bicycling and small mobility, taking transit, and moving freight. The policies, programs, and capital projects in the TSP will be integrated into the City's adopted roadway projects and programs, and some will be implemented through future updates to Title 9 and Title 11 of the Vancouver Municipal Code.

The TSP serves as the transportation element of the Comprehensive Plan. The Washington State Growth Management Act (GMA) requires adoption of a transportation plan consistent with land use, population, and job growth targets. Land uses coordinated with transportation result in mixed-use places where it is easy to walk, bicycle, use small mobility devices or take transit. The TSP process began before the Comprehensive Plan update but has been crafted to serve forecasted areas of growth. The 2045 Comprehensive Plan update will be complete in 2025, and at that time the TSP will undergo a minor update to ensure alignment with the goals and growth needs of the Plan.

Request: On December 18, 2023, approve ordinance adopting the 2024-2044 Transportation System Plan, setting date of second reading and public hearing for January 8, 2024.

Kate Drennan, Principal Planner, 360-487-7959

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Motion approved the request.

11. 192nd Avenue - 2023 Comprehensive Plan and Zoning Map and Text Changes

Staff Report: 224A-23

Ordinance A

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 177224000, 177224005, 177224010, 177240000, 177242000, 177238000, and 177239000, and approximately 12,015 square feet of unimproved right-of-way, all located at the northwest corner of SE 192nd Avenue and SE 15th Street; authorizing the City Manager to enter into a Development Agreement related to future use of the site; and providing for severability; and providing for an effective date.

Ordinance B

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 177224000, 177224005, 177224010, 177240000, 177242000, 177238000, and 177239000, and approximately 12,015 square feet of unimproved right-of-way, all located at the northwest corner of SE 192nd Avenue and SE 15th Street; authorizing the City Manager to enter into a Development Agreement related to future use of the site; and providing for severability; and providing for an effective date.

Citizen testimony at the December 4 First Reading raised continued concern about incomplete sidewalks on the north side of 15th Street west of the site. There are two stretches of roadway on the north side of 15th to the west of the proposed development totaling approximately 1,100 lineal feet that currently lack sidewalk. Involved properties are six oversized residential lots of 1-3 acres in size each, which would be required to construct sidewalk at the time of redevelopment or land division. The short to mid-term redevelopment potential of these properties is unclear as they contain predominantly 1970's ranch homes, although new HB 1110 requirements to effectively allow 4-6 units on most single-family zoned properties will enhance this potential. Full development of the 192nd Avenue rezoned site under proposed R-22 zoning in 2024 would result in approximately \$420,000 in Transportation Impact Fees, but under the current TIF program sidewalk improvements are not eligible for funding. Short to mid-term sidewalk improvement on the north side of 15th would require City right-of-way acquisition and construction, and realization would be contingent on owner willingness to sell.

A secondary citizen concern was raised about ensuring that future non-emergency vehicle and pedestrian access be prohibited on SE 191st Avenue and SE 13th Street as shown at the north and west edges of the rezoned site conceptual site plan. Per City transportation policy, non-emergency vehicular access is typically not provided from multi-family development through abutting single-family development. Pedestrian and bike access is however typically not prohibited, and in this case is particularly needed to allow direct access from the rezoned site to Hanna Acres Park to the north without needing to use 192nd Avenue.

Two ordinance options are presented for Council consideration:

Ordinance A (Recommendation of Transportation and Planning Staff)

- *Does not address 15th Street sidewalk issues in the D.A., but leaves construction of enhanced crosswalk at 15th Street and 189th Avenue to be required as a condition of site plan review. This would provide safe access near the site to the south side of 15th Street containing complete sidewalk, would more likely result in short term improvements, and would forego the need to spend limited public funds on 15th Street sidewalks at the expense of other areas of the City with greater sidewalk need.*
- *Includes new D.A. language that's prohibits non-emergency vehicular access on the 191st Avenue and 13th Street stub roads on the north and west edges of the rezone site, but do not prohibit pedestrian access on 191st Street, and prohibit pedestrian access on 13th Street contingent on it not being required at the time of site plan review.*
- *Includes other previously established D.A. provisions as described herein.*

Ordinance B

- *Includes D.A. language requiring the City to acquire right-of-way and complete sidewalk improvements, unless the TIF program is changed to make sidewalk improvements creditable. Enhanced crossing improvements at 189th Avenue will likely also be required during site plan review.*
- *Same provisions as Ordinance A for stub road access and other D.A. provisions.*

Links

October 24, 2023 Planning Commission public hearing staff report

192nd Avenue rezone traffic analysis

192nd Avenue rezone applicant submittal

Request: On December 18, 2023, approve either Ordinance A or Ordinance B, setting date of second reading and public hearing for January 8, 2024.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Motion approved the request.

12. Addendum to City Manager Employment Agreement

Staff Report: 240-23

Council Policy 100-31A, as well as the employment agreement between the City and the City Manager, calls for an annual performance evaluation and compensation adjustment. Council initiated the Manager Evaluation. Based on the evaluation, a compensation adjustment of 8.5% is reflected in the addendum.

Request: Approve the Addendum to City Manager Employment Agreement and authorize the Mayor to execute the same.

Jonathan Young, City Attorney, 360-487-8511

Motion approved the request.

13. Appointments to the Downtown Redevelopment Authority Board

Request: Appoint to the Downtown Redevelopment Authority Board of Directors Marc Fazio and Dyann Bernatz to terms beginning Jan. 1, 2024, and expiring Dec. 31, 2027, and Tom Donovan to a term beginning immediately and expiring Dec. 31, 2024.

Council Committee 1

Motion approved the request.

14. Approval of Claim Vouchers

Request: Approve claim vouchers for December 18, 2023.

Motion approved claim vouchers in the amount of \$7,472,195.29.

Public Hearings (Item 15-18)

15. Vancouver Municipal Code Title 14 changes

Staff Report: 223-23

AN ORDINANCE relating to the water, sewer and surface water utility miscellaneous fees and regulations, amending Chapters 14.04, 14.08, 14.10, and 14.24 of the Vancouver Municipal Code; providing for savings, severability and an effective date.

Staff regularly proposes code updates, clarifications, and changes as needed. VMC Title 14 pertains to water and sewer utilities. staff is proposing a number of changes that will update miscellaneous fees, improve accuracy, comply with current practices, correct inaccuracy, and provide additional clarity. The attached summary provides a complete list of the proposed amendments to Title 14.

Request: On Monday, December 18, 2023, subject to second reading and a public hearing, approve the ordinance.

Chris Malone, Public Works Finance & Asset Manager, 360-487-7711

Chris Malone, Public Works Finance and Asset Manager, provided an overview of the Vancouver Municipal Code Title 14 Changes.

Council discussed the item briefly with staff.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Goheen Elbon, La Center, WA

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and carried unanimously to approve Ordinance M-4431. Councilmember Perez abstained.

16. 2023 Second Supplemental Budget

Staff Report: 228-23

AN ORDINANCE relating to the 2023-24 Biennial Budget and making various appropriations in various funds; declaring an emergency.

The second supplemental of 2023 includes administrative items, expenditures

associated with new external revenues, adjustments to capital projects as well as a small number of other high priority items.

The recommended expenditure appropriation increases for the City's Operating and Capital funds included in the 2023 Second Supplemental Budget totals \$150.4 million. An increase of \$87 million relates to recommended changes in the Operating budget, with the remaining appropriation increase of \$63.4 million representing changes in capital projects and supporting funding transfers. The Supplemental will result in utilizing \$53.2 million in city resources; of that amount, the General Fund's share is \$9 million.

Appropriation increases to the General, Street and Fire funds total \$44.3 million over the biennium. Major items are summarized below.

- Miscellaneous grants include: Justice Assistance Grants (JAG) for adult and child CPR training and leadership conferences; Internet Crimes Against Children Grant providing training and supplies; Fire Project Home Safe grants to support the zero-ignition fire initiative and risk reduction efforts within high-risk and vulnerable populations; State Homeland Security Program and Assistance to Firefighters grants for equipment and training; Department of Commerce (DOC) grant to conduct feasibility studies on solar and storage system; DOC grants to support climate policy development, middle housing code development and growth management act work; and Washington State Department of Transportation (WSDOT) grant to support Homeless Assistance and Resources Team (HART) outreach on WSDOT right of ways and operations of Safe Stay Communities.*
- New administrative items include: reclassification of 56 Firefighters to Fire Engineers and other compensation changes consistent with the ratified 2023-25 Fire Suppression contract; increase of Clark Regional Emergency Services Agency (CRESA) fees in 2024, driven by the City's Public Safety needs; additional funding for street light materials and an upgrade of street lights in the Downtown; police callback and overtime increase due to all vacancies being filled and increased call volume; replacing/upgrading Public Order Specialist Team (POST) equipment; increase of health insurance rates in 2024, coupled with the City's one time contribution towards the cost increase for 2024; an appropriation for recording fees associated with leasing city-owned parcels for development (Waterfront Gateway Ground Lease); updated appropriation for Safe Parks and Safe Stay 1, 2, and 3, driven by a significant cost increase to manage the sites; one-time property acquisition funding for economic development and an increase for the Southwest Humane Society Contract.*

The remaining appropriation increase relates to changes in other operating city funds. Major changes are summarized below:

- Significant increase in the City's 2024 health insurance rates; increase in 2023 Workers Compensation claims and the significant cost increase on liability insurance; increased costs to purchase or replace a number of large vehicles, including the Bucket Truck, TV Van, Easement Machine, Wastewater Pump Truck, Special Weapons and Tactics (SWAT) Bearcat vehicle, as well as an increase in appropriation for fleet maintenance parts; buy back of City Hall Permit Center Condo from the Building Fund; sale of half of 521 Chkalov Building to Building Fund; Construction Services relocation from East Precinct to a newly leased facility; and design funding to update the Water Center Exhibits.*

The total net Capital Budget appropriation of \$63.4 million (including capital funding) is included in the Second Supplemental of 2023. Expenditures by project are outlined in Attachment C to the ordinance. Capital funding transfers supporting the City's capital

projects budget totals \$17.7 million. Highlights of major capital changes are listed below:

- *General Capital/Asset Management projects totaling \$32.3 million:*
 - *Esther Short Park Bell Tower Remodel*
 - *Chkalov Building Remodel*
 - *Allocation of ARPA funds to specific Fourth Plain for All projects after extensive public outreach to residents Economic Development Acquisition*
 - *Economic Development Acquisition*
 - *Police Training Center Facility Evaluation*
 - *East Precinct Police Building Remodel*
 - *Howard House Roof Replacement*
- *Parks Capital projects totaling a \$4.1 million reduction:*
 - *Vancouver Innovation Center Land Acquisition Increase*
 - *Shaffer Community Park Development Increase*
 - *Fisher Basin Community Park Sport Court Conversion*
 - *Bagley Community Park Development Cost Reduction*
- *Streets/Transportation Capital projects totaling \$15 million:*
 - *Main Street – 5th to 15th (ARPA)*
 - *Fourth Plain for All (ARPA / Reallocation)*
 - *137th Ave Corridor – 49th to Fourth Plain*
 - *Fourth Plain – 62nd – Andresen Multiuse Path*
 - *Main Street – 5th to 15th (ARPA)*
- *Water and Wastewater Capital projects totaling \$2.1 million.*

Attachment B of the ordinance outlines changes to full-time equivalent (FTE) employees, with an overall net new increase of 12.0 FTEs recommended in the 2023 Second Supplemental. Staffing changes are listed below:

- *Updating Public Works FTE count to support the first phase of the reorganization, which includes adding a Deputy Public Works Director, a Wastewater Treatment Civil Engineer, and a Wastewater Operations Superintendent, as well as eliminating two vacant positions (Solid Waste Senior Support Specialist and Water Facilities Assistant).*
- *Converting seven part-time Customer Service Representatives to 3.5 FTEs within Parks, Recreation, & Cultural Services and converting two part-time Clark Vancouver Television Video (CVTV) Video Director/Editors and one Associate Video Producer to 1.5 FTEs.*
- *New (1.0 FTE) Transportation Planning Program Manager to better support new Complete Streets planning project needs.*
- *New (1.0 FTE) Police Records Specialist to support the additional public disclosure requests related to the footage captured by the body worn cameras within the Police Department.*
- *New (1.0 FTE) Plans Review Supervisor within the Development Review division of Community Development.*
- *New (1.0 FTE) Homeless Response Coordinator to support current and future homeless response programs.*
- *New (1.0 FTE) Capital Projects Manager in the Facilities Maintenance division of General Services to better manage smaller contractors working on City capital projects.*
- *New (1.0 FTE) Human Resources Analyst to support an upcoming City-wide classification and compensation project currently slated for 2024.*

Attachment D to the Ordinance includes recommended 2024 adjustments to the non-union pay ranges.

Request: On Monday, December 18, subject to second reading and a public hearing, approve the ordinance.

Shannon Olsen, Budget Manager, 360-487-8497

Shannon Olsen, Budget Manager, provided an overview of the 2023 Second Supplemental Budget.

Council discussed the item briefly with staff.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Goheen Elbon, La Center, WA

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Perez, seconded by Councilmember Harless, and carried unanimously to approve Ordinance M-4432.

17. **Short-Term Rental Ordinance**

Staff Report: 122-23

AN ORDINANCE of the City of Vancouver, Washington related to regulations and a permitting process for short-term rental of residential real property by amending Vancouver Municipal Code (VMC) 20.150, VMC 20.160, VMC 20.180.060, VMC 20.210, 20.410, VMC 20.420, VMC 20.430, VMC 20.440, and VMC 20.835; providing for savings, severability, and an effective date.

Background

At a September 20th, 2021 workshop, staff presented information on the Housing Code Changes project, a set of proposed code changes to support more diverse housing types that included new regulations for short-term rentals (STRs). In their deliberations, Council directed staff to develop and execute a separate, stand-alone process focusing on STRs and the unique issues and opportunities associated with this activity.

Following this direction, staff enlisted the services of Host Compliance, a platform of Granicus to assist with gathering current data on the existing STR market in Vancouver. In February of 2022, the City began reaching out to owners of known STRs to advise them of the existing restrictions and to invite their participation in a broader community engagement process around STRs. Between March and June 2022, the project team led an extensive outreach campaign consisting of two community wide surveys and several small group conversations.

Development of code language to regulate short-term rentals began in October of 2022 and was finalized in February 2023. In addition to the Planning Commission workshops, staff presented at two City Council workshops, on June 27, 2022, and April 3rd, 2023.

On April 11, 2023, the Planning Commission recommended approval of the proposed short-term regulations and permit process based on the findings outlined in VMC 20.285.070.

Existing Conditions

A short-term rental is defined as a residential property or portion of a residential property (room, guesthouse, Accessory Dwelling Units, etc.) that is available to rent for stays of less than 30 days. This includes rentals available on websites such as Airbnb and VRBO. Within the last decade, the popularity of STRs has increased dramatically as a

substitute for (or preferred option to) traditional lodging like hotel rooms across many jurisdictions in the county. This increase has not been as dramatic in Vancouver as other cities, but the number of STRs here has risen over time.

Currently, the City's Land Use and Development Code, VMC Title 20, is silent on and thus does not allow STRs in residential zones except as expressly authorized under the bed-and-breakfast provisions of VMC 20.830. A bed-and-breakfast also provides an alternative form of lodging for visitors who prefer a residential setting. The Development Code considers bed-and-breakfast establishments as Commercial and Transient Lodging, which includes uses such as hotels, motels, and homeless shelters where stays are typically less than 30 days. Bed-and-breakfast establishments, which envision a host in residence with guests and the provision of food in conjunction with lodging, don't capture the typical Airbnb-type STR arrangement that has emerged in recent years. Staff believes creating separate short-term rental regulations is required to properly govern this type of land use.

The overview of the short-term rental landscape as of November 1, 2023, includes:

- There are approximately 425 STR units in the City of Vancouver.*
- Short-term rentals represent roughly 0.5% of Vancouver's approximately 87,000 residential units.*
- 85% of STRs are in single family homes, 14% in multi-family homes, with the remaining 1% undetermined.*
- 87% of STRs rent out an entire home, rather than a room or portion of an occupied home.*
- 30% of STRs are 3-bedroom rentals, 30% are 2-bedroom rentals, 24% are 1-bedroom rentals, 6% are 5 or more-bedroom rentals, and 10% are unknown.*
- The median nightly rental rate is \$118.*
- Geographically, STRs are spread throughout the City with a modest concentration in downtown and west side neighborhoods.*
- Approximately 75% of STRs are advertised through Airbnb with the remaining quarter listed through Expedia/VRBO and other platforms.*

The City continues to monitor the number of short-term rental units through the online platform Host Compliance, provided by the project consultant Granicus. Host Compliance is an industry leader in STR monitoring and compliance and was able to provide a comprehensive list of all current STRs located in the City, including parcel and owner information. In addition, Host Compliance now provides the City with ongoing monthly updates on the current number of rentals in the City, including location, property type, room type, average duration of stay and rental platform(s) used.

Outreach

In February 2022, the City began communicating with owners of known STRs to advise them of the existing restrictions and to invite their participation in a broader community engagement process around STRs. The intent of the City's outreach was to alert operators to the current situation of noncompliance with existing code, bring awareness to the City's efforts to determine the extent to which STRs should be regulated, and invite existing STR operators into that process. Between March and June 2022, the project team engaged in an extensive outreach campaign consisting of two community-wide surveys and several small group conversations. The specific intent of this effort was to learn more about community experiences, attitudes, concerns, and ideas related to STRs in Vancouver.

The City conducted an online community survey from February 3 to March 6, 2022 using the City's BeHeard Vancouver website. A total of 783 community members took the STR survey. The responses were varied, with most respondents being in favor of allowing

short-term rentals with regulations, including a majority of respondents (55.8%) saying they would like to see the City allow STRs with regulations. 23.6% said that they would like to see the City allow STRs with no regulations; 19.4% said that they would like to see STRs banned in all circumstances. When respondents were asked where STRs should be allowed, 70% of community responses would allow STRs in single-family homes; 69.5% would allow in Accessory Dwelling Units (ADUs); 36.30% would allow in apartments, 40.70% would allow in mobile or manufactured homes; 56.72% would allow in townhomes; 53.75% in condominiums. 18.48% of respondents said that STRs should not be allowed anywhere. Note that for this question respondents were allowed to choose more than one answer.

Since March 2022, 85 community members have also shared their thoughts about STRs through an online comment box on the City's BeHeard Vancouver website. The responses received are both in favor and against of regulations STRs.

The City also conducted small group conversations with housing advocates, short-term rental hosts and operators, hotel and tourism industry professionals, small business owners, real estate agents, and housing advocates including Evergreen Habitat for Humanity, Council for the Homeless, and Fourth Plain Forward. The housing advocates noted that STRs pose a real threat by removing housing stock from the market. While the City may not have thousands of units, any unit being taken of the market for a vacation home instead of a permanent residence is exacerbating the affordable housing crisis. The hotel and tourism industry felt STRs should be required to have the same inspections and regulations as hotels, including requirements related to the federal Occupational Safety and Health Administration (OSHA), fire life and safety inspections, electrical, plumbing, ADA, and the state tourism office. Participants expressed concern that allowing too many STRs in any given neighborhood could have a lasting impact on the community, citing the potential impacts of a transition from a fully residential neighborhood to one that has businesses operating in it. Short-term rental hosts offered why they chose to operate a STR, including many who said it provided supplemental income that is used to pay for mortgages, provide retirement income, pay medical bills and other monthly expenses, and in general increases disposable income. Hosts shared that they feel STRs bring a value, asset, and benefit to the City & local economy.

Council and Planning Commission Direction

City Council directed staff to develop changes to VMC Title 20 Land Use and Development Regulations that would allow STRs as a permitted use in residential zones subject to a defined permit process and appropriate standards. Council also asked staff take a closer look at implementing regulations that pay specific attention to:

Policy Consideration	Council & PC comments	Staff Response	Proposed Approach
Owner occupancy requirement	General opposition to such a requirement	Studied owner occupancy requirement but did not include due to challenges with monitoring, enforcement, and legal concerns	Not currently included in proposed regulations
Lodging tax collection	Ensure that lodging taxes are being collected and remitted by the rental platform to the City	The City received approximately \$140k in lodging taxes generated from short term rentals in 2022. City lodging tax is set at 4%	Continue to work with legal and finance to monitor appropriate collection.

<i>Life/Safety inspection standards</i>	<i>Want standards without being overly burdensome</i>	<i>Mirroring building code regulations – not proposing to automatically retire building inspections for short-term rentals, but retain the option to inspect any STR at the Building Official's discretion</i>	<i>STRs required to meet state and local health, safety and building code regulations; language located in code and operator packet</i>
<i>Impacts to housing availability</i>	<i>City Council and Planning Commission both expressed concerns regarding STRs impact to the housing stock in Vancouver</i>	<i>Current impact to Vancouver housing market is minimal; however, staff will continue to monitor for impacts to housing availability during the proposed pilot period, and will share this data with Council to determine if additional regulations are necessary</i>	<i>Proposed code language excludes STRs from any development receiving the Multifamily Tax Exemption incentive; caps total number of permits at 870, or 1% of the City's current housing stock</i>
<i>Changes to Bed & Breakfast regulations</i>	<i>Update bed & breakfast regulations to ensure clarity and fairness with any STR regulations</i>	<i>Staff believe current regulations are adequate, but will review as part of the Comprehensive Plan and Title 20 Update, when more information from the pilot period is available</i>	<i>Not included in draft code</i>

On March 14, 2023, staff presented a draft of potential regulations for STRs to the Planning Commission as a workshop item. Planning Commission was supportive of the proposed regulations. The Planning Commission asked staff to consider the following items:

- *Requiring STR permits to be renewed after 24 months*
- *Ongoing compliance monitoring to ensure all STRs have COV STR permit*
- *Define code compliance process for STR violations*
- *Consider requiring inspections for all new STR permit applicants*
- *Create an operator packet for all new STR applications*

In response, staff will be monitoring and reporting permit findings at 12 and 24 months and requiring permit renewal at 24 months. The data collected via the city permit and provided by Host Compliance will be used to monitor all STRs and ensure they are operating legally. The short-term rental application now includes the process for responding to code violations. As of this report, staff is not recommending inspecting all new permitted STRs, as the influx of new permits would be administratively burdensome, and we do not inspect other existing residential units regularly. The proposed regulations do maintain the ability of the City to inspect any STR at the discretion of the City's Building Official and Fire Marshall, and there are examples from other jurisdictions that can inform how and when we may pursue STR inspections. And lastly, staff has created and updated the operator packet in alignment with discussion at the last Planning Commission workshop on this topic (Attachments D-G). Additions to the operator packet

include more specificity around fire & life safety items including proper address identification, fire protection and safety equipment.

City Council also provided additional direction at a workshop on April 3, 2023, which included the following:

- Return to Council with updates on the process after one year and again at 24 months.*
- Establish goals for the STR program during 24-month period.*
- Get clarity from STR platforms what recourse the City has for STRs that are operating illegally in any way, in addition to local remedies like revoking permits and code enforcement.*
- Explore if permit fees could apply to the affordable housing fund or housing production.*
- Clarify that a new permit application and fee are required each time a unit has a new owner/operator, even if it has previously been operated as an STR prior to transfer/sale of the property.*

Regulations

Following feedback from City Council and Planning Commission as well as community feedback and comparative jurisdiction research, staff has prepared draft code language to regulate short-term rentals (Attachments C and D). The regulations are a response to the level of activity currently seen in the short-term rental market in Vancouver and the intent of the regulation is to strike a balance between community housing needs with individual property rights and the financial stability that additional revenue generated from STRs can provide. As another means to preserve the city's available housing stock staff is proposing to place a cap on the total number of STRs not to exceed 870 permits or 1% of the city's total housing stock (approximately 87,000 units).

Staff also recognizes the need to ensure new housing types mandated under recent state laws HB 1110 and HB 1337 are not used as STRs. Staff will address the new housing requirements in the following ways:

- Starting in early 2024, initiate a process to put in place an interim control ordinance that implements HB 1337 Accessory Dwelling Units in advance of Title 20 changes that will occur as part of the Comprehensive Plan Update. As part of this, prohibit ADUs from being used as STRs going forward.*
- Establish new regulations for HB 1110 Middle Housing and refine/make permanent regulations implementing HB 1337 Accessory Dwelling Units, including prohibiting units developed under these regulations from being used as STRs.*

The proposed STR regulations would allow short-term rentals in all residential and commercial zones, and in two industrial zones (OCI and ECX) as a limited use that must follow regulations in new code section 20.835. STRs must register with the Washington State Department of Revenue. STRs must follow all relevant short-term rental provisions listed in the Revised Code of Washington, Chapter 64.37 and Consumer Safety measures listed in 67.37.030.

Short-term rentals must obtain a City of Vancouver business license. The regulations create a short-term rental permit with a one-time \$250 fee. Staff is proposing to review the performance of the permitting system after a 24-month monitoring period and require permit renewal as part of the transition from the pilot program to a permanent regulatory structure. In order to obtain a permit an applicant would need to provide an affidavit showing proof of mailing a letter of notification to property owners abutting and adjacent to the proposed short-term rental, copy of liability insurance for the rental property, and a completed permit application including the signed acknowledgement by the owner stating that the short-term rental will comply with the required standards in 20.835.050 VMC and allowing the City to inspect the premises in accordance with VMC 17.08. A STR permit would expire if property ownership changes.

Please refer to Attachment B and C for the full proposed code language. In addition to the development of regulations, staff has created an Operator Packet that would provide detailed information to STR operators, including an updated FAQ, good neighbor fact sheet, short-term rental permit application and neighbor notification letter (see Attachments D-G). The FAQ is meant to serve as a resource to educate STR operators and the broader public on the City's policies and how to handle issues. The good neighbor fact sheet is a resource for short-term rental operators, hosts, and guests, outlining the regulations around noise, parking, fire safety, garbage, and overall guest responsibilities. It also includes information about an online fire & life safety training opportunity our Fire Department is in the process of creating. The permit application requires short-term rentals to comply with all required standards in 20.835.050 VMC, include their City of Vancouver business license number and short-term permit number in all advertising, and register any short-term rental business with the City. The notification letter is meant to serve as a template letter that short-term rental operators can use to notify neighbors of their operations. The letter provides a way for neighbors to notify the owner/operator directly if/when issues occur, as a first option for resolution.

Implementation

If adopted, staff recommends that the regulations be "tested" for a 24-month pilot period to assess their effectiveness and determine what changes may be needed. During this time STR counts, including the 1% cap, will be collected through the City permitting process in addition to the monthly report received from the City's consultant Host Compliance. If the proposed regulations or modified regulations are adopted, staff would return to Council within a year to provide an update, and again at the 24-month mark to determine if the permitting process, development standards or code compliance process need any refinements. As directed by Council, during the pilot period staff will explore options for potentially adding an affordable housing fee to the STR permit to help mitigate impacts to housing availability, if there needs to be an annual or biannual renewal fee for a short-term rental permit to ensure cost-recovery and if applicable determine what the renewal fee would be, and if any additional restrictions should be added to the operation of short-term rentals.

Following adoption all current short-term rentals operating in the City of Vancouver will be notified of these regulations and be directed to follow the permitting process. Due to the initial surge of applications that are anticipated after the ordinance goes into effect, we are proposing allowing applicants a 30-day grace period to come into compliance.

Program Goals

In order to gauge the effectiveness of the short-term rental program during the 24-month pilot program we have established a set of goals including but not limited to:

- Limiting the total number of STRs to not exceed 870 total units- equivalent to 1% of the City's total housing stock at the time of adoption- in an effort to preserve available housing for long term housing needs.*
- Ongoing compliance monitoring to ensure all STRs are compliant with required regulations.*
- Ongoing monitoring of impacts to long-term rental market including impacts to housing affordability.*
- Minimize public safety risks and possible noise and trash problems without creating additional work for the local police department and code enforcement personnel.*
- Monitor the responsiveness of code compliance cases.*

Ongoing stakeholder outreach to determine program effectiveness and inform future refinements.

Request: On Monday, December 18, 2023, subject to second reading and a public hearing, approve the ordinance.

Jason Nortz, Development Review Manager, 360-487-7844

Jason Nortz, Development Review Manager, provided an overview of the Short-Term Rental Ordinance.

Council discussed the item with staff.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Goheen Elbon, La Center, WA
- Erica Ash, Vancouver
- Scott Dickinson, Vancouver
- Jeff Pond, Vancouver
- Sheila Dickinson, Vancouver
- Patricia Mayes, Vancouver
- Bill Chapman, Vancouver
- Tony Pryor, Vancouver

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Fox, seconded by Councilmember Stober, and carried unanimously to approve Ordinance M-4433.

18. **2023 Comprehensive Plan and Zoning Map and Text Changes**

Staff Report: 224-23

Ordinance A

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 105145000, 105150000, and 105155000, at 7318 NE 63rd Street, Vancouver, WA 98662; providing for severability; and providing for an effective date.

Ordinance B

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 105241000, 105242000, 105190005, 105190010, and 105190000 at 8208 and 8122 NE 63rd St. & 6506 and 6510 NE 82nd Ct, and unaddressed tax lot 986042813 providing for severability; and providing for an effective date.

Ordinance C

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 29373013, 29373062, 986034665, and 29283002 at 3607, 3701 and 3701 ½ E 18th St Vancouver, WA 98661; authorizing the City Manager to enter into a Development Agreement related to future use of the site; and providing for severability; and providing for an effective date.

Ordinance D

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Zoning map designation for tax lot 159112000 at 6103 NE 152nd Avenue; providing for severability; and providing for an effective date.

Ordinance E

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver, Vancouver Municipal Code (VMC) Title 20, and the Vancouver Parks, Recreation & Cultural Services Comprehensive Plan; amending Chapter 5 and Appendix E of the Vancouver Comprehensive Plan 2011-2030; amending VMC 20.150, 20.160, 20.170, 20.180, 20.210, 20.245, 20.270, 20.330, 20.410, 20.740, 20.790, and 20.950; amending the Vancouver Parks, Recreation & Cultural Services Comprehensive Plan (2022-2031); providing for severability; and establishing an effective date.

The following are proposed:

1. Map Change - Miller – Urban Low Density/R-9 to Urban High Density/R-30 on 4 acres at the northeast corner of NE 63rd Street and 72nd Avenue. If approved future application for roughly 102 market rate apartment units anticipated, although yield may differ pending site plan review of stormwater needs. Planning Commission recommended approval 4-2, citing need for housing, nearby commercial and public services, and ability to address stormwater specifics at site plan review stage.
2. Map Change – Wood Duck Springs - Urban Low Density/R-9 to Urban High Density R-22 and Commercial/CC on 13 acres on the north side of NE 63rd Avenue at NE 82nd Court. If approved future application for development of 244 market rate townhome and apartment units with a commercial component anticipated. Planning Commission unanimously recommended approval of the rezone based on need for housing, and applicant's conceptual future site plan proposing townhomes on the site perimeter abutting existing residential, with apartment buildings and commercial development in the interior.
3. Map Change – Datepark - R-18 to R-30 on 1.2 acre on the south side of 18th Street near Todd Road. If approved future application for development of 72 affordable housing units anticipated. Planning Commission unanimously recommended approval based on need for housing, and proposed Development Agreement ensuring future development will be consistent with conceptual site plan locating proposed apartment building on east portion of site abutting park and ensuring affordability.
4. Map Change – Burnt Bridge Creek West - OCI to IL on 33 acres west of 162nd Avenue and south of Fourth Plain Boulevard. If approved future application for development of 275,000 square foot warehouse had been contemplated, but property owner indicates potential developer has withdrawn. Planning Commission voted 4-2 to approve based on prevalence of IL zoning surrounding the site, opportunity for site development, and fact that City Critical Areas Protection standards would apply under either existing or proposed zoning. Dissenting votes noted proposal was premature pending finalization of City warehousing standards, green building policy, and Comprehensive Plan update.
5. Text Changes – Comprehensive Plan - Amend reference to parks service area distances, and parks capital facilities summary table; Update Appendix E list of documents adopted by reference to include updated parks and Urban Forestry Management Plan; Add two capital parking projects to citywide capital project list. Planning Commission unanimously recommended approval.
6. Text Changes – Title 20 Zoning code - Changes to definitions and use classifications,

measurements, outdated references, submittal requirements, effective dates, and pre-existing home allowances in cluster developments. As allowed by recent statutory changes, also increase SEPA categorical exemption thresholds for residential projects based on number of units, while retaining SEPA review requirements for residential projects of any size if critical lands are present. Planning Commission unanimously recommended approval.

7. Text Changes - Parks, Recreation and Cultural Services Comprehensive Plan (2022-2031) - Updates to capital facilities plans, service area provisions, and other amendments. These were recommended by the Parks and Recreation Advisory Committee on September 20, as well as by the Planning Commission.

The 192nd Avenue rezone, originally part of this list, is moving forward on a separate schedule with First Reading December 18 and public hearing on January 8, 2024.

Request: On December 18, 2023, subject to second reading and a public hearing, approve Ordinance A (Miller Map Change), B (Wood Duck Springs Map Change), C (Datepark Map Change), D (Burnt Bridge Creek West Map Change) and E (Text Changes).

Bryan Snodgrass, Principal Planner, 360-487-7946

Bryan Snodgrass, Principal Planner, provided an overview of the 2023 Comprehensive Plan and Zoning Map and Text Changes.

Council discussed the item with staff.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Goheen, La Center, WA - testimony provided for all the Ordinances
- Margaret Milem, Vancouver - testimony provided for Ordinance E

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Applicants and Applicant Representatives were provided a total of 15 minutes each to provide testimony regarding each ordinance.

- Jason Taylor provided testimony regarding Ordinance A.
- Dan Wizer provided testimony regarding Ordinance B.
- David Toyer provided testimony regarding Ordinance D.

Ordinance A

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and carried 6-1 to approve Ordinance M-4434. Councilmember Stober voted No.

Ordinance B

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously to approve Ordinance M-4435.

Ordinance C

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve Ordinance M-4436.

Ordinance D

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve Ordinance M-4437.

Ordinance E

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously to approve Ordinance M-4438.

Communications

- A. From the Council**
- B. From the Mayor**
- C. From the City Manager**

Adjournment

9:36 p.m.

DocuSigned by:
Anne McEnerny-Ogle
6C89D9689EC5424...
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:
Natasha Ramras
BCF6734E40E94AE...
Natasha Ramras, City Clerk

The written comments below are those of the submitter alone and are not representative of the views of CVTV or the City of Vancouver, its elected or appointed officials, or its employees.

From: [City Council](#)
To: [Dollar, Sarah](#)
Subject: FW: Comprehensive Plan Update
Date: Monday, December 18, 2023 1:18:26 PM

From: Bev & Ken Tyler <[REDACTED]>
Sent: Monday, December 18, 2023 11:58 AM
To: City Council <council@cityofvancouver.us>
Subject: Comprehensive Plan Update

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Hello

My name is Beverly Tyler and I live at [REDACTED], Vancouver, Wa 98684. I wish to enter this email as public testimony re: the Comprehensive Plan Update.

Although I serve on Fircrest Neighborhood Association Steering Committee and as Development Chair, I am entering this testimony as a private citizen.

I believe this information is subject to Title 20 policy changes. I wish to request that prior to construction, developers are **REQUIRED** to meet with residents and/or attend a neighborhood meetings to obtain input from established residents. Currently this is **NOT** a requirement. I have experienced first hand what happens when developers do not involve established neighbors.. The designs are made with no consideration for residential traffic flow, trees, set-backs or other concerns of neighbors. Meetings held in advance incorporating established neighborhood input improves livability for all. New changes to proposed designs developed in partnership enhance neighborly acceptance to construction while improving developmental outcomes.

Thank You,

Beverly Tyler

From: [Kathy Deturk](#)
To: [City Council](#)
Subject: Proposal for number of Airbnb listings in Vancouver
Date: Monday, December 18, 2023 12:48:41 AM

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I have visited with many guests who commented on their decision for Airbnb bookings versus a motel or other accommodations. All of their answers were a preference to a home setting with a welcoming host. They have more living space inside and outside and space for socializing and that is what makes my home inviting. I have had guests come to mainly relax and spend time on my patio.

I take time getting to know my guests, making sure their needs are met and amenities are available. I have even invited some guests to a family gathering happening during their stay. Some guests have chosen to keep in touch through the years and we have become friends. I have some return guests that remember something as simple as an amazing comfortable bed. I have had many guests that stayed during a hard time in their life and appreciated someone just checking in as they entered or exited. There were so many guests that left comments of appreciation for the services I provided.

I am in a quiet neighborhood and I have never come across any inconveniences of others because of my Airbnb. I have driveway parking available which also makes my guests feel safe. During the last year there were guests that chose my Airbnb mainly because they felt safer in a home versus a motel.

I am glad that I provide this service for people visiting Vancouver and those that consider Vancouver their home.

Airbnb is an amazing company and they have guidelines for respecting other guests and for surrounding neighborhoods. I hope through this letter you can see the value to this service Airbnb provides.

Thank you for listening to me and what I provide to Vancouver, Washington.

Kathy Deturk

From: [Margaret Milem](#)
To: [City Council](#)
Cc: [Bev and Ken Tyler](#)
Subject: Public Comment re Proposed Changes in SEPA Thresholds
Date: Sunday, December 17, 2023 3:38:17 PM
Attachments: [SEPA Statement - Final FNA Version.docx.pdf](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Hello --

Please find attached a public comment by the Fircrest Neighborhood Association regarding the proposed changes to SEPA Thresholds being considered by the City Council at the December 18th meeting.

Thanks!

Wishing you a good day.

-- Margaret Milem
Chair, Fircrest Neighborhood Association
[REDACTED]

FIRCREST NEIGHBORHOOD ASSOCIATION'S STATEMENT RE:
PROPOSED SEPA THRESHOLD CHANGES

The Fircrest Neighborhood Association met on June 6, 2023, to discuss the proposal to adopt loosened state environmental regulations for new residential developments.

The Fircrest Neighborhood Association understands the need for increased housing in the City of Vancouver and recognizes that these changes would increase the construction of single- and multi-family housing projects.

However, one role of government is to balance competing goals, and the goals that are supported by the SEPA process are important.

The State Environmental Policy Act known as SEPA has been around since 1971. The SEPA process helps cities analyze the environmental impacts of proposed construction projects while (1) protecting environmental impacts on floodplains, wetlands, trees, archeology and water and (2) mitigating impacts from traffic and surface run-off. These issues can affect other residents in the area.

The SEPA process acts as a safeguard, providing another “**pair of eyes**” to ensure our environmental and archeological treasures are preserved. SEPA offers an explicit “**guideline**” for environmental protection as well as providing an important process to appeal decisions. Changing the thresholds, especially the multi-family housing threshold from 20 units to 200, increases the probability that environmental and archeological issues will be overlooked, resulting in damages in the very areas that SEPA is intending to protect. It is also very concerning that there would be **no opportunity to appeal decisions in order to address SEPA-related concerns**.

The memo presented by the City Manager states that developments under 200 units rarely have issues arise through the SEPA process, but “rarely” indicates that there have in fact been instances when the SEPA process has discovered problems and led to mitigation measures.

The Fircrest Neighborhood Association (FNA) has consistently advocated for the environment and supported Vancouver’s rich culture of caring for the natural resources around us. The City of Vancouver has shown time and time again the value it places on green spaces and the environment. Loosening the state environmental regulations tilts the balance too much toward development and away from protecting the environment. It would be sad and concerning to see the City of Vancouver shift away from its own principles of environmental sustainability and the value it places on “parks, green spaces, and other natural systems” (December, 2022 Climate Action Framework).

Votes in favor - 14

+ 2 who had to leave the meeting early before all the revising/editing was done.

Votes opposed - 0

+1 who had to leave the meeting early before all revising/editing was done.

Reasons for opposition: Concerns about limited housing in the city and the resulting high cost of housing

Abstained - 0

From: [Vicki Coles](#)
To: [City Council](#)
Subject: Short Term Rentals
Date: Sunday, December 17, 2023 12:44:07 PM

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

Dear Mayor and City Council,

My name may be familiar in connection with the subject of short term rentals as I have written multiple letters to the editor of The Columbian over the past few years. I was also interviewed by Will Campbell on the topic for an article in The Columbian published on February 27, 2022.

Much of the coverage on short term rentals has been favorable to those who rent their properties. Simple explanation - those who rent their properties profit and thus are willing to go to any length to market their "product". The article published in The Columbian on December 14, 2023 included remarks from two property rental beneficiaries, Tony Pryor and Scott Dickinson. These two gentlemen make money renting their properties, that's great for them, but what about the neighbors of their properties? How do neighbors feel about the rentals?

I'd like to shed some light on the subject as a neighbor of two short term rentals, On a cul-de-sac of nine homes, two are short term rentals. (One of these rentals is owned by man who resides in Portland so none of his proceeds benefit Vancouver.) Both of the properties have been disruptive on a regular basis. Increased traffic, parking in front of our homes, noise, arguments in the street are the milder offenses. More outrageous behavior includes a strip tease done by a woman on the deck of a rental next door to a home that includes a young child. Then, there was the orgy (yes, an orgy) around the pool of a home in full view of the neighborhood. (The participants in the orgy actually flaunted their behavior to the neighbors whose living room windows overlook the house.)

I urge the city council to take a broad view of the subject and **consider the neighbors** of short term rentals. I fear if/when I decide to sell my home any prospective buyers will learn of the rentals and that will diminish the value of my home in their eyes. Not a good scenario for a retiree. AND I would never consider turning my home into a short term rental. I simply could not do that to my neighbors.

Thank you for your consideration,

Vicki Coles

[REDACTED]

From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Strengthen enforcement please!
Date: Monday, December 18, 2023 8:43:44 AM

Good morning! I got a couple emails for council in the CMO inbox

-Amelia Pilipchuk

From: Janet Doutre [REDACTED]
Sent: Friday, December 15, 2023 6:27 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Fwd: Strengthen enforcement please!

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----- Forwarded message -----

From: **Janet Doutre** <[REDACTED]>
Date: Fri, Dec 15, 2023 at 18:25
Subject: Strengthen enforcement please!
To: Janet Fang <[REDACTED]>

Our whole family are victims of short-term rental issues in Vancouver. We had a peaceful life until our upstairs neighbour decided to rent out her entire unit in Airbnb in a quiet residential neighborhood.

The owner doesn't live in her unit while her airbnb guests have been making ridiculous noises at midnight, parking in our driveway, and leaving garbages rotten in hot summer days. Their guests tried to unlock our door at midnight! It has been a nightmare.

In a city where people are experiencing a housing crisis, the owner's short term activities are directly contradicting the following regulations (<https://vancouver.ca/doing-business/short-term-rentals.aspx>):

1. Causing negative community impact through noise, garbage, and parking
2. Operating a short-term rental in a home that is not your principal residence
3. Using the same licence for multiple properties

We would really appreciate it if the City could tighten the rules and strengthen enforcement regarding short term rental violations. This is a typical case where multiple property owners do not do any real

work but only profit from short term rentals. It is at the price of hard working professionals/model citizens trying to survive the Vancouver housing crisis.

Thanks for listening and looking forward to your feedback!

Warmly,
Janet doutre

From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Short term vacation rentals
Date: Monday, December 18, 2023 8:44:03 AM

-CMO Inbox

-Amelia Pilipchuk

From: Amy Asivido [REDACTED]
Sent: Friday, December 15, 2023 8:54 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Fwd: Short term vacation rentals

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To Whom it may Concern:

After living in my condo for 1 year, I rented it for another year (2023) as a short term rental. My neighbors on each side are both aware and have indicated that even though it's an attached home on both sides, it has had no impact on them. I have a no-party policy and cameras installed. After one full year concluding this month, its been a great experience for myself, my neighbors and my guests. I chose to rent instead of sell because my family sometimes stays there and I may move back in the future, so keeping it as a long term rental doesn't allow me to have the freedom I need. I feel that a well-managed property should have minimal impact on neighbors and overall helps bring visitors to experience the growing area here in SW Washington. My home is beautifully decorated and well appointed, and appeals to a quality demographic of guests. I only rent to guests with good ratings.

I am a strong advocate FOR short term rentals in the area as long as protections are in place. I believe it helps our economy, tourism and helps the owners build wealth.

Respectfully,
Amy Asivido

--



From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Submission for City Council Meeting 12/18/2023
Date: Monday, December 18, 2023 9:03:59 AM
Attachments: [Bracchi City Council 12-18-2023.pdf](#)

We got this in the CMO inbox

-Amelia Pilipchuk

From: [REDACTED] <[REDACTED]>
Sent: Sunday, December 17, 2023 6:24 PM
To: City Council <council@cityofvancouver.us>; City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Cc: Cook, Nena <Nena.Cook@cityofvancouver.us>
Subject: Submission for City Council Meeting 12/18/2023

You don't often get email from [REDACTED]. [Learn why this is important](#)

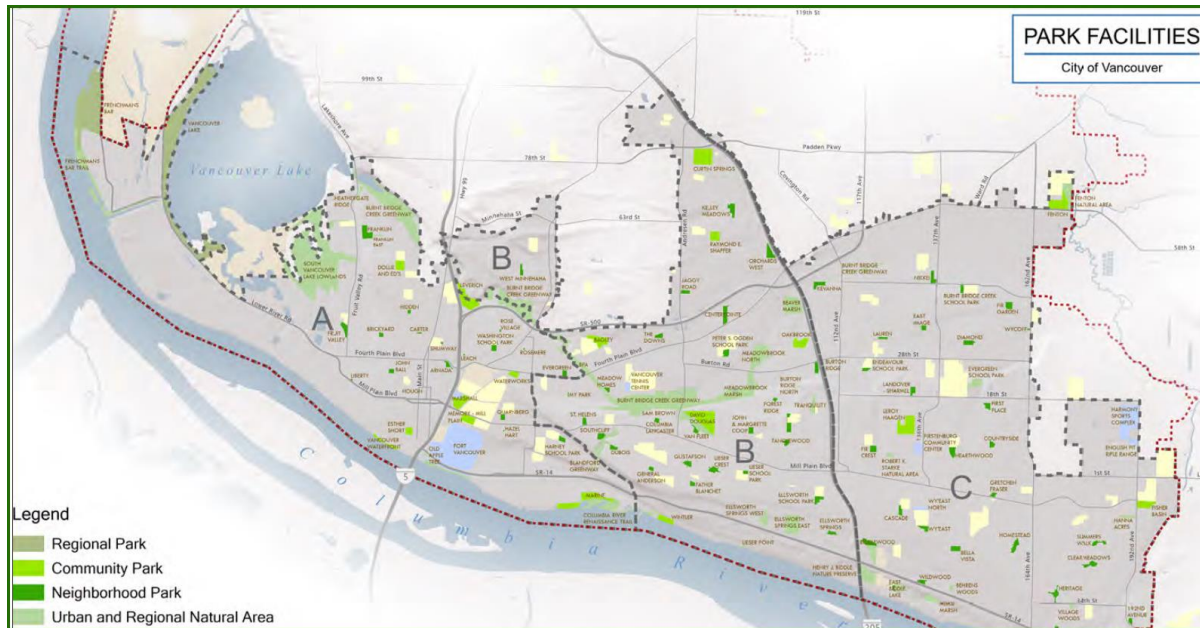
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See Attached PDF

Thanks, Peter

From: Peter Bracchi
To: Vancouver City Council 12/18/2013
Subject: **Critical Area Destruction/Pollution Burnt Bridge Creek Critical Area Amend 8.22.040 Unlawful camping and outside habitation to Not Allow Outside in Critical Areas along Burnt Bridge Creek**

The city of Vancouver has allowed 7 years of outside habitation within the Critical areas identified by the Washington state growth management RCW 36.70A.030 along our Regional Park/303d List Burnt Bridge Creek Recreational Water. The BBC Greenway is identified as Regional Natural Area in our City of Vancouver [Park Comprehensive Plan](#) classifications.



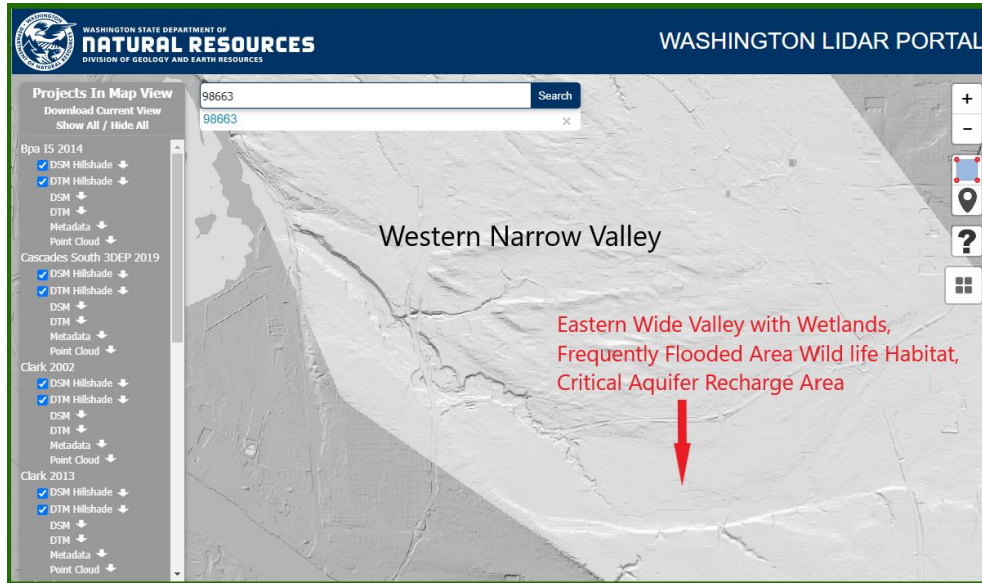
The years of habitation in our Critical Area has resulted in Land Cleared, Trees cut down or Meliaceous Destroyed, our Urban Forest Destroyed by Habitation Fires, Water Pollution from potentially harmful materials and Human Waste, Shorelines destroyed, destruction of Salmon Habitat Environment through increased silting, Shade loss and building of Dams/Bridges, Animal habitat environment has decreased through the removal of brush, tress, land clearings and Fires. The list of Environmental Destruction goes continues on. [See Attached Document: Loss Recreation Area Plan Required.PDF](#)
[MAP of Critical Area Destruction](#)

RCW 36.70A.030 identifies these Critical Areas. All these areas are adjacent to Burnt Bridge Creek
 1) Wetlands 2) Frequently flooded areas 3) Fish and wildlife Riparian & habitat conservation areas
 4) Critical Aquifer Recharge Area 5) Geologically hazardous areas

In the Western Portion of Burnt Bridge Creek from Lake Vancouver to Fourth Plain has Narrow Valley Profile. No Outside Habitation is allowed. The No Habitation Fire Zone and 200 Feet from BBC Close this area.

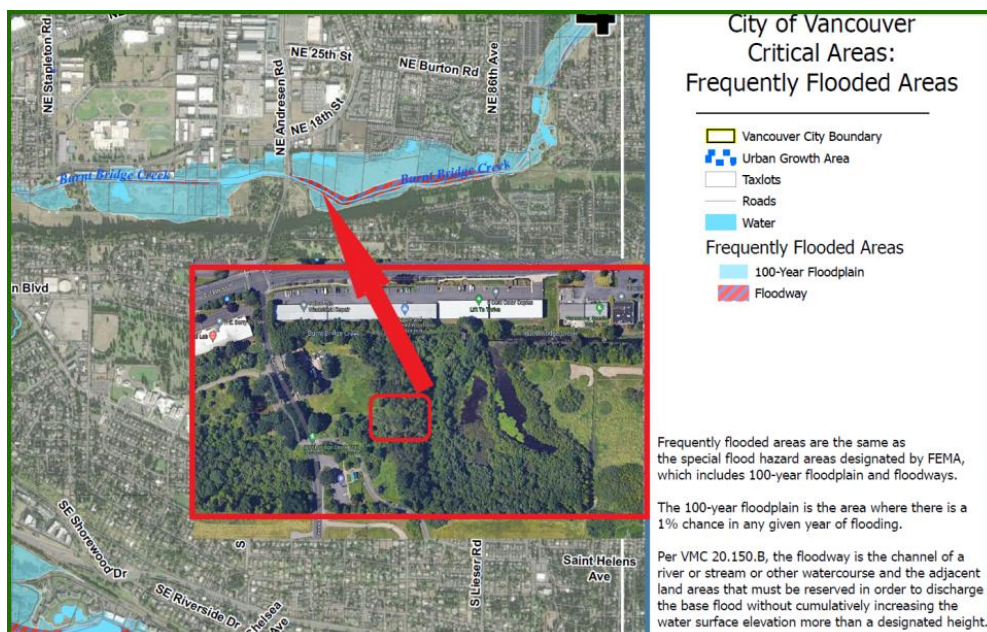
The Eastern portion of BBC is wider Valley Profile. Between the Creek 200 Foot Limit and Forested Hillside No Habitation fire Zone are: Wetlands, Frequently Flooded Areas, Animal Habitat Conservation Areas, and the Critical Aquifer Recharge Area underlies the Entire area.

[Lidar Map Vancouver WA](#)



To see the Destruction and Pollution of all these Critical Areas here are some recent examples from the December rainstorm of an Oil Spill and flooded Camps. This has contributed to the most recent pollution and environmental destruction to these Critical Areas: Wetlands, Frequently Flooded Areas, Animal Habitat Conservation Areas, and the Critical Aquifer Recharge Area underlies the Entire area.

Oil Spill in Flooded Camp <https://photos.app.goo.gl/4YyToXG28f7YiyZa7>



Flooded Camps <https://photos.app.goo.gl/vq2JqYxEeG32xFzLA>



I would like to ask Council to STOP the Continuous destruction and pollution of 303d BBC our Regional Park.

The City is failing to meet its Commitment to Clean Water

The City is failing to meet its Commitment to "Not Net Loss" to Critical Areas

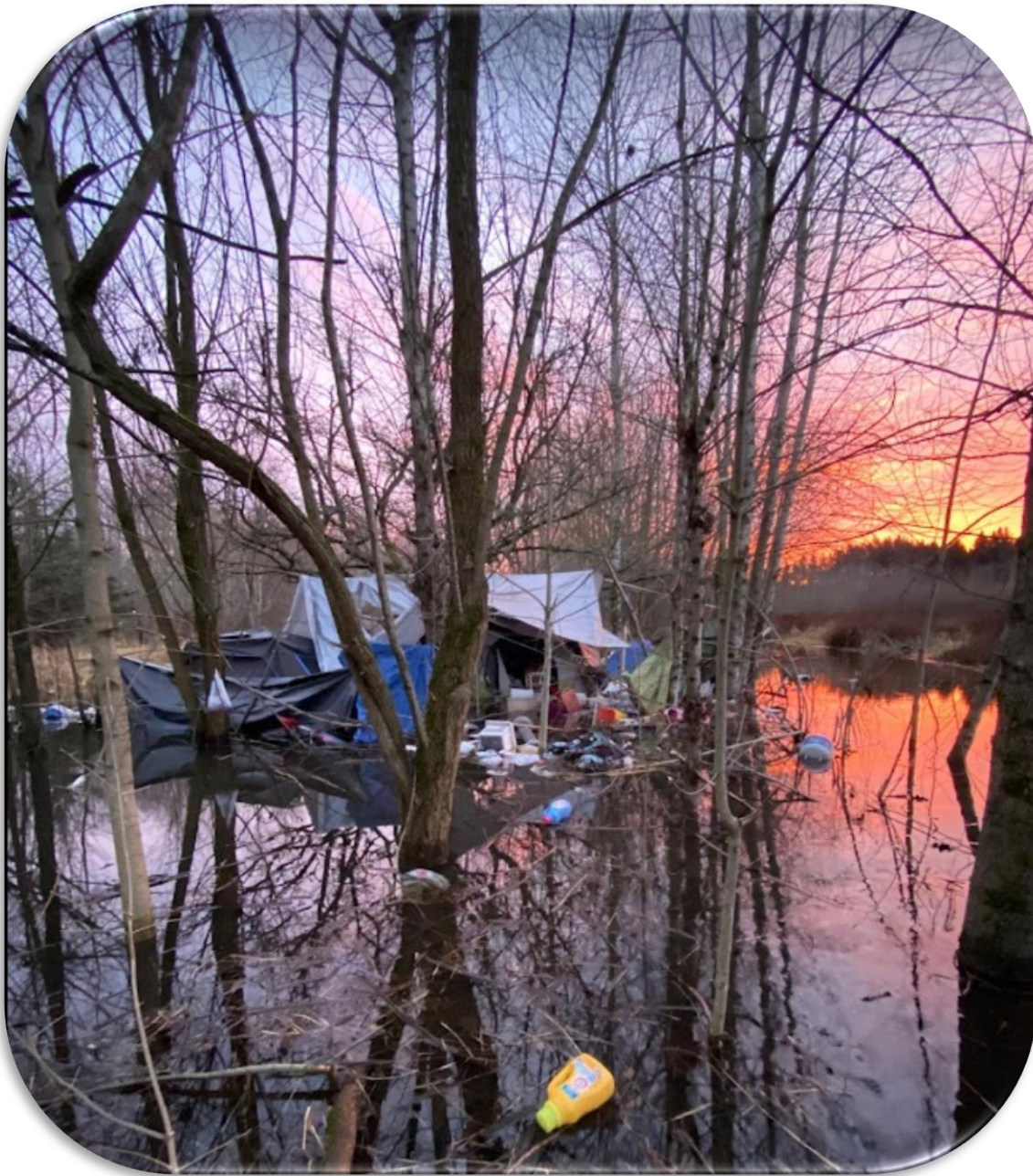
The City is failing to enforce its own City Codes for Environmental Protection

I would like to ask council to Please amend the Camping Code and NOT Allow Outside habitation in the Critical Areas along our Regional Park and Recreational Water way Burnt Bridge Creek.

Peter Bracchi
peterbracchi@aol.com
June 1, 2022

Request

We have a need for a land restoration and water pollution mitigation Plan for the Burnt Bridge Creek Watershed Critical Area.



This document is designed to be viewed Electronically - Titles and Pictures contain Hyperlinks

Environmental Summary

Burnt Bridge is a regulated waterway it does not meet the Washington Department of Ecology standards for fecal coliform bacteria, temperature, acidity, and levels of dissolved oxygen. By not meeting the state standards, it has placed Burnt Bridge Creek on the federal 303(d) list of water quality impaired waterbodies.

The City is failing to bring Burnt Bridge Creek into compliance with state water quality standards.

Along the BBC trail most of the Land in the Critical Area belongs to the City of Vancouver and designated for Recreation. Land Zoning is *Park, Open Space, Greenway, or Lettuce Field*.

The quality of Stream water is related to Land Use Quality and Pollution.

What are Critical Areas

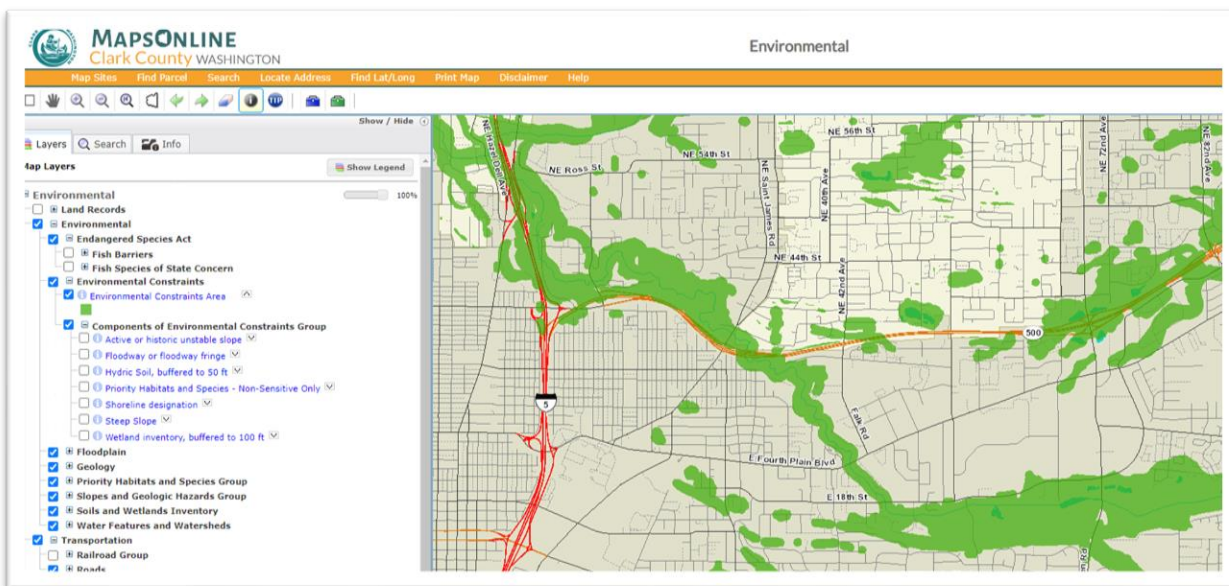
The Growth Management Act (GMA) requires all cities and counties in Washington to adopt regulations protecting “critical areas” in order to preserve the natural environment, wildlife habitats, and sources of fresh drinking water.

Protecting critical areas also helps reduce exposure to risks, such as landslides or flooding, and maintains the natural elements of our landscape. It can be costly, or even impossible, to replace critical area functions and values once they are lost.

RCW 36.70A.030(5) defines five types of critical areas:

- 1) Wetlands
- 2) Frequently flooded areas
- 3) Geologically hazardous areas
- 4) Fish and wildlife habitat conservation areas
- 5) Areas with a critical recharging effect on aquifers used for potable water

Environmental Constraints layer – summary of Items 1-4



Problem Description

The City of Vancouver Failed to perform a **SEPA** study when [Camping Laws](#) were initiated or update. The City has, and still allows camping within the Critical Area.

The [State Environmental Policy Act](#) (SEPA) process identifies and analyzes environmental impacts associated with governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies, and plans. The SEPA review process helps agency decision-makers, applicants, and the public understand how the entire proposal will affect the environment

By the City failing to perform the required SEPA Study, the result has been Environmental Destruction to the Critical Area with additional Fecal Matter and Water Pollution to the existing 303(d) list stream.

Potentially Harmful Materials from continuous habitation and Fires been a contributing problem. Stream shade has been reduced by the Cutting of Trees. Silting has Increased due to digging, vegetation removal, Tree cutting and habitation on steep slopes.

Critical Area land has had residential occupation for the last 6 years. The land has had the ground cover removed and trees cut down to establish cleared living areas. The result has been years of Environment Devastation, water pollution and increased devastation caused by Fires, and Water Pollution.

The City is failing to meet it Commitment to Clean Water

The City is failing to meet its Commitment to “Not Net Loss” to Critical Areas

The City is failing to enforce it own City Codes for Environmental Protection

15.04	Park Code
15.04.040	Removal or Destruction of Park Property
15.04.100	Depositing Litter
15.04.110	Fires
15.04.150	Closing Hours--Unlawful Entry
8.22	Camping
8.22.040	Unlawful Camping
8.22.050	Unlawful Storage of Personal Property in Public Places
14.26	Water Resources Protection
14.26.115	Prohibits “Municipal Waste Disposal Sites”
14.26.117	Discharges to Water Resources. “Potentially Harmful Materials”
20.740	Critical Areas Protection
20.740.020	General Provisions - No Net Loss of Functions
20.760	Shoreline Management Area

6 Years of Environmental Destruction & Water Pollution to BBC

[Shoreline Destruction and Pollution - East Side](#)



[Shoreline Destruction and Pollution West Side](#)



Frequently Flooded Areas

Bicycle Chop shop Camp. ground compacted, trees cut and Water Pollution



Clark County Geographic Information Services - Environmental Constraints Layer Flood Plain

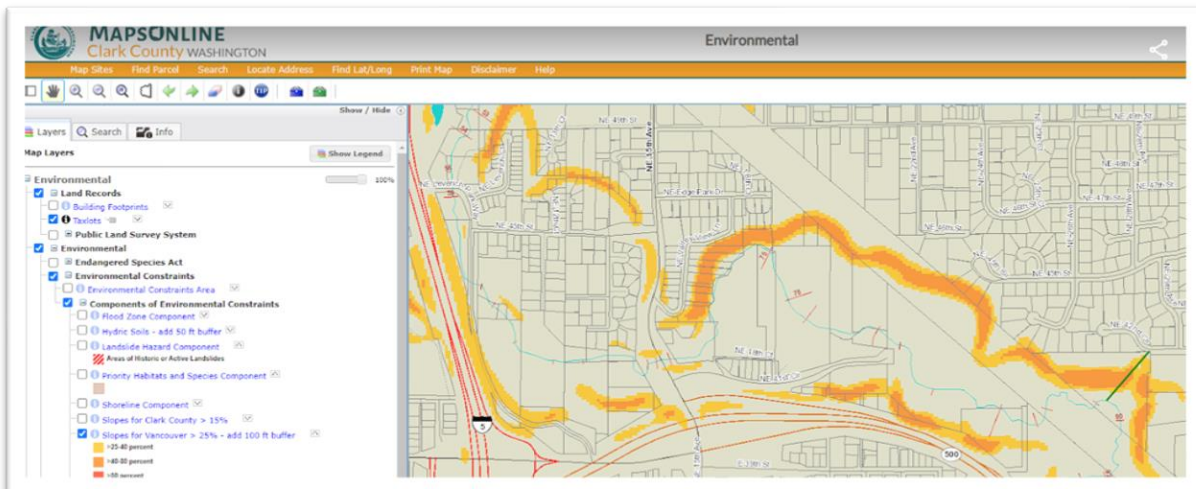


Geologic Hazzard Areas 6 Years of Environmental Destruction

Removal of Vegetation causes Erosion on Steep slopes, silting into creek

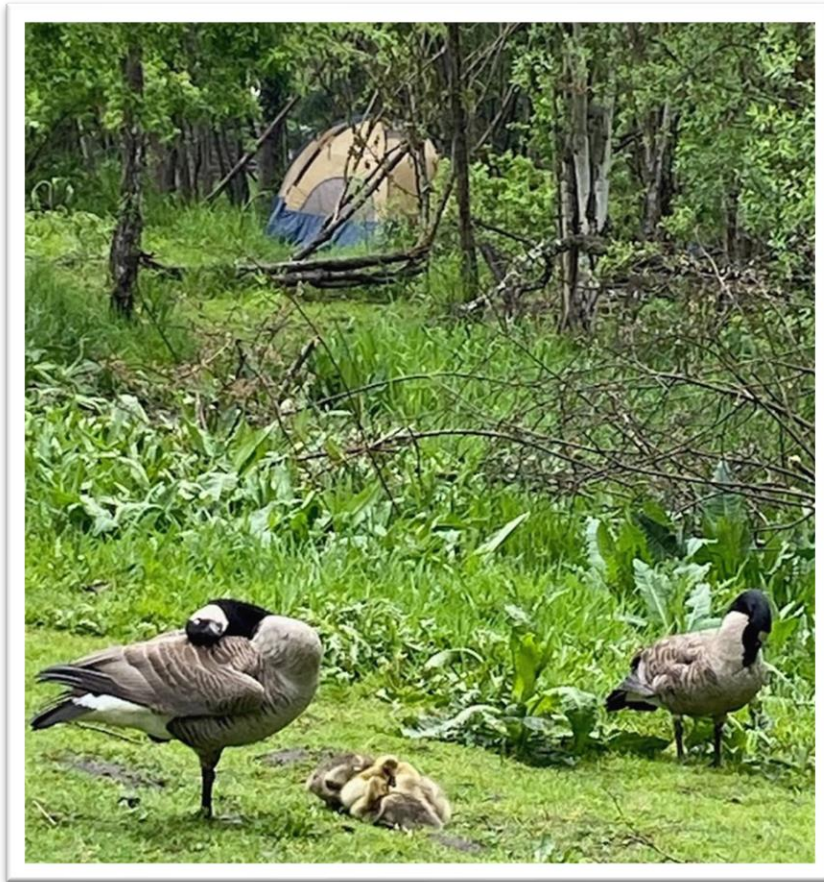


Steep Slopes 40%-80% along Burt Bridge Creek

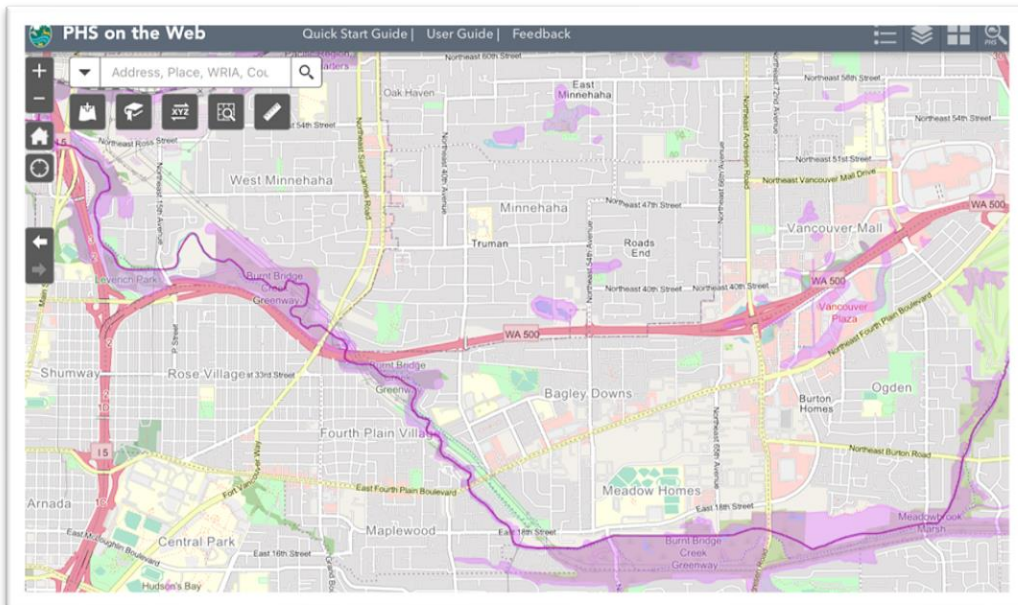


Priority habitat conservation areas over 6 years of Destruction

Priority Habitat Species Area

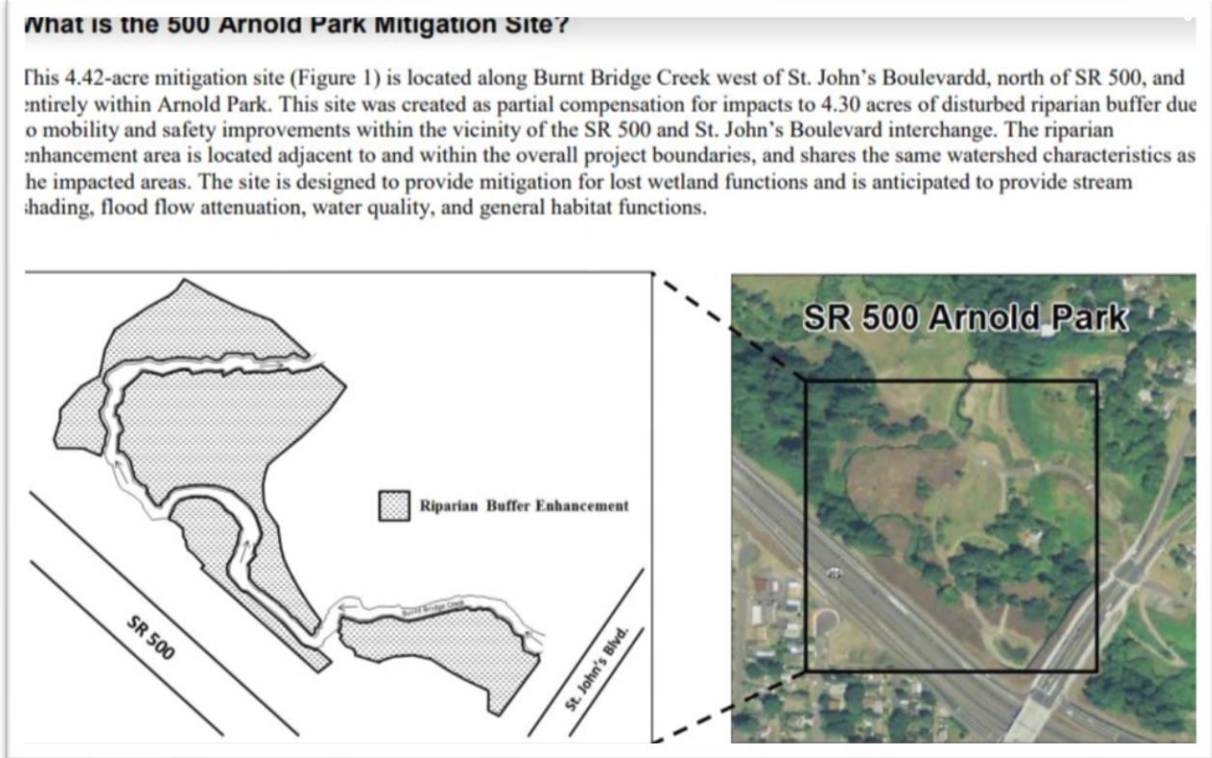


Map to Priority Habitat Species Area



Arnold Park-Mitigation continuous destruction over 6 years

USACE NWP (23) NWS-2009-1104 - Southwest Region Wetlands Program



Meadowbrook Marsh Park Destruction and Pollution

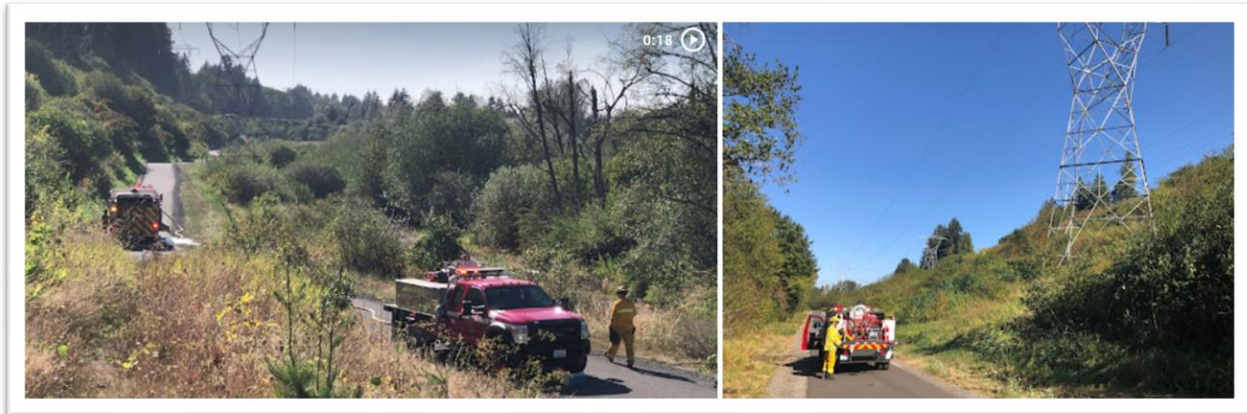


Continous Habitat lissues with FIREs over 6 years

[Fire in Anrold Park Mitigation Site](#)



[Fire in Riparian Area](#)



Continous Habitat Problems with FIREs over 6 years (continued)

SR500 Wetlands Fire - Riparian area



SR500 Wetland Fire Riparian Area & Steep Slopes



Pollution from Potentially Harmful Materials Into BBC over 6 years

Chapter 14.26 WATER RESOURCES PROTECTION

“Potentially Harmful Materials” means hazardous materials as defined at VMC Section 14.26.110 as well as other materials including, but not limited to, the following which, if discharged or improperly disposed, may present a risk to water resources:

Petroleum products including but not limited to petroleum fuel and petroleum-based coating and preserving materials; oils containing PCBs; antifreeze and other liquid automotive products; metals, either in particulate or dissolved form, in concentrations above established regulatory standards; flammable or explosive materials; radioactive material; used batteries; corrosives, acids, alkalis or bases; paints, stains, resins, lacquers or varnishes; degreasers; solvents; construction materials; drain cleaners and other toxic liquid household products; pesticides, herbicides, fungicides or fertilizers unless applied in accordance with local, state and federal standards; steam cleaning and carpet cleaning wastes; pressure cleaning wastes; car wash water; laundry wastewater; soaps, detergents, ammonia; swimming pool backwash; chlorine, bromine, and other disinfectants; heated water; domestic animal wastes; sewage; recreational vehicle waste; animal carcasses, excluding salmonids; food wastes; collected lawn clippings, leaves or branches; trash or debris; silt, sediment or gravel; dyes; and untreated or unapproved wastewater from industrial processes

Potentially Harmful Material Pollution in Critical Area



Additional Fecal Matter pollution over 6 Years

Continuous habitation has contributed additional Fecal Matter into the problem 303(d) Creek that already has problem with Fecal Coliform Bacteria. *(no links to additional pictures provided)*



From: [City Council](#)
To: [Dollar, Sarah](#)
Subject: FW: vote on new short term rental regulations
Date: Monday, December 11, 2023 3:40:04 PM

From: Ellen Gyberg <[REDACTED]>
Sent: Monday, December 11, 2023 2:25 PM
To: City Council <council@cityofvancouver.us>
Subject: Re: vote on new short term rental regulations

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

To whom this may concern,

I am a local Airbnb super host. I manage an Airbnb for a friend of mine who owns a house here in Vancouver. She lives in Texas with her family. She was born and raised in Vancouver and desperately wants to move back here but is currently unable to due to her husband's health issues.

I have been managing her house as an Airbnb since 2020. We only rent it to guests who has their identity verified through Airbnb coupled with good reviews from other stays with Airbnb.

We have strict rules against having parties as well as pets, and we have quiet hours between 10pm and 7am always keeping our neighbors in mind.

We have never had any complaints from the neighbors.

Working as an Airbnb host has been a huge blessing in my life. I left my abusive husband of 27 years in 2019. He refused to let me go unless I let him have everything, the house, the money, the RV, etc. He took away my debit and credit cards and opened a new bank account at a different bank without my knowledge and had the direct deposit from his work changed to the new account. I had no access to any money.

I I was forced to come to terms with being homeless when I left him.

Luckily I was contacted by my friend about turning her house in to an Airbnb and manage it for her until she can come back here and live. She wants the freedom to come a visit whenever possible and for that reason renting the house long term would not work. She also does not want the house to sit empty, so the best option wants to rent it as an Airbnb.

I had no experience but I was determined to make it a success for myself, my friend and for people wanting to visit Vancouver and needing a safe, clean and comfortable place to stay.

We have excellent reviews and this work has saved my life. I'm now able to live on my own, I have

other part time jobs that compliment my Airbnb income. The Airbnb has allowed me to become a productive member of society and successful Airbnb super host.

I would be devastated if it was taken away from me with new short term rental regulations.

I understand that there may be a lot of complaints against some Airbnb's and I'm not opposed to stricter regulations, but PLEASE do not cap the number of listings that would be allowed. It would be absolutely devastating for me personally as this is my main source of income and how I've been able to overcome being homeless.

The struggle is real out here, rent is high, food is expensive, gas is expensive, please do not take away my main income source

Thank you for your time.

Sincerely,
Ellen Gyberg

A solid black rectangular box used to redact the signature of Ellen Gyberg.

From: [City Council](#)
To: [Dollar, Sarah](#)
Subject: FW: Do Not Limit number of AirBNB
Date: Monday, December 11, 2023 3:40:13 PM

From: Alison Pinetti <[REDACTED]>
Sent: Monday, December 11, 2023 2:27 PM
To: City Council <council@cityofvancouver.us>
Subject: Do Not Limit number of AirBNB

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

After suffering losses during covid Moratorium on Evictions it has been hard to recoup losses exacerbated by non paying tenants that were neither sick nor suffered a loss of employment. In a capitalist society it seems like city governments are keen on telling landlords how to make money when as small-time investors we have chosen to earn money in real estate as landlords, not flippers and make money by renting out our homes. I believe that when you can earn money by having short term rentals without the damage to the home that you have with long term rentals, sometimes as a business owner you have to do what is right for you. As a landlord it has been a tough past three years and I am just starting to see my way out of the hole that 2020 left behind with losing my bartending job and many regulations due to covid restrictions. If I could attend tonight's meeting that would be great but in the meantime I think this is a horrible idea for the city of Vancouver government to further restrict how I earn.

--



From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Short-Term Rental Ordinance: Clark County Assoc. of REALTORS®
Date: Monday, December 11, 2023 4:25:05 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[COV STR Public Comment 12.11.2023 .pdf](#)
[image008.png](#)

Hi Sarah,

We received this in the CMO inbox

-Amelia Pilipchuk

From: Justin Wood <[REDACTED]>
Sent: Monday, December 11, 2023 3:50 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: FW: Short-Term Rental Ordinance: Clark County Assoc. of REALTORS®

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

Thank you,

Justin Wood

AHWD,

Government Affairs Director



Clark County Association of Realtors®

Office: [REDACTED]
Direct: [REDACTED]
www.ccrealtors.com
[REDACTED], Vancouver WA 98663



From: Justin Wood
Sent: Monday, December 11, 2023 1:50 PM
To: anne.mcenerny-ogle@cityofvancouver.us; Fox, Sarah <S.Fox@cityofvancouver.us>;
marie.perez@cityofvancouver.us; kim.harless@cityofvancouver.us; ty.stober@cityofvancouver.us;

Bart.Hansen@cityofvancouver.us; Paulsen, Erik <E.Paulsen@cityofvancouver.us>

Cc: anna.quintrell@cityofvancouver.us; Delapena, Amanda

<Amanda.Delapena@cityofvancouver.us>; eric.holmes@cityofvancouver.us;

lisa.brandl@cityofvancouver.us; Nortz, Jason <Jason.Nortz@cityofvancouver.us>

Subject: Short-Term Rental Ordinance: Clark County Assoc. of REALTORS®

Good Afternoon, Mayor McEnery-Ogle and Council

Please find attached our association's public comment addressing the short-term rental ordinance on tonight's consent agenda. We have appreciated the opportunity for feedback thus far.

Unfortunately, two recently added regulations have us concerned about the future of lodging and housing in the City of Vancouver. Included in our comment are some questions the council may want to consider before adopting the 24-month pilot program.

We understand these are complicated issues and we hope the Council will consider our comments and use our association as a resource moving forward.

Thank you,

Justin Wood

AHWD,

Government Affairs Director





December 11, 2023

Vancouver City Council

415 W 6th St.

Vancouver, WA 98660

Public Comment: Short-Term Rental Ordinance

Dear Mayor McEnerny-Ogle, City Council, City Manager, & Staff

Over the past 2 years, the City has considered policies to allow and regulate short-term rental use and operation. This is taking place in a region, state, and country grappling with a housing supply & affordability crisis. Our association understands this and appreciates the balance the City is trying to achieve and has agreed with reasonable regulation thus far. However, the hasty addition of two policies to the regulatory framework has us concerned:

- Limiting the total number of STRs to not exceed 870 total units- equivalent to 1% of the City's total housing stock at the time of adoption.
- Prohibit future units developed according to HB 1110 and HB 1337 from being used as short-term rentals.

There are approximately 425 STR units in the City of Vancouver. This represents roughly 0.5% of Vancouver's approximately 87,000 residential units. Based on this data, the City is not facing an emergency of short-term rentals taking up housing stock. We fear unintended consequences for the housing ecosystem within the City if these additional regulations are added. Please review the following questions before considering adoption:

- How will short-term rental restrictions on new units built according to HB 1337 & 1110 impact the production of those units? Would restricting the use of these units stifle investment?

- Would all future ADU units be banned from STR use or just new units built according to HB 1337?
- By limiting the number of STR permits within the City, would this increase the median nightly rate for all STRs in the City?
- What is the difference in median nightly rate between multinational hotels and motels compared to locally owned STR units?
- By restricting STR use are we making lodging more expensive in the City of Vancouver?
- How will the city enforce restrictions on future middle housing and ADU units? Who and what will be grandfathered in?
- If the City chooses to annex in the future how will this impact the 1% cap or restriction on new units?
- Given the I-5 bridge replacement will take nearly a decade or more to complete, are we shunning future contract workers who prefer lodging types like short-term rentals?
- If the council moves forward with the 1% cap, is there an estimate of lost lodging tax revenue over a given period?
- How will this impact homeowners, some of whom use short-term rental use to afford their home?
- Is the City unintentionally concentrating tourism dollars to the downtown core? How will it impact tourism dollars in other parts of the City?

With these questions in mind, the City would be best served to use the 24-month pilot program as it was intended, to collect data and formulate an encompassing regulatory framework. The addition of the two policies above seems like a preemptive overreaction. The Department of Commerce estimates the State of Washington will need an additional 1.1 million new housing units within the next 20 years. Any policy that may negatively impact the production of new units should include careful consideration. Just because a unit is built for one use doesn't mean that use is permanent. Housing is an ecosystem, and The City of Vancouver needs more information to assess the impacts of these new regulations.

Our association has been supportive of reasonable regulation throughout this process. Our over 1,900 members are partners in the community helping people move and invest into our City. Please use our association as a resource during this pilot program. We would also encourage the council to continue to have conversations with guests, residents, and operators alongside organizations like Identity Clark County (ICC), Clark County Rental Association (CCRA), The Building Industry Association of Clark County (BIA), and the Greater Vancouver Chamber of Commerce (GVC) to assess what additional impacts these regulations may have. The council is well within its right to amend the ordinance to include additional regulations during or after the pilot program. Currently, this hasty approach may exacerbate unintended consequences.

Sincerely,

Justin Wood

Government Affairs Director

From: [Amy Asivido](#)
To: [City Council](#)
Subject: Short term vacation rentals
Date: Monday, December 11, 2023 1:31:07 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

To Whom it may Concern:

After living in my condo for 1 year, I have rented it for another year (2023) as a short term rental. My neighbors on each side are both aware and have indicated that even though it's an attached home on both sides, it has had no impact on them. I have a no-party policy and cameras installed. After one full year concluding this month, its been a great experience for myself, my neighbors and my guests. I chose to rent instead of sell because my family sometimes stays there and I may move back in the future, so keeping it as a long term rental doesn't allow me to have the freedom I need.

I feel that a well-managed property should have minimal impact on neighbors and overall helps bring visitors to experience the growing area here in SW Washington. My home is beautifully decorated and well appointed, and appeals to a quality demographic of guests. I only rent to guests with good ratings.

I am a strong advocate FOR short term rentals in the area as long as protections are in place. I believe it helps our economy, tourism and helps the owners build wealth.

Respectfully,
Amy Asivido

--



From: [City of Vancouver - Office of the City Manager](#)
To: [City Council](#)
Subject: FW: Short-Term Rentals
Date: Monday, December 11, 2023 12:15:14 PM

We received the comment below in the CMO inbox.

From: Vicki Coles <[REDACTED]>
Sent: Monday, December 11, 2023 11:51 AM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Short-Term Rentals

You don't often get email from [REDACTED] [Learn why this is important](#)

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

Ms. Mayor and City Council,
I sincerely hope those properties currently operating ILLEGALLY as short term rentals will be required to go through the permitting process. Please do not "Grandfather" them in!

On my cul-de-sac of 9 homes, we currently have two short term rentals, both of which have been the sight for loud parties and in one case a public orgy. Yes, ***an orgy***, in full view of the neighbors.

Which raises the question - what recourse do we, as neighbors of these properties, have when things get "out of hand" (as they certainly will)?

Vicki Coles
[REDACTED]

From: [City Council](#)
To: [Dollar, Sarah](#)
Subject: FW: A citizen in support of allowing short-term rentals in Vancouver, WA
Date: Monday, December 11, 2023 1:44:16 PM

From: Jerrad Isch [REDACTED]
Sent: Monday, December 11, 2023 1:36 PM
To: City Council <council@cityofvancouver.us>
Subject: A citizen in support of allowing short-term rentals in Vancouver, WA

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

To the City Council of Vancouver, Washington:

I am a long-time resident of Vancouver, and I am in support of relaxing policies on allowing short-term rentals in Vancouver. I believe that they are an economic benefit to our area, as many out of area visitors can stay near the center of our city, and support our local businesses.

I support rules that allow homes to share rooms or accessory dwelling units with guests without restriction on the length of stay. We need to make density a priority to accommodate the growth that our area is experiencing. I believe that short-term rentals are one part of the solution.

Sincerely,
Jerrad Isch
(He/Him/His)

From: [Bridget Driscoll](#)
To: [City Council](#)
Subject: Support for Short Term Rentals
Date: Monday, December 11, 2023 1:49:43 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

Dear Vancouver City Council,

I hope this email finds you well. I am writing to express my support for short-term rentals in Vancouver. As a proud Airbnb host with three listings in the Fourth Plain Village area since early 2022, I have witnessed firsthand the positive impact that short-term rentals can have on our lives and the local economy.

Firstly, I would like to highlight the vibrant food scene in Fourth Plain Village, which has been a significant attraction for guests staying at my Airbnb listings. Many visitors comment on the diverse culinary experiences available, contributing to the overall appeal of our neighborhood. The positive reviews and recommendations from guests undoubtedly help promote local businesses, boosting the economic vitality of the area.

Additionally, the easy, affordable, and safe access to the Portland International Airport (PDX) has been a key factor for many of my guests. The proximity to both the airport, city of Portland, and walkable access to grocery stores and restaurants makes Fourth Plain Village an attractive location for travelers, further enhancing our standing as a desirable destination.

One of the most rewarding aspects of being an Airbnb host in this neighborhood is providing a comfortable, flexible, and amenity-filled option for travelers who may be in town for various reasons. Many of my guests are visiting family, taking care of loved ones, or participating in multi-month medical rotation assignments. For them, the alternative option of living in a hotel and relying on takeout is not as conducive to their needs, especially when they are unable to commit to a 12-month lease of an apartment — a common requirement in the area.

I take pride in recommending local food establishments and tourist attractions, especially those in the newly constructed Vancouver Waterfront. The positive feedback I receive from guests regarding the quality of their stay speaks to the positive impact that short-term rentals can have on our community.

With hundreds of travelers hosted and a consistent 4.9 rating, I have been recognized as a Superhost across my listings. Two of my units, specifically the one-bedroom options, are particularly popular among young people, professionals on business trips, and couples. This diverse demographic further demonstrates the versatility and inclusivity that short-term rentals bring to our neighborhood. I have never received a complaint regarding noise or other disturbances from neighboring homes and have several rules, screening procedures and penalties in place to maintain the good will of the neighborhood.

In conclusion, I urge the City Council to consider the numerous benefits that short-term rentals, such as Airbnb, bring to Vancouver and Fourth Plain Village. The economic boost to

local businesses, the convenience for travelers, and the positive impact on our community's image all contribute to making short-term rentals an essential and positive aspect of our neighborhood.

Thank you for your time and consideration. I am happy to provide any additional information or answer any questions you may have.

Sincerely,

Bridget Driscoll

A black rectangular redaction box covering the signature area.

From: [Holley TYLER](#)
To: [City Council](#)
Subject: Airbnb
Date: Monday, December 11, 2023 1:58:31 PM

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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

This should not be limited!

Holley Tyler

Sent from my iPhone

From: [Bev Questad](#)
To: [City Council](#)
Subject: Pro Airbnb
Date: Monday, December 11, 2023 2:02:00 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

I have run an Airbnb since 2017. I am a 74-year-old woman. What I earn pays my property tax which is about \$9,000.00 a year. I rent out one portion of my home that includes a bedroom, bathroom and living room with petite kitchen. There is also a designated patio area. I charge \$70/nt and do my own cleaning.

This financial opportunity allows me to pay my property taxes and HOA dues so that I can keep my house.

There is no impact on my Mt. Vista neighborhood as I live up a long horseshoe driveway that cannot be seen from my house. Guests park in a designated parking area. I do not allow additional guests, parking, smoking, etc.

As a matter of fact, my Airbnb is a benefit to my neighborhood as many guests are relatives of the neighbors in the area. My Airbnb has provided extra accommodations for neighbors having weddings, new babies born, grandparent visits, holiday relative events, reunions and graduations (I live close to WSUV as well as Skyview High School).

From: [Delapena, Amanda](#)
To: [DL, City Council Members](#)
Cc: [Quintrell, Anna](#); [Holmes, Eric](#); [Brandl, Lisa](#); [Nortz, Jason](#); [Dollar, Sarah](#)
Subject: FW: Short-Term Rental Ordinance: Clark County Assoc. of REALTORS®
Date: Monday, December 11, 2023 2:21:08 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[COV STR Public Comment 12.11.2023 .pdf](#)
[image002.png](#)

Council,

Attached and below please find written comment from the Clark County Association of Realtors regarding the Short-Term Rental ordinance on your agenda this evening.

Amanda Delapena

Executive Assistant to the Mayor and City Manager

From: Justin Wood [REDACTED]
Sent: Monday, December 11, 2023 1:50 PM
To: anne.mcenery-ogle@cityofvancouver.us; Fox, Sarah <S.Fox@cityofvancouver.us>; marie.perez@cityofvancouver.us; kim.harless@cityofvancouver.us; ty.stober@cityofvancouver.us; Bart.Hansen@cityofvancouver.us; Paulsen, Erik <E.Paulsen@cityofvancouver.us>
Cc: Quintrell, Anna <Anna.Quintrell@cityofvancouver.us>; Delapena, Amanda <Amanda.Delapena@cityofvancouver.us>; Holmes, Eric <Eric.Holmes@cityofvancouver.us>; Brandl, Lisa <Lisa.Brandl@cityofvancouver.us>; Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Subject: Short-Term Rental Ordinance: Clark County Assoc. of REALTORS®

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

Good Afternoon, Mayor McEnery-Ogle and Council

Please find attached our association's public comment addressing the short-term rental ordinance on tonight's consent agenda. We have appreciated the opportunity for feedback thus far. Unfortunately, two recently added regulations have us concerned about the future of lodging and housing in the City of Vancouver. Included in our comment are some questions the council may want to consider before adopting the 24-month pilot program.

We understand these are complicated issues and we hope the Council will consider our comments and use our association as a resource moving forward.

Thank you,

Justin Wood

AHWD,
Government Affairs Director



www.ccrealtors.com



Vancouver WA 98663





December 11, 2023

Vancouver City Council

415 W 6th St.

Vancouver, WA 98660

Public Comment: Short-Term Rental Ordinance

Dear Mayor McEnerny-Ogle, City Council, City Manager, & Staff

Over the past 2 years, the City has considered policies to allow and regulate short-term rental use and operation. This is taking place in a region, state, and country grappling with a housing supply & affordability crisis. Our association understands this and appreciates the balance the City is trying to achieve and has agreed with reasonable regulation thus far. However, the hasty addition of two policies to the regulatory framework has us concerned:

- Limiting the total number of STRs to not exceed 870 total units- equivalent to 1% of the City's total housing stock at the time of adoption.
- Prohibit future units developed according to HB 1110 and HB 1337 from being used as short-term rentals.

There are approximately 425 STR units in the City of Vancouver. This represents roughly 0.5% of Vancouver's approximately 87,000 residential units. Based on this data, the City is not facing an emergency of short-term rentals taking up housing stock. We fear unintended consequences for the housing ecosystem within the City if these additional regulations are added. Please review the following questions before considering adoption:

- How will short-term rental restrictions on new units built according to HB 1337 & 1110 impact the production of those units? Would restricting the use of these units stifle investment?

- Would all future ADU units be banned from STR use or just new units built according to HB 1337?
- By limiting the number of STR permits within the City, would this increase the median nightly rate for all STRs in the City?
- What is the difference in median nightly rate between multinational hotels and motels compared to locally owned STR units?
- By restricting STR use are we making lodging more expensive in the City of Vancouver?
- How will the city enforce restrictions on future middle housing and ADU units? Who and what will be grandfathered in?
- If the City chooses to annex in the future how will this impact the 1% cap or restriction on new units?
- Given the I-5 bridge replacement will take nearly a decade or more to complete, are we shunning future contract workers who prefer lodging types like short-term rentals?
- If the council moves forward with the 1% cap, is there an estimate of lost lodging tax revenue over a given period?
- How will this impact homeowners, some of whom use short-term rental use to afford their home?
- Is the City unintentionally concentrating tourism dollars to the downtown core? How will it impact tourism dollars in other parts of the City?

With these questions in mind, the City would be best served to use the 24-month pilot program as it was intended, to collect data and formulate an encompassing regulatory framework. The addition of the two policies above seems like a preemptive overreaction. The Department of Commerce estimates the State of Washington will need an additional 1.1 million new housing units within the next 20 years. Any policy that may negatively impact the production of new units should include careful consideration. Just because a unit is built for one use doesn't mean that use is permanent. Housing is an ecosystem, and The City of Vancouver needs more information to assess the impacts of these new regulations.

Our association has been supportive of reasonable regulation throughout this process. Our over 1,900 members are partners in the community helping people move and invest into our City. Please use our association as a resource during this pilot program. We would also encourage the council to continue to have conversations with guests, residents, and operators alongside organizations like Identity Clark County (ICC), Clark County Rental Association (CCRA), The Building Industry Association of Clark County (BIA), and the Greater Vancouver Chamber of Commerce (GVC) to assess what additional impacts these regulations may have. The council is well within its right to amend the ordinance to include additional regulations during or after the pilot program. Currently, this hasty approach may exacerbate unintended consequences.

Sincerely,

Justin Wood

Government Affairs Director

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Watch "Why They Lied: Del Bigtree on Pharma, mRNA EUA & The COVID Catastrophe Cover-Up – Ask Dr. Drew" on YouTube
Date: Sunday, December 17, 2023 2:59:20 PM

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

<https://www.youtube.com/live/mc1lID01vuY?si=A63RHKAeGp7CQuhB> . Please send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn.

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Watch "Feds PAID Mainstream Media to PUSH Covid-19 VACCINE on Americans: Rav Arora" on YouTube
Date: Wednesday, December 13, 2023 10:15:19 AM

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

<https://youtu.be/H-cTizTzhXA?si=dM3MfvrjeXXE6lc1> . Please send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: 5g and cancer
Date: Monday, December 11, 2023 1:02:31 PM
Attachments: [4_5965506366356328962.mp4](#)

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

Please send to council members and MELNECK. Put on public record and confirm. Thanks from Wynn

12/18/23

City Manager Eric Holmes Community Performance Review - Dec 18th 2023

Tonight you will give City Manger Eric Holmes a \$27,000 raise. To put this into perspective, his raise is about the same as a minimum wage workers entire annual salary. Would you please share what your goals were for our City Manger last year & wether he met, exceeded or failed to meet your expectations.

Here are 3 Community Concerns in regards to his job performance:

#1 - Equitable Pay For All City Workers

Eric Holmes Salary next year will be \$344,000. He'll be the highest paid City Leader in the Region and all total will have received over \$2.75 Million from Vancouver Residents.

In contrast he has bargained against City Workers and Labor Unions fighting for better conditions and equitable pay for themselves and their families. His own staff isn't paid enough to live in Vancouver and yet had to prepare His exorbitant pay raise request for Council this evening. Some PUBLIC WORKS EMPLOYEES ARE ON FOOD STAMPS AND STATE ASSISTANCE.

We want All our Cities Workers paid equitably. This community recognizes and is proud of these essential workers who make our city function. We want you to make Diversity, Equity and Inclusion mean something to all Workers, not just Eric Holmes.

#2 - Prioritizing the Most Vulnerable in Our Community

If you looked out the windows of this Council Chambers last month, you would have seen people living in the field by the parking lot. Eric Holmes Declared a State of Emergency and had them removed. He Ignored Service Providers like Council for the Houseless, SW WA Equity Coalition and YWCA. These groups provide life saving services to our most vulnerable neighbors. If the City will not prioritize the Houseless community needs, it cannot have a City Manger that works against the Service Providers giving life saving supplies and care.

#3 - Public Safety

Eric has refused to meet our communities Public Safety needs. He attempted to reform the Police Dept. 4 years ago and admitted he had ignored the problem for too long. In fact, because Eric has allowed VPD to control and manage its own accountability, they continue to commit violence in our communities. VPD data shows rates of misconduct have risen steadily from 5% in 2013 to 34% in 2022.

We give 30% of our \$2 billion budget to the Vancouver Police, yet the Cops aren't required or ordered to assist the public, only enforce the law.

Neighborhoods have invited the City Manger to come meet with them for over a year. He has refused the invitation. Vancouver Police kill our neighbors, they shoot people who are suicidal, they leave cop cars running with windows down and Loaded Assault Rifles within arms reach near our schools, they point their guns into our homes making families take shelter on their floors. When they have the time to alert the public of their activities, they instead ignore calls for public safety and escalate situations.

These are facts that you've chosen to ignore or hold Eric Holmes accountable for. We believe rewarding him with a \$27,000 pay raise isn't helping. The question that City Workers and residents of Vancouver have is simple: why do you disagree with us?



Guest Services <laquinta6288@gmail.com>

Fwd: Public record/Vancouver City Council meeting 12/18/2023

1 message

Michael Moore <mssmpy3.14moore@gmail.com>
To: "laquinta6288@gmail.com" <laquinta6288@gmail.com>

Mon, Dec 18, 2023 at 9:15 AM

----- Forwarded message -----

From: **Michael Moore** <mssmpy3.14moore@gmail.com>
Date: Mon, Dec 18, 2023, 9:02 AM
Subject: Public record/Vancouver City Council meeting 12/18/2023
To: <news@koin.com>

My statement to be read into public record.

" Funding for Talking Trash, under 'Protection of States Interests ' RCW 43. 185 c. 130. 2013 Omnibus Rule Equal protection for insurance reporting, if Patterns of activity exist, anything suspicious, report it. Information in Washington Attorney General complaint files 642780, 653087 and 657005 show Patterns of activity. Share.org, Council for the Homeless, Catholic Community Services, Outsiders Inn, Cowlitz Tribe and Peacehealth Sw included in complaint files. May 4th this year Vancouver Police department gave me a case file number, 23-9998. In attempting a fraud report to WA Department of Commerce, Dan Lloyd with City attorney said City can't investigate, sent me email with file number 23-9998. Share.org made a project change, RCW 43. 185 C. 130 (2) requires a lump sum repayment and 3 year Debarment for any grants. Sharehouse Men's shelter clients denied Equal food security. Shares 2022 IRS 990 supplemental statement, \$2,288,627, Part III, Line 4D. 990 Part IV, Statement "Share reviews expenses and monitors monthly invoices to ensure Grants are being used for intended purposes ". November 14th calls with Kayla Williams and Greg Kimsey were productive, Clark County is all about compliance and due diligence. Claims of exemption by Executive Directors and Boards, D and O insurance, hinge on 'Anything clearly wrong headed that causes harm '. Complaint file 657005 includes " to neither confirm or deny the existence of an ongoing investigation ". A text included in files, October 11th from Adam Kravitz regarding Outsiders Inn public health complaint shows 'Clearly wrong thinking, " well the Mayor met with Dr Melnik of Clark County Public Health and Churches don't have the same rules etc. October 24th I called the FBI because of Racketeering concerns, Adam Kravitz disconnected phone # 360-830-6647, pulled Outsiders Inn Facebook page but left phone number on Outsiders website, False Advertising equals Patterns of activity. The Mayor's big heart meant well, Adam manipulated the Mayor, I know it's true. Taking time to Gaslight me with claims of extreme mental health problems, the HART TEAM even believed Slandorous claims. Please, have the Patience of Job, Vancouver is bound to protect the States Interests, Due Diligence, Investigate. I'm not Talking Trash, waiting won't cause harm. Table Funding for Talking Trash, Our Federal and State governments will be watching you.

12/18/23 David LaFayette

Dec-18-2023

City of Vancouver Short-Term Rentals

Hello,

My name is David Lafayette. I've lived in the Hough neighborhood for 25 years now.

A few years ago, my wife and I started the process of converting the unfinished basement of our 1911 house into a type-II ADU. We completed this project last fall.

We have family from all over that visits often and we thought it would be convenient to have a separate space for them while they were visiting.

At nearly \$100k, the project was expensive and we planned on leveraging the ADU as a short-term rental between family visits.

This seemed like a win for everyone:

- We get a place for visiting family
- Short-term rental fees help fund the project
- The City gets an improved structure and higher property taxes

Unfortunately, after reading the current short-term rental rules I discovered that I can not do this. It's my understanding that I can only provide short-term rentals if I am the resident of the dwelling I am renting. My basement unit is now considered a separate dwelling from my main house so I'm prohibited from short-term rentals.

This doesn't make sense to me. This kind of short-term rental is the most unobtrusive to everyone — the owner of the property actually lives in the same structure as the rental, making it extremely unlikely there will be issues with neighbors. Nor am I taking an existing long-term rental out of inventory.

I would like to propose allowances be made for this kind of short-term rental. When the owner's primary residence has an ADU on the premises it makes sense that the owner should be allowed to leverage that additional space as a short-term rental.

Thank you,

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