

ORDINANCE NO. 2007-09-13

An ordinance relating to land use; adopting an updated Growth Management Comprehensive Land Use Plan, zoning maps and zoning ordinances; providing for severability; providing an effective date; and requiring notice.

WHEREAS, Clark County is required to update its comprehensive plan in accordance with the goals and requirements of RCW 36.70A (the Growth Management Act, or GMA); and

WHEREAS, the county's comprehensive plan is required to include maps and descriptive text covering the objectives, principles and standards used to develop the essential elements of the plan; and

WHEREAS, GMA directs counties to adopt urban-growth areas (areas within which urban growth is encouraged and outside of which only non-urban growth can occur) and to address these areas in the county-wide planning policies; and

WHEREAS, GMA mandates the county's identification and designation of critical areas and agricultural, forest, and mineral resources lands, together with the adoption of protective regulations; and

WHEREAS, the update of the county's comprehensive plan must be processed in compliance with the State Environmental Policy Act (SEPA), and include an analysis of cumulative effects of development in the county; and

WHEREAS, the county needs to address site-specific requests for comprehensive plan and zoning changes, and considered requests on more than 300 parcels; and

WHEREAS, 1) the county, pursuant to RCW 36.70A.130 revised UGAs to accommodate a new 20-year OFM population projection in 2004; (2) the board

determined that the public interest requires adjustment of the growth assumption in the 2004 plan from 1.67% annually to 2.0% annually; (3) the plan horizon has remained the same and the increased growth assumption continues to fall within the OFM range, and (4) the plan reflects principles and values adopted by the board at the outset of the update process; and

WHEREAS, copies of the county's proposed updated comprehensive plan are required to be and have been submitted to the state at least sixty days prior to final adoption, and the plan must be transmitted to the state within ten days after final adoption; and

WHEREAS, it is expected that the cities will complete the updates to their land use and capital facilities plans to make them consistent with the county plan; now therefore

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

## **I. FINDINGS**

### **A. Findings, General**

The Board of County Commissioners (the Board) finds that all GMA prerequisites for the revision of the county's comprehensive plan have been met and that the plan adopted herein achieves the goals and satisfies the requirements of the GMA, as follows:

1. Compliance with the Required Elements of the Comprehensive Plan. The 20-year Comprehensive Growth Management Plan adopted herein includes all of the following required elements: Land Use, Housing, Capital Facilities and Utilities, Rural and Natural Resources, Transportation, Economic Development, and Parks and Open Space. In addition, the plan also contains the following optional elements: Environment, Historic Preservation, Schools, Community Design, Annexation, and Procedural Guidelines.
2. Compliance with Resource and Critical Areas Designations and Regulation. Resource issues were not addressed in this plan revision; findings related to inclusion

of resource lands in UGAs are included in Section B below. Agricultural, forest and mineral resource lands are designated on the Comprehensive Plan map, and conserved through the establishment of minimum lot sizes and other zoning regulations.

3. Public Participation. The public participation requirements of the GMA have been met through an extensive public involvement process that included the following:
  - a. A Technical Advisory Committee comprised of planners from the cities, the county and special districts, who met to discuss planning issues of a technical nature.
  - b. Two county-wide mailings describing the GMA plan update process and progress made, and asking for comments on a variety of growth management issues.
  - c. Three rounds of public meetings (February 2006; September 2006; May 2007) throughout Clark County on the environmental impact statement/capital facilities plan process, the land use alternatives, and the proposed plan.
  - d. Extensive use of the Clark County website that included information on the GMA, an outline of the comprehensive plan update process, notices of meetings and hearings, maps of alternatives considered in the EIS process, meeting summaries, and issue discussions, the DEIS, and the FEIS, and a way to comment to the county directly about GMA issues.
  - e. Ads, flyers, postcards, meeting summaries, etc. sent to a GMA e-mailing list of 780.
  - f. Outreach to special audiences, including neighborhoods and youth; community groups; and staffing of a booth for the ten-day run of the 2006 Clark County Fair.
  - g. Televised public hearings held by the Planning Commission and the Board on plan adoption.
  
4. State Environmental Policy Act (SEPA). The county has complied with the environmental review process required by SEPA, as follows:
  - a. A scoping meeting was held in October 2005.
  - b. A Draft Environmental Impact Statement (DEIS) outlining three alternatives was completed in August 2006. Open houses to review EIS information and to prepare citizens to comment were held in September 2006. A public hearing on the DEIS was held on September 20, 2006.
  - c. A Final EIS was completed in May 2007. The FEIS focused on a preferred alternative, which subsequently became the proposal that was the subject of public hearings before the Planning Commission and the Board.
  - d. The FEIS was a major decision tool in the comprehensive plan update process.
  
5. Amendment. The Comprehensive Plan provides adequate monitoring and amendment procedures.
  - a. The Comprehensive Plan provides for a procedure to monitor internal and inter-jurisdictional consistency.
  - b. The Comprehensive Plan contains provisions governing its amendment. Amendments will not be considered more than once each year.

- c. The Comprehensive Plan provides for an automatic comprehensive review of urban growth areas at least once every ten years.
6. Record of Process.
- a. The Board and the Clark County Planning Commission conducted a duly-advertised joint public hearing on the comprehensive plan update on June 5, 6, and 7, 2007.
  - b. The Clark County Planning Commission conducted a duly-advertised public hearing concerning recommendations for adoption of the Comprehensive Plan on June 7, 11, 12, and 13, 2007. A public hearing on annual reviews and dockets was held on May 17, 2007.
  - c. The Board conducted a duly-advertised public hearing concerning the Planning Commission recommendation and adoption of the Comprehensive Plan on June 19, 20, 26, 28 and 29; July 5; August 14 and 28; and September 11, 18 and 25, 2007.
  - d. All public hearings before the Planning Commission and the Board included opportunities for public comment.
  - e. All public hearings before the Planning Commission and the Board were transcribed, tape recorded, and televised locally on cable television. Written transcripts, and video and audio tapes are on file.
  - f. Copies of all newsletters, articles, and other publications are on file.
  - g. Copies of all written correspondence received by the county are on file.
7. Internal Consistency. The Comprehensive Plan is internally consistent.
- a. The policies within and among elements are complementary, not contradictory. Both separately and together, they further the goals of the GMA.
  - b. The land use map represents a detailed analysis carried out in cooperation with individual cities and the business and environmental communities. The analysis and draft land use maps were subject to public scrutiny for several months as the analysis progressed.
  - c. The Comprehensive Plan contains policies, implementation measures, and procedures which provide for its review and adjustment if internal conflicts are discovered.
8. Individual Site Specific Requests. Clark County established a process to address individual site specific requests for a change in designation and/or zoning as part of the plan update.
9. Concurrency. The Comprehensive Plan meets the concurrency requirement of the GMA. The plan requires direct concurrency for transportation (implemented by the concurrency ordinance which specifies levels of service for identified corridors) for water and for sewer, and the plan includes six and twenty-year project lists for these. The plan also includes project lists for indirect concurrency elements (schools, parks and stormwater).

10. Inter-jurisdictional Coordination. The Comprehensive Plan is consistent with adopted county-wide planning policies. The Community Framework Plan introduces the element chapters of the plan. County-wide planning policies are included in each plan element.
11. Coordination with other plans. The Comprehensive Plan is coordinated with those of neighboring jurisdictions. Environmental documents were developed jointly by the county and the cities within it. Capital facilities plans were produced in cooperation with cities, C-Tran, service providers, public safety agencies, school districts, and metropolitan area planning agencies. Park, recreation and open space planning has been carried out cooperatively with cities and Vancouver-Clark Parks.
12. Analysis of Cumulative Effects. An analysis of cumulative effects has been completed as part of the review of the comprehensive plan under SEPA. The SEPA was done jointly for the comprehensive plans of the county and its cities. Affected jurisdictions and the public have had an opportunity to comment on this analysis.
13. GMA Goals. The Comprehensive Plan addresses the goals of the GMA through its policies and implementation measures. The GMA contains 13 goals listed as follows, with corresponding policies of the plan noted. The plan is also in compliance with more specific citations contained within the GMA. Plan goals and policies which achieve compliance with the GMA in its entirety are also not limited to those cited below in association with the 13 basic goals.

- a. Urban Growth: Encourage development in urban areas where adequate public facilities exist or can be provided in an efficient manner.

The Community Framework Plan contains policies that direct growth within the region into existing urban areas. The plan addresses this objective most directly through the goals and policies in the Land Use Element, as well as the adoption of new urban growth boundaries surrounding local cities. Supporting policies and implementation measures are contained throughout the document.

- b. Reduce Sprawl: Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

The plan addresses this objective directly through the goals and policies in the Land Use Element, as well as the adoption of new urban growth boundaries surrounding local cities.

- c. Transportation: Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

The Comprehensive Plan addresses this most directly through the goals and policies in the Transportation Element.

- d. Housing: Encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types, and encourage preservation of the existing housing stock.

The Comprehensive Plan addresses this most directly through the goals and policies in the Housing Element, as well as the variety of residential designations contained in the Comprehensive Plan map.

- e. Economic Development: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of the state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services and public facilities.

The Comprehensive Plan addresses this most directly through the goals and policies in the Economic Development Element, and through the designation of industrial and commercial lands on the Comprehensive Plan map.

- f. Property Rights: Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

It is the intent of Clark County in administering the Comprehensive Plan to ensure that regulatory actions affecting private property are not arbitrary or discriminatory in any way. The rights of private property owners and the avoidance of any taking of private property without just compensation have been given due consideration in the development of the Comprehensive Plan policies and implementation measures.

- g. Permits: Applications for both state and local permits should be processed in a timely and fair manner to ensure predictability.

The Comprehensive Plan addresses this most directly through the goals and policies in the Housing Element, Rural and Resource Element and the Economic Development Element, and through ordinance language that outlines specific standardized processes for permit issuance.

- h. Natural Resource Industries: Maintain and enhance natural resource-based industries, including productive timber, agricultural and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

The Comprehensive Plan addresses this most directly through the goals and policies in the Rural and Resource Element and the Economic Development

Element, and through specific identification and designation of agricultural, forest, and mineral resource lands.

- i. Open Space and Recreation: Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

The Comprehensive Plan addresses this most directly through the goals and policies in the Environmental Element and the Parks, Recreation, and Open Space Element.

- j. Environment: Protect the Environment and enhance the state's high quality of life including air and water quality and availability of water.

The Comprehensive Plan addresses this most directly through the goals and policies in the Environmental Element and the Parks, Recreation, and Open Space Element, and related ordinances relating to protection of critical areas and shorelines.

- k. Citizen Participation and Coordination: Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

Throughout the plan update process Clark County has provided extensive opportunities for citizen involvement and coordination, ranging from community-wide open houses to surveys to formal hearing testimony. The Community Involvement Process is detailed in the Introduction to the Comprehensive Plan, and within this ordinance.

- l. Public Facilities and Services: Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally-established minimum standards.

The Comprehensive Plan addresses this most directly through the goals and policies in the Capital Facilities and Utilities Element and the Schools Element, and the county's transportation concurrency ordinance.

- m. Historic Preservation: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

The Comprehensive Plan addresses this most directly through the goals and policies in the Historic, Archaeological and Cultural Preservation Element.

- 14. Compliance with county-wide planning policies. As required by the GMA, Clark County participated in discussions with cities within the county to revise urban

growth area boundaries, and adopted such boundaries for each city consistent with the county-wide planning policies. Further, the county provided notification to surrounding jurisdictions of its comprehensive plan development process. The county has achieved consistency with adopted county-wide planning policies.

15. Compliance with submission requirements. The required notice of intent to adopt was filed with the Washington Department of Community, Trade, and Economic Development (CTED) within the required time frame.
  - a. CTED received notice of the county's intent to adopt a comprehensive plan under the GMA on May 23, 2007.
  - b. Comments were received from CTED on the DEIS on October 12, 2006, and on the FEIS in a letter dated June 4, 2007. CTED's comments were considered in the update of the Comprehensive Plan.
16. Implementation measures. The county has adequate development regulations through Title 40 in place. Adoption of updates to zoning ordinances and other measures necessary to implement the Comprehensive Plan are being adopted simultaneously with this ordinance.

## **B. Findings, Contested Issues**

### 17. SEPA issues

The Board finds that the EIS satisfies the rule of reason, specifically:

- Alternatives.
  1. The EIS contains a 'no-action' alternative that is within the definition in the SEPA rules.
  2. The EIS contains a discussion of a 'delay alternative' by making reference to phasing development as a way to mitigate the impacts of the proposal.
  3. The EIS includes a reasonable range of alternatives, which, according to the WAC 1) are required to be sufficient to do a comparative impact evaluation, and 2) shall be limited to a general discussion of impacts of alternative proposals for policies, for land use, and for implementation measures.
- The FEIS may respond to comments by incorporating a revised DEIS.
- The EIS contains an adequate analysis of cumulative impacts since the impacts described are those that would occur at build-out at the end of the 20-year planning horizon. A comprehensive plan EIS deals with land use over the landscape and not with specific projects.
- The EIS contains adequate information to assist decision makers in their discussions about where and where not to expand urban growth boundaries to accommodate the projected growth.

- The EIS contains a discussion about how current plans are consistent with the proposal.
- The EIS contains a discussion of the preliminary cost figures for implementing the proposal that has been substantially fleshed-out in the proposed Capital Facilities Plan and Capital Facilities Financial Plan that are adopted as part of the comprehensive plan by this ordinance.
- Capital facilities projects for transportation are similar for each alternative in the FEIS because the same road segments under county jurisdiction would need capacity improvements under either alternative.
- The EIS contains an adequate discussion of the impacts of adding 6,300 acres of impervious surface in UGAs over the next 20 years.

Based on the foregoing, the Board rejects the appeals challenging the adequacy of the FEIS.

#### 18. Agricultural lands

The Board finds de-designating of lands designated as ‘Agriculture’ and their inclusion in urban growth areas to be appropriate, as follows:

- Battle Ground UGA. About 414 acres are de-designated and included in the UGA primarily because 1) of proximity to urban areas; 2) the lack of commercial agricultural production; and 3) the presence of environmental constraints.
- Camas UGA. About 745 acres are de-designated and included in the UGA primarily because of 1) proximity to urban areas; 2) the possibility of more intensive use; and 3) unique economic development activities. In addition, 69 acres of land is de-designated from ‘Forest’ and included in the UGA because of the lack of long-term commercial significance.
- La Center UGA. About 652 acres are de-designated and included in the UGA primarily because of 1) the presence of urban growth; 2) the possibility of more intensive use; and 3) the need to diversify the La Center economy.
- Ridgefield UGA. About 788 acres are de-designated and included in the UGA primarily because of 1) the presence of urban growth and proximity to urban areas (the so-called ‘doughnut hole), and 2) the possibility of more intensive use.
- Vancouver UGA. About 1,383 acres are de-designated and included in the UGA primarily because of 1) the presence of urban growth and proximity to urban areas; 2) the possibility of more intensive use; and 3) the need to create jobs with

a new industrial node to include and served by the county railroad which will diversify the economic base in the Battle Ground School District.

- Washougal UGA. About 370 acres are de-designated and included in the UGA because of the lack of long-term commercial significance.

#### 19. Overrides

The Board asked each of the cities for a list of overrides to reflect 1) jobs on sites for which development approvals have been granted, and 2) where transportation/planning studies or development agreements indicate that the density is likely to be different from that assumed in the VBLM density calculations. The overrides the Board accepted are shown in Table 20 in the FEIS, and they were included in the calculations of how much land would be needed to accommodate projected growth.

Additional Vancouver overrides have been recognized in the adopted plan. Even though the city and county continue to disagree over certain overrides related to densities due to city/county sub-area plans and recent development patterns, the conflict between respective plan assumptions does not amount to GMA violation so long as neither plan precludes realization of the other. The adopted plan commits the county to coordinating with the city in monitoring and adjusting VBLM assumptions.

#### 20. Fish and Wildlife

With regard to fish and wildlife in the county, the Board, in response to comments from the Washington Department of Fish and Wildlife (WDFW), finds the following:

- The county's habitat conservation ordinance (HCO) provides for connectivity by establishing riparian habitat areas along the length of streams, which along with identified PHS sites, protects against fragmentation. The HCO also allows the county to manage access to habitat areas.
- The comprehensive plan keeps open space between UGAs.
- The county's efforts with regard to open space and wildlife corridors has been the protection of more than 3,800 acres of high-quality shorelines, greenways, open space, and fish and wildlife habitat. The Conservation Futures program is central to this effort. The county is also looking into mitigation banking for both wetlands and habitat, and is considering a 'transfer of development rights' program.
- The city of Camas responded to WDFW in a letter dated June 27, 2007. The city included Camp Currie and the park land the south end of the Lacamas Lake north shore in order to protect these areas from urban development. The city has critical areas ordinances in place by which any development would be reviewed. And, the city has a proposed Open Space Network map

that includes a continuous open space along the north shore of the lake northwest to include Lacamas Creek.

- The Preferred Alternative for La Center included the Eaglecrest subdivision north of La Center Road and all of the Lewis River bottomlands north and east of the subdivision. The August 14, 2007 Land Use Map excludes all of this area from the proposed La Center UGA expansion, leaving it in county jurisdiction.

## 21. Capital Facilities Plans

With regard to capital facilities, the Board finds the following:

- Capital facilities plans for service providers (including school districts, public safety, parks, water, sewer, and transportation) satisfy GMA requirements are incorporated into the comprehensive plan.
- The city of Ridgefield has adequately addressed its sewer capacity issue.

## **II. COMPREHENSIVE PLAN ADOPTION**

**Section 1. Adoption of the updated Clark County Comprehensive Plan.** The 20-year land use plan is hereby adopted as the GMA Comprehensive Plan for Clark County. The plan consists of the following documents:

1. The 20-year Comprehensive Growth Management Plan document and all text and policies contained therein (Exhibit 1).
2. Updated maps showing plan designations for unincorporated rural and resource lands, and maps establishing urban growth area boundaries and providing plan designations for unincorporated lands within the boundaries of cities and towns in Clark County (Exhibits 2A and 2B). Such updates reflect the dockets process.
3. An updated map showing arterial classifications and cross-sections for roadways within the county's land-use jurisdiction (Exhibit 3).
4. The following items, incorporated by reference:
  - a. Capital facilities plans for school districts; transportation; parks, recreation and open space services; water; sewer; sheriff; fire; and stormwater;
  - b. Clark County Capital Facilities Financial Plan
  - c. 2007-12;
  - d. Vacant and Buildable Lands Analyses for urban growth areas; and
  - e. County transportation analysis.

**Section 2. Adoption of the updated Clark County Zoning Map.** An updated zoning map is hereby adopted that implements the GMA Comprehensive Plan for Clark County. (Exhibit 4)

**Section 3. Amendatory.** Clark County Code Section 40.100.070 Definitions is amended as shown in Exhibit 5.

**Section 4. Amendatory.** Clark County Code Section 40.230.070 Urban Holding Districts is amended as shown in Exhibit 6.

**Section 5. Repealer.** Clark County Code Chapter 40.250.050 Interchange Area Overlay District is repealed.

**Section 6. Amendatory.** Clark County Code Chapter 40.350 Transportation and Circulation is amended as shown in Exhibit 7.

**Section 7. Amendatory.** Clark County Code Section 40.560.010 Plan Amendment Process is amended as shown in Exhibit 8.

### **III. DOCKETS/ANNUAL REVIEWS**

**Section 8. Dockets/Annual Reviews.** The findings and analysis contained in the Clark County Planning Commission's memorandum dated May 17, 2007, relating to the 2007 Comprehensive Plan Amendments—Dockets is hereby adopted and incorporated herein by reference, except inconsistent with the following:

#### **Comprehensive Land Use Plan and Zoning Map Modifications**

1. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located at the corner of NE 29<sup>th</sup> Avenue and NE 139<sup>th</sup> Street is hereby amended from Neighborhood Commercial (C-2) to Employment Center (OC) respectively as recommended by the Planning Commission and as indicated on the attached map (Exhibit 9). In the matter of **Docket item number CPZ2007-00003 HCR Manor Care**, the Board concluded that the Employment Center designation is appropriate for the site due to its location near similarly designated parcels and its proximity to medical facilities. Tax serial numbers 186633-000, 186633-005, 186633-010, 186648-000, located in the NE Quarter Section 26, Township 3 North, Range 1 East of the Willamette Meridian.
2. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located at the intersection of NE Fourth Plain Boulevard and 162<sup>nd</sup> Avenue is hereby amended to remove the surface mining overlay as recommended by the Planning Commission and as indicated on the attached map (Exhibit 10). In the matter of **Docket item number CPZ2007-00004 Eastlake Village**, after reviewing supplemental information provided by County staff, the Board concluded the surface mining overlay was no longer appropriate in the vicinity of the site and should be removed. Tax serial numbers:

107963472, 107963474, 107963476, 107963478, 107963480, 107963482, 107963484, 107963486, 107963488, 107963502, 107963504, 107963506, 107963508, 107963510, 107963512, 107963514, 107963516, 107963518, 107963520, 107963522, 107963524, 107963526, 107963528, 107963530, 107963538, 107963546, 107963548, 107963550, 107963560, 107963562, 107963564, 107963578, 107963580, 107963582, 107963602, 107963606, 107963608, 107963610, 107963612, 107963614, 107963616, 107963618, 107963620, 107963622, and 107963624 located in the NW ¼ Section 12, Township 2 North, Range 2 East of the Willamette Meridian.

3. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located at 9600 NE 179<sup>th</sup> Street, is hereby amended from Rural Residential (R-5) to Rural Center Residential (RC-1) respectively as indicated on the attached map (Exhibit 11). In the matter of **Docket item number CPZ2007-00005 Meadow Glade**, the Board concluded that higher density residential designation is suitable for parcel 193854-000 (9600 NE 179<sup>th</sup> Street) because the density of surrounding development is similar to the proposed density and the parcel is not in the City of Battle Ground's Urban Growth Boundary. Tax serial number 193854-000, located in the NW ¼ Section 09, Township 3 North, Range 2 East of the Willamette Meridian. In a separate motion, the board denied the proposed RC-1 zoning for Parcels 193928-000, 193932-000, 193927-000, 193936-000, 193923-000, 193931-000, 193940-000, and 193941-000, due to the fact that these parcels are now within the City of Battle Ground's Urban Growth Boundary.
4. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for certain property located in the vicinity of NE 88<sup>th</sup> Street, west of the I-205 Interchange, is hereby amended from Light Industrial (ML) to General Commercial (CH), and for certain property located south of NE 88<sup>th</sup> Street, east of the I-205 Interchange, is hereby amended from Light Industrial (ML) to Low Density Residential (R1-6), as recommend by the Planning Commission and as indicated on the attached map (Exhibit 12). In the matter of **Annual Review item number CPZ2007-00006 SW Barberton Commercial Area**, the Board concluded that the general commercial designation is more appropriate for a designated area west of the I-205 Interchange in recognition of the type and intensity of commercial uses which would be suitable in this location. The Board found that the amendment was contingently approved subject to a concomitant rezone agreement that addresses needed transportation improvements not currently programmed in the County's Capital Facilities Plan. The change in designation to General Commercial (CH) applies to tax serial numbers 106100-000, 106104-000, 106104-007, 106112-000, 106124-000, 106128-000, 106128-005, 106132-000, 106136-000, 106140-000, 106146-000 located in the SE ¼ Section 6, Township 2 North, Range 2 East of the Willamette Meridian. In addition, the Board concluded that the residential designation is more appropriate for the subject parcels east of the I-205 Intersection, recognizing that the area is currently developed with single-family homes at a density consistent with the proposed R1-6. The change in designation to

Urban Low Density Residential (R1-6) applies to tax serial numbers 105689-000, 106361-476, 106361-478, 106361-480, 106361-482, 106361-484, 106361-486, 106361-488, 106361-490, 106361-492, 106361-494, 106361-496, 106361-498, 106361-500, 106361-502, 106361-504, 106361-506, 106361-508, 106361-510, 106361-512, 106361-514, 106361-516, 106361-518, 106361-520, 106361-522, 106361-524, 106361-526, 106361-528, 106361-530, 106361-532, 106361-534, 106361-536, 106361-538, 106361-540, 106361-542 located in the SE ¼ Section 6, Township 2 North, Range 2 East of the Willamette Meridian.

#### Clark County Capital Facilities Components

5. Those changes and additions relating to the updated School District Capital Facilities Plans of the **Camas School District Docket Item number CPZ2007-00007** and including the revised impact fees proposed in the modified capital facilities plan for the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$5,785.41 per single family residence and \$ 5,997.61 per multi-family unit for Camas School District (Exhibit 13).
6. Those changes and additions relating to the updated School District Capital Facilities Plans of the **Green Mountain School District Docket Item number CPZ2007-00008** and including the revised impact fees proposed in the modified capital facilities plan for the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$3,387.00 per single family residence for Green Mountain School District (Exhibit 14).
7. Those changes and additions relating to the updated School District Capital Facilities Plans of the **Hockinson School District Docket Item number CPZ2007-00009** and including the revised impact fees proposed in the modified capital facilities plan for the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$7,090.02 per single family residence and \$3,692.00 per multi-family unit for Hockinson School District (Exhibit 15).
8. Those changes and additions relating to the updated School District Capital Facilities Plans of the **La Center School District Docket Item number CPZ2007-00010** and including the revised impact fees proposed in the modified capital facilities plan for the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$6,891.90 per single family residence and \$5,290.80 per multi-family unit for La Center School District (Exhibit 16).
9. Those changes and additions relating to the updated School District Capital Facilities Plans of the **Vancouver School District Docket Item number CPZ2007-00011** and including the revised impact fees proposed in the modified capital facilities plan for

the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$1,112.00 per single family residence and \$1,421.00 per multi-family unit for Vancouver School District (Exhibit 17).

10. Those changes and additions relating to the updated School District Capital Facilities Plans of the **Washougal School District Docket Item number CPZ2007-00012** and including the revised impact fees proposed in the modified capital facilities plan for the same School Districts, which plan was adopted by Ordinance 2004-09-02, is hereby approved as shown on these district's capital facilities plans and which sets forth impact fees of \$ 5,339.39 per single family residence and \$ 6,530.00 per multi-family unit for Washougal School District (Exhibit 18). The Board's decision reflects a multi-family fee that is less than the requested fee of \$8,163.33 due to their concerns that high multi-family fees would discourage the development of this type of housing in Washougal.

#### Deferred Cases

11. CPZ2006-00004 NE 379th Street

The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located at 4517 NE 379<sup>th</sup> Street, is retained as Resource Lands Agriculture (AG-20) zoning as indicated on the attached map (Exhibit 19). In the matter of **Annual Review item number CPZ2006-00004 NE 379th Street**, the Board concluded that designations of resource lands countywide should undergo comprehensive review and, therefore, the subject property should retain its resource land designation and this request should be included in the comprehensive review. At the conclusion of the comprehensive review should this property continue to retain its resource land designation, it may be placed on the next docket agenda for consideration at no cost to the applicant. Tax serial numbers 257006-000 located in the NW ¼ Section 25, Township 5 North, Range 1 East of the Willamette Meridian.

12. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located west of NE Ammeter Road and south of Stauffer Road at NE 23<sup>rd</sup> Street are retained as Forest Tier 1 (FR-80) zoning as indicated on the attached map (Exhibit 20). In the matter of **Annual Review item number CPZ2006-00001 Fern Prairie**, is hereby **denied** as recommend by the Planning Commission. Tax serial number 140027-000 located in the SW ¼ Section 20, Township 2 North, Range 4 East of the Willamette Meridian.

13. The Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property located at 32619 NW Pekin Ferry Road are retained as Resource Lands Agriculture (AG-20) zoning. In the matter of **Annual Review item number CPZ2006-00008 Pekin Ferry Road**, the Board concluded that the existing AG-20 zoning was not appropriate for the subject site and that the rural designation is more appropriate for the site as indicated on the attached

map (Exhibit 21). Tax serial numbers 210126-000 and 210129-000 located in the SW ¼ Section 5, Township 4 North, Range 1 East of the Willamette Meridian.

#### **IV. MISCELLANEOUS**

**Section 9. Effective Date.** This ordinance shall go into effect at midnight on the date of adoption, except for the expansion of urban growth boundaries and the corresponding comprehensive plan and zoning designations (Section 2(2)), which will take effect at 12:01 a.m. at January 1, 2008.

**Section 10. Severability.** If any section, clause, or phrase of this ordinance should be held invalid or unconstitutional by the Growth Management Hearings Board or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 11. Instructions to the Clerk.** The Clerk of the Board shall:

1. Transmit a copy of this ordinance to the Washington Department of Community, Trade, and Economic Development within ten days of its adoption, pursuant to RCW 36.70A.106;
2. Record a copy of this ordinance with the Clark County Auditor; and
3. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290.

ADOPTED this 25<sup>th</sup> day of September, 2007.

Attest:

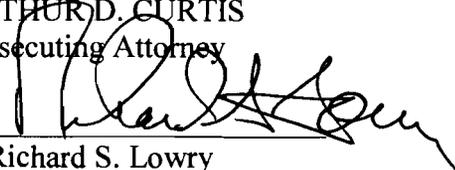
BOARD OF COMMISSIONERS  
FOR CLARK COUNTY WASHINGTON

  
Clerk of the Board

  
Steve Stuart, Chair

Approved as to form only  
ARTHUR D. CURTIS  
Prosecuting Attorney

\_\_\_\_\_  
Betty Sue Morris, Commissioner

By   
Richard S. Lowry  
Chief Civil Deputy

\_\_\_\_\_  
Marc Boldt, Commissioner