

Clark County Ordinance Report

As Reported by Community Planning Department
On: December 18, 2012

Title: An ordinance amending the 20-Year Growth Management Comprehensive Plan and Zone Map through the 2012 annual reviews and dockets.

Brief Description: An ordinance relating to land use; adopting amendments to the 20-year Comprehensive Growth Management Plan Map; and amending the Clark County Comprehensive Plan Text, and the Clark County Code Title 40 Unified Development Code.

Brief History:

PC Worksessions: May 3, June 6, August 1, and September 6, 2012
PC Hearing: May 17, June 20, August 15, and September 20, 2012
BOCC Worksessions: February 15, June 27, August 1, and October 10, 2012
BOCC Hearing: October 9, October 30, and November 20, 2012

DEPARTMENT REPORT

Staff: Oliver Orjiako, ext. 4112; Jose Alvarez ext. 4898
Legal Counsel: Chris Cook, ext. 4775

Background: Amendments to the comprehensive plan and zoning map are submitted for review and subject to review criteria in accordance with the state Growth Management Act, the countywide planning policies, the community framework plan, the goals and policies of the comprehensive plan, the Clark County Code, local city comprehensive plans, applicable capital facility plans, and growth indicators. During five duly advertised public hearings, the 2012 Annual Review and Dockets requests were reviewed by the Clark County Planning Commission, which has forwarded its recommendations to the Board. The cases reviewed are as follows: CPZ2012-00001 (Grimm Rezone); CPZ2012-00002 (N Fifth Plain Creek); CPZ2012-00003 (N Fishers Swale); CPZ2012-00011 (La Center UGA); CPZ2012-00007 (Equestrian Plan); CPZ2012-00013 (Employment Zone). The Board accepted testimony and conducted deliberations at three public hearings on this matter. The adopting ordinance incorporates the findings made by the Board at the public hearings.

Summary of Ordinance: An ordinance relating to land use; adopting amendments to the 20-year Comprehensive Growth Management Plan Map; and amending the Clark County Comprehensive Plan Text, and the Clark County Code Title 40 Unified Development Code.

Appropriation: None.

Fiscal Note: None.

Committee/Task Force Created: None.

Effective Date: This ordinance shall go into effect at 12:01 a.m. on January 2, 2013.

APPROVED = 12/18/12
SR 284-12



ORDINANCE NO. 2012-12-20

AN ORDINANCE relating to land use; adopting amendments to the 20-year Comprehensive Growth Management Plan Map and Zoning Map; Comprehensive Plan Text; and Clark County Code Title 40.

WHEREAS, Clark County adopted a 20-Year Comprehensive Growth Management Plan through ordinances 1994-12-47 and 1994-12-53 on December 20, 1994 to meet the goals and requirements of Chapter 36.70A RCW (also known as the Growth Management Act "GMA"); and

WHEREAS, Clark County adopted an updated 20-Year Comprehensive Growth Management Plan through ordinances 2004-09-02 and 2007-09-13 to meet the goals and requirements of Chapter 36.70A RCW; and

WHEREAS, the county needs to address certain requests for comprehensive plan and zoning changes to meet the goals and requirements of Chapter 36.70A RCW; and

WHEREAS, certain property owners, hereinafter referred to as "Applicants", owners or parties in interest of the hereinafter described real Property have each requested a 20-Year Comprehensive Growth Management Plan Amendment and Zone Change; and

WHEREAS, the Clark County Planning Commission reviewed the applications, docket items, amendments and modifications of the Plan text, amendments to the Clark County Code Title 40, during duly advertised Public Hearings on May 17, June 20, August 15, and September 19 and has forwarded its recommendations to the Board; and

WHEREAS, the Board of County Commissioners considered amendment cases CPZ2012-00001 (Grimm Rezone); CPZ2012-00002 (N Fifth Plain Creek); CPZ2012-00003 (N Fishers Swale); CPZ2012-00011 (La Center UGA); CPZ2012-00007 (Equestrian Plan); CPZ2012-00013 (Employment Zone); at duly advertised public hearings on October 9 and October 30, 2012; November 20, 2012; and

WHEREAS, the Board of County Commissioners took public testimony from interested parties, considered all the written and oral arguments and testimony, and considered all the comments presented to the Board; and

WHEREAS, the Board of County Commissioners in reviewing all the respective comprehensive plan changes considered cumulative impacts consistent with CCC Sections 40.560.010, Plan Amendment Procedural Ordinance and 40.560.010(S), Cumulative impacts, and

WHEREAS, the Board of County Commissioners also considered the staff reports and recommendations of the Clark County Planning Commission; and

WHEREAS, the Board finds that the approved amendments to the 20-year Comprehensive Growth Management Plan Map and Zoning Map; and Comprehensive Plan Text comply with all applicable requirements of the Growth Management Act, the 20-year Comprehensive Growth Plan, and the Clark County Code, and that they are in the best public interest; and

WHEREAS, the Clark County Shoreline Management Program (SMP) was re-adopted on July 24, 2012 by Ordinance 2012-07-16, was approved by the Washington State Department of Ecology on August 29, 2012 and took effect on September 12, 2012, and that adoption of a SMP can be done as an out-of-cycle amendment; and

WHEREAS, the Board concluded at duly advertised public hearings and finds that adoption will further the public health, safety and welfare; now therefore,

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

Section 1. Findings.

The findings and analysis contained in the Clark County Planning Commission's Memorandum dated October 9 and October 30, 2012; and November 20, 2012; relating to the 2012 Comprehensive Plan and Dockets Amendments are hereby adopted and incorporated herein by reference except where inconsistent with the following.

Section 2. Comprehensive Land Use Plan and Zoning Map Modifications.

1. In the matter of **Annual Review item number CPZ2012-00001 Grimm Rezone**. Amend the Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map for that certain property, located at the north side of the intersection of NE Rosewood Ave and NE 114th Ave from Urban Medium Density (R-18) to Industrial (IL)¹ and the adjacent western property, Covington Middle School, from a Public Facility (R-18) zone to a Public Facility (R1-7.5) to remove a split zone as recommended by the Planning Commission and as indicated on the attached map (**Exhibit 1**). The Board concluded that the Light Manufacturing (ML) and R-1.75 zones better implements the applicable Comprehensive Plan policies than the Urban Medium Density (R-18) district. Tax serial number 157502-000 and eastern portion of 157508-004 located in the SW ¼ Section 10, Township 2N, Range 2E of the Willamette Meridian.
2. In the matter of **Docket item number CPZ2012-00011 La Center Urban Growth Boundary**. Amend the Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map to re-designate as AG-20 the following properties now in the La Center UGA, and to remove them from the La Center UGA, as indicated on the attached map (**Exhibit 2**). The Board concluded that readopting the AG-20 zone resolves the appeal of the 2007 plan update and complies with the ruling of the Clark County Superior Court and the Washington State Court of Appeals. Tax serial number(s) located in the NE and SE ¼ Section 8, Township 4N, Range 1E of the Willamette Meridian; NW, SW and SE ¼ Section 4, Township 4N, Range 1E of the Willamette Meridian; NW and SW ¼ Section 9, Township 4N, Range 1E of the Willamette Meridian; SE ¼ Section 5, Township 4N, Range 1E of the Willamette Meridian:

209693000; 986027200; 209748000; 209737005; 209737000; 209694000; 209688000; 209746000; 211208000; 210123000; 608230000; 211028000; 211000000; 211029000; 211004000; 986028840; 211021000; 211015000;; 209742000; 209743000; 211051000; 211046000; 211047000; 211048000; 211049000; 211050000; 209699000; 211213000; 209687000; 211265000; 211241000; 211244000; 610906000; 211060000; 211007000; 211068000; 209702000; 209749000; 210118000; 210122000; 211002000; 211003000; 211005000; 211006000; 211035000; 211218000; 211246000; 211208005; 211031000;

¹ Subsequent to the Board's adoption of CPZ2012-00001, the Comprehensive Plan map, text and Zoning maps in Docket item CPZ2012-00013, amended the Light Manufacturing (ML) designation to Industrial (IL) as of the effective date of this resolution.

210999000; 211061000; 209691000; 211030000; 210120000; 209705000; 209737000; 209688000; 209737005; 209691000; 209702000; 209742000; 209687000; 209743000; 211007000; 211068000; 211060000; 211004000; and 211021000.

3. In the matter of **Docket item number CPZ2012-00002 N. Fifth Plain Creek**. Amend the Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map to remove the Urban Holding Designation in an area of approximately 100 acres, bounded by NE 99th Street to the North, NE 172nd Avenue to the East, Ward Rd. to the South, and NE 162nd Avenue to the West, on the following properties as indicated on the attached map (**Exhibit 3**); and amend the text in Chapter 14² of the Comprehensive Plan as indicated on the attached exhibit (**Exhibit 3a**) to clarify that Urban Holding may be removed from this area if it is annexed, if the city does not act upon an annexation petition, or if the city states in writing its intention not to act upon an annexation petition. The Board concluded that the criteria for Urban Holding removal had been met and the text amendments were in the best interest of the public. Tax Serial Numbers in the NE ¼ Section 1, Township 2N, Range 2E of the Willamette Meridian:

153962000;154002000;153961000;154009000;154031000;154049000;153967000; 154032000;153955000;154018000;153990000;605760000;154014000;153950000; 154008000;604492000;153975000;153981000; and 153992000.

4. In the matter of **Docket item number CPZ2012-00003 N. Fishers Swale**. Amend the Clark County 20-Year Comprehensive Growth Management Plan Map Designation and corresponding Zoning Map to remove the Urban Holding Designation in an area of approximately 170 acres, north/northeast of the intersection of NE 192nd Ave and NE 18th Street in East Vancouver on the following properties as indicated on the attached map (**Exhibit 4**); and amend the text in Chapter 14 of the Comprehensive Plan as indicated on the attached exhibit (**Exhibit 4a**) to clarify that Urban Holding may be removed from this area if it is annexed, if the city does not act upon an annexation petition, or if the city states in writing its intention not to act upon an annexation petition. The Board concluded that the criteria for Urban Holding removal had been met and the text amendments were in the best interest of the public. Tax Serial Numbers in the SW ¼ Section 20, Township 2N, Range 3E; SE ¼ Section 19, Township 2N Range 3E; and NE ¼ Section 19, Township 2N Range 3E of the Willamette Meridian:

172960000;172753000;172340000;172337000;172338000;172339000;172135000; 115915174;115915176;115915178;115915180;115915182;115915184;115915186; 115915188;115915190;115915192;115915194; and 115915196.

5. In the matter of **Docket item number CPZ2012-00013 Employment Zone Code. (Exhibit 5 & 5a)** The Board found that simplifying the comprehensive plan text and amending the comprehensive plan designation and zoning on the following parcels listed below is in the best interest of the public. The Board adopted amendments to the Clark County 20-Year Comprehensive Plan Documents, Comprehensive Plan Map and Zoning Map as follows:

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended from Employment Center (OC) to Industrial (BP):

² The out-of-cycle amendment adopting the Shoreline Master Program by Ord. 2012-07-06 moved the Procedural Guidelines chapter of the Comprehensive Plan to Chapter 14.

194218030, 194218024, 176151005, 176151015, 194218016, 130982000, 130954000, 194218050, 195923000, 195925000, 194218012, 194218020, 119205156, 119205157, 129904000, 194218048, 129834000, 195969000, 186426000, 186427000, 130956000, 130984000, 194218056, 186191000, 186386000, 186388000, 186388005, 186388010, 186389000, 123411000, 129815000, 129825000, 194218038, 200322000, 200321000, 123414000, 194218042, 185997000, 186535000, 195929000, 129903000, 129901000, 129827000, 123209000, 123426000, 129902000, 130326000, 194218018, 194218032, 194218028, 194218034, 195945000, 194218046, 194218052, 195924000, 194218004, 130039000, 130044000, 130110000, 226937000, 194218040, 130960000, 176179000, 123412000, 195995000, 129831000, 129830000, 194218008, 194218010, 186208000, 186633010, 194218014, 195945005, 195994000, 130958000, 194218022, 186313000, 123413000, 130952000, 129833000, 200326000, 200305000, 130080000, 129832000, 227013000, 226984000, 130955000, 176182000, 185962000, 186316000, 186392000, 185996000, 186008000, 186009000, 194218036, 195964000, 195926000, 195930000, 176151010, 123409000, 123620000, 181683000, 226983000, 226928000, 986029160, 194218044, 194218054, 194218058, 194218060, 194218062, 194218064, 185961000, 194218006, 200355000, 130957000, 176151000, 608386000, 603269000, 603833000, 195969000, 195995000, 195945000, 181683000, 195929000, 195945005, 195964000, 185962000, 186392000, 186316000, 186191000, 186313000, 186426000, 195924000, 195925000, 195923000, 195994000, 117893988, 186314000, 186386000, 185961000, 195926000, 195930000, 186535000, 186633010, 186389000, 186388005, 186388000, 186388010, 186427000, 186208000, 185997000, 185979000, 186008000, 185996000, 186009000 and 194218026.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended. Each Tax Serial Number has two comprehensive plan and zoning designations and are hereby amended from Employment Center and Urban Low Residential (OC and R1-10) to Industrial and Urban Low Residential (BP and R1-10):

123427000; 185979000; and 123410000.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation for the following Tax Serial Numbers is hereby amended from Employment Center to Industrial:

117180000, 177481000, 215395000, 179380000, 215385000, 117070000, 179355000, 215397000, 179393000, 181928000, 181980000, 179350000, 179354000, 215404000, 179352000, 144527000, 177483000, 198604000, 179151000, 214235000, 179153000, 179152000, 179416000, 116901000, 215372000, 215387000, 215381000, 215405000, 179416005, 215392000, 198592000, 198596000, 214221000, 116900000, 179147000, 214214014, 179414000, 214214010, 117190000, 215362000, 179168000, 215391000, 215393000, 179157000, 215442000, 215335000, 181921000, 116875000, 177440010, 215363000, 179414010, 215338000, 215389000, 179356000, 215370000, 215386000, 117080000, 215373000, 179146000, 214214016, 185721000, 117090000, 177481005, 177480007, 179166000, 179183000, 215371000, 215435000, 198633000, 116890000, 177458000, 116830000, 116840000, 116845000, 117100000, 179143000, 116860000, 116892000, 117060000, 214214006, 214214004, 177482000, 215364000, 179094000, 179174000, 179178000, 117062000, 117063000, 215366000, 198554000, 179417000, 179100000, 117180005, 177480005, 214214012, 179165000, 179184000, 214214008,

179191000, 215368000, 215400000, 215394000, 179414005, 215358000, and 177480962.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended from Heavy Industrial (MH) to Heavy Industrial (IH):

115378000, 154886000, 154443000, 154876000, 154879000, 154885000, 154908000, 154914000, 154919000, 135308000, and 154884000.

The Clark County 20-Year Comprehensive Growth Management Plan Zoning Map Designation for the following Tax Serial Numbers is hereby amended from (MH) to (IH):

281131000, 281142000, 281149000, 281157000, 274402000, 196886000, 274406000, 274341000, 274352000, 274403000, 281133000, 281171000, 119010000, 119012000, 196987000, 274409000, 281174000, 281169000, 281167000, 196998000, 197007000, 197012000, and 197034000.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended from BPA (ML) to Industrial (IL):

149323000, 158441000, 149283000, 149335000, and 107028084.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended from Light Industrial (ML) to Industrial (IL):

118107678, 117894689, 149214000, 149267000, 118107666, 118107668, 099620005, 106088005, 107196154, 107196146, 154707005, 199850000, 106152000, 106156000, 106148000, 097839218, 155120000, 156443000, 097839216, 118107680, 099600000, 154934000, 099740000, 211208000, 117145000, 144287000, 185563005, 210123000, 154686000, 116800000, 149219000, 099760000, 211028000, 181186000, 156189000, 199477000, 106080000, 106083000, 182140000, 149234000, 099661000, 181184000, 108146050, 118107604, 156193000, 149235000, 210108000, 210134000, 185485000, 185404000, 185458000, 107196042, 107196044, 107196046, 107196048, 107196050, 107196052, 117894688, 117894694, 117894696, 099730000, 099761000, 099763000, 099764000, 099765000, 099766000, 099731000, 106082000, 149147000, 097839210, 199380000, 199450000, 199468000, 118107612, 156427005, 107196120, 119500000, 144497000, 156241000, 185488000, 149111002, 149319010, 200215006, 107196116, 107196117, 181217000, 155767000, 155745000, 211000000, 211029000, 156261000, 117894724, 119480000, 117120000, 181312000, 181198000, 181251000, 181295000, 149163000, 211004000, 107196100, 107196108, 107196110, 107196112, 107196114, 198118000, 185432000, 185448000, 185506000, 149329000, 149329005, 182153000, 185413000, 118107670, 118107672, 118107674, 199432000, 199442000, 107196140, 212542000, 212772000, 106084000, 106084005, 106084010, 106084015, 106108000, 181941000, 106110000, 164566000, 097452000, 185559000, 185566000, 199478000, 105840000, 300001000, 300002000, 164495000, 106111000, 117896120, 117896130, 117896140, 156231000, 156244000, 215428000, 986027418, 144272000, 144274000, 144283000, 144299000, 154889000, 986028840, 144291000, 155118000, 155126000, 156238000, 185464000, 198122000, 156293000, 156304000, 107196124, 099720000, 149254000, 155752000, 154910000, 106078000, 181275000, 117896220, 117896230,

117894718, 119821000, 119822000, 117142000, 117141000, 117410000, 117415000,
117420000, 149130000, 149240000, 099750000, 117894723, 107196145, 144496000,
107196038, 107196040, 107196158, 154707015, 155774000, 149311000, 108146044,
108146046, 108146045, 108146042, 149111005, 156219000, 156236000, 156260000,
181183000, 156451000, 211021000, 099640000, 117896010, 185727000, 099762000,
156463000, 107196132, 198107000, 156264000, 156251000, 156258000, 117896212,
117461005, 107196149, 181923000, 198095000, 198119000, 198117000, 181278000,
199428000, 199471000, 144273000, 185474000, 198110000, 181925000, 155775000,
199403000, 117896260, 117896271, 199851000, 199854000, 199861000, 986029621,
117720000, 117730000, 211015000, 107196022, 117740000, 117741000, 182142015,
149120000, 149121000, 149124000, 106186005, 148677000, 149165000, 149168000,
149156000, 155753000, 144503000, 144504000, 144507000, 144522000, 144533000,
119510000, 119535000, 149262000, 149273000, 117121000, 119520000, 199392000,
199393000, 106168000, 106186000, 106219000, 156469000, 099660000, 099665000,
144493000, 144524000, 149129002, 149129004, 149129006, 149129008, 149129010,
149129012, 149129014, 149129016, 149129018, 149129026, 149129028, 149129032,
149129034, 149129036, 149129038, 149129040, 149228000, 149247000, 149266000,
149285000, 155756000, 209742000, 107196170, 185407000, 156427010, 185563000,
117440000, 149174000, 149330000, 117425000, 117428000, 198079000, 198123000,
116810000, 116793000, 182139000, 154894000, 199394000, 199472000, 107196152,
107196122, 099726000, 118099000, 118100000, 118101000, 117894720, 117894722,
149300000, 107196026, 106185000, 156657000, 156809000, 156817000, 156836000,
149162000, 149114005, 145364000, 185472000, 186866000, 186866005, 186918000,
106144000, 106164000, 149263000, 107196135, 149220000, 149282000, 157497021,
157497022, 199870000, 199847000, 149114025, 158634000, 209743000, 107196134,
185560000, 185561000, 185562000, 185564000, 106176000, 199445000, 099620000,
099620010, 144495005, 200215002, 117894712, 107196054, 107196056, 107196058,
156217000, 117896214, 186584000, 185505000, 199443000, 181228000, 181236000,
155754000, 199383000, 199438000, 185665000, 185751000, 156454000, 199430000,
106081000, 155123000, 155112000, 149187000, 185486000, 181197000, 181243000,
181247000, 181252000, 181316000, 181324000, 107196142, 107196176, 107196178,
107196180, 154664000, 986028492, 986028493, 986028494, 986028495, 986028496,
986028497, 986028498, 986028499, 986028500, 986028501, 986028502, 986028503,
986028504, 986028505, 986028506, 986028507, 986028508, 986028509, 986028510,
986028511, 986028512, 986028513, 155117000, 154887000, 154888000, 211051000,
211046000, 211047000, 211048000, 211049000, 211050000, 107196166, 149117000,
149217000, 155746000, 117442000, 117146000, 118058000, 099729001, 099749001,
149114010, 117896200, 107196036, 185774000, 185776000, 198102000, 106077000,
156191000, 107196168, 198091000, 155763000, 154707010, 149319000, 199466000,
044495000, 144529000, 157497000, 157497020, 149145000, 156459000, 106092000,
199849000, 156187000, 156303000, 198070000, 149126005, 154696000, 108146048,
107196156, 107196174, 106181000, 149319005, 185470000, 185513000, 185521000,
107028072, 106145000, 149131000, 106076000, 097440000, 099662000, 099747000,
199404000, 199413000, 198103000, 106096000, 106109000, 185775000, 144494000,
144519000, 149261000, 149264000, 154676000, 154682000, 154695000, 154440000,
099725000, 185402000, 182142010, 199390000, 199441000, 199441005, 199396000,
199461000, 155122000, 211246000, 118090000, 118093000, 118094000, 118092000,
119450000, 185413005, 149232000, 156222000, 156225000, 156300000, 211208005,
119451000, 119452000, 099670000, 211031000, 149187005, 118107676, 155111000,
155121000, 144532000, 099641000, 185782000, 181227000, 106184000, 210999000,
211061000, 198127000, 155747000, 116790000, 116791000, 117896060, 117896070,
117896080, 117896090, 117896100, 117896110, 198074000, 181234000, 116815000,

117896030, 117896040, 117896050, 117896150, 117896160, 117896170, 186552000, 099727000, 149113000, 149118000, 185666000, 185777000, 185843000, 185844000, 149274000, 149276000, 119540000, 119550000, 117441000, 117451000, 199462000, 199467000, 185664000, 164536000, 209691000, 117122000, 155119000, 155110000, 211030000, 215374000, 215436000, 181230000, 210120000, 099630000, 182189000, 149172000, 149225000, 119370000, and 149268000.

The Clark County 20-Year Comprehensive Growth Management Plan Map designation and corresponding Zoning Map designation for the following Tax Serial Numbers are hereby amended from ML/BPA (ML) to Industrial (IL):

149129022, 099777300, 099777340, 099777320, 107028090, 107028092, 156502000, 158361000, 107028068, 099777270, 099777220, 156427017, 099777290, 107028080, 149129020, 156504000, 099777280, 099777310, 156503000, 986029861, 986029867, 107028074, 107028086, 099777330, 156427015, 156504005, 156510000, and 107028070.

Located in the following quarter sections:

SW 1/4,S32,T2N,R3E; SW 1/4,S27,T4N,R1E; SE 1/4,S10,T3N,R1E;
NE1/4,S10,T3N,R1E; NE 1/4,S12,T2N,R1E; SE 1/4,S32,T2N,R3E; SW
1/4,S02,T3N,R1E; SE 1/4,S03,T3N,R1E; SW 1/4,S14,T3N,R1E; NW 1/4,S23,T3N,R1E;
SW 1/4,S29,T3N,R2E; NW 1/4,S22,T4N,R1E;NW 1/4,S34,T4N,R1E; SW
1/4,S03,T2N,R2E; NW 1/4,S17,T2N,R3E; SE 1/4,S16,T1N,R4E; NE 1/4,S03,T2N,R2E;
NW 1/4,S03,T2N,R2E; NW 1/4,S22,T3N,R2E; NE 1/4,S22,T3N,R2E;NE
1/4,S12,T5N,R3E; SE 1/4,S12,T5N,R3E; SE 1/4,S07,T5N,R4E; SW 1/4,S07,T5N,R4E;
NE 1/4,S07,T5N,R4E; SW 1/4,S35,T3N,R1E; NW 1/4,S12,T2N,R1E; SW
1/4,S12,T2N,R1E; NW 1/4,S05,T2N,R2E; NE 1/4,S25,T2N,R2E; SE 1/4,S31,T3N,R2E;
SW 1/4,S10,T2N,R2E; SE 1/4,S01,T2N,R1E; SW 1/4,S02,T2N,R1E; NW
1/4,S04,T2N,R2E; NW 1/4,S06,T2N,R2E; NE 1/4,S06,T2N,R2E; SW 1/4,S06,T2N,R2E;
SE 1/4,S06,T2N,R2E; SE 1/4,S09,T2N,R2E; SW 1/4,S23,T3N,R1E; NW
1/4,S26,T3N,R1E; SW 1/4,S22,T3N,R1E; NW 1/4,S27,T3N,R2E; SW 1/4,S32,T3N,R2E;
SE 1/4,S34,T3N,R2E; SE 1/4,S12,T2N,R1E; NE 1/4,S09,T2N,R2E; NW
1/4,S10,T2N,R2E; SE 1/4,S04,T2N,R2E; SW 1/4,S07,T2N,R2E; SE 1/4,S07,T2N,R2E;
NW 1/4,S11,T2N,R2E; NW 1/4,S11,T3N,R1E; SW 1/4,S11,T3N,R1E; NW
1/4,S14,T3N,R1E; SE 1/4,S15,T3N,R1E; NE 1/4,S15,T3N,R1E; SE 1/4,S22,T3N,R1E;
NE 1/4,S22,T3N,R1E; NW 1/4,S27,T3N,R1E; SW 1/4,S27,T3N,R2E; SE
1/4,S27,T3N,R2E; SE 1/4,S32,T3N,R2E; NE 1/4,S32,T3N,R2E; NW 1/4,S32,T3N,R2E;
SW 1/4,S33,T3N,R2E; NE 1/4,S04,T2N,R2E; NW 1/4,S34,T3N,R2E; NW
1/4,S04,T4N,R1E; SW 1/4,S04,T4N,R1E; SE 1/4,S05,T4N,R1E; NE 1/4,S08,T4N,R1E;
SE 1/4,S08,T4N,R1E; SW 1/4,S09,T4N,R1E; NW 1/4,S09,T4N,R1E; SW
1/4,S15,T4N,R1E; SE 1/4,S16,T4N,R1E; NE 1/4,S27,T4N,R1E; SE 1/4,S10,T2N,R2E;
SW 1/4,S11,T2N,R2E; NE 1/4,S10,T2N,R2E; SW 1/4,S34,T3N,R2E; NE
1/4,S02,T4N,R3E; SE 1/4,S35,T3N,R2E; NE 1/4,S26,T3N,R1E; SW 1/4,S10,T3N,R2E;
NE 1/4,S01,T1N,R3E; NW 1/4,S06,T1N,R4E; NW 1/4,S01,T1N,R3E; SW
1/4,S03,T1N,R4E; NW 1/4,S03,T1N,R4E; NE 1/4,S04,T1N,R4E; SE 1/4,S04,T1N,R4E;
SW 1/4,S05,T1N,R4E; NE 1/4,S06,T1N,R4E;SW 1/4,S29,T2N,R3E; SE
1/4,S13,T3N,R1E; SW 1/4,S24,T3N,R1E; NW 1/4,S25,T3N,R1E; SW 1/4,S18,T3N,R2E;
NW 1/4,S18,T3N,R2E; NE 1/4,S35,T3N,R2E; NE 1/4,S27,T4N,R2E; and NW
1/4,S27,T4N,R2E.

Section 3. Amendatory. Comprehensive Plan Text.

1. In the matter of **CPZ2012-00008 Equestrian Plan**. The Board concluded that the addition of an Equestrian section to the comprehensive plan reflected in the Equestrian Plan is in the best interest of the public. The Clark County 20-Year Comprehensive Growth Management Plan text is hereby amended as shown in **(Exhibits 6a-6c)**.

Section 4. Amendatory. Clark County Code: Title 40 Unified Development Code

In the matter of **CPZ2012-00008 Equestrian Plan**. Sec. 1 (Ex. A) of Ord. 2003-11-01, as most recently amended by #16 Sec. 1 (Att. A) of Ord.2007-11-13, and codified as CCC 40.210.020.D, are each hereby amended as follows:

40.210.020.D

(3)(c)(2)(a)(i) If this option is used, an open space, equestrian, farm or forest management plan is required for the remainder parcel. The plan shall be submitted and approved with the preliminary application. The plan shall identify permitted uses and management of the parcel so that it maintains its open space or other designated functions and provides for the protection of all critical areas. The management plan shall identify the responsibility for maintaining the remainder parcel. The plan shall also include any construction activities (trails, fencing, agricultural buildings) and vegetation clearing that may occur on-site. The plan shall include building envelopes for any proposed equestrian facility. This building envelope must be located outside of any critical areas including fish and wildlife habitat areas, riparian corridors, geologic hazard areas, areas of significant natural vegetation, wetlands, prominent hillsides, meadows, ridges and any buffers associated with the above areas. All subsequent activities must be conducted in conformance with the approved management plan. Management plans may be modified through a Type II process.

10. Additional Development Standards for Equestrian Cluster

a. Utilization of maximum density shall be consistent with the method described in 40.210.020(D)(3)(a).

b. An equestrian cluster is required to provide the following shared facilities on the site:

- i. Covered Riding arena to be located on the remainder lot within development envelopes not to exceed 2 acres.
- ii. Continuous internal trail(s) system with access to all equestrian facilities and lots. The trails shall connect with existing and future trails.

c. An equestrian plan that addresses the following shall be developed and implemented:

- i. Housing and confinement;
- ii. Animal husbandry;
- iii. Manure management; and
- iv. Odor and noise management.

d. Landscaping Standards

i. The perimeter of the cluster lots and the equestrian facilities shall be screened from abutting properties per 40.210.040(6)(a).
e. If shared boarding facilities are proposed they shall be located on the remainder lot within development envelopes not to exceed 2 acres and shall accommodate a minimum number of horses equal to the number of cluster lots in the proposed development. The shared boarding facility shall include the following features:

- i. Wash rack
- ii. Grooming stand
- iii. Tack room

f. The remainder lot in the final development plan that includes shared equestrian facilities, including trails, structures and/or landscaping shall be permanently maintained by and conveyed to the following:

- (i) An association of owners shall be formed and continued for the purpose of maintaining the shared equestrian facilities. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the shared equestrian facility that is acceptable to the Prosecuting Attorney, in providing for the continuing care of the facilities. No equestrian facilities may be put to a use not specified in the final development plan unless the final development plan is first amended to permit the use. No change of use may be considered as a waiver of any covenants limiting the use of share equestrian facilities, and all rights to enhance these covenants against any use permitted are expressly reserved.

g. A proposal with shared boarding facilities shall have cluster lots that are a minimum of one acre in size unless a larger size is required by the Clark County Health Department.

Section 5. Severability.

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

Section 6. Effective Date.

This ordinance shall go into effect at 12:01 a.m. on January 2, 2013.

Section 7. Instructions to Clerk.

The Clerk to the Board shall:

1. Transmit a copy of this ordinance to the Washington State Department of Commerce within ten days of its adoption pursuant to RCW 36.70A.106.
2. Transmit a copy of the adopted ordinance to Clark County Geographic Information Systems (Ken Pearrow GIS Coordinator), to Community Planning Department Director, and to Community Development Department Director.

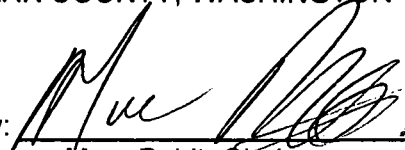
3. Transmit a copy of the adopted ordinance to the School District Consortium's representative Marnie Allen at ESD 112, 2500 NE 65th Avenue, Vancouver, WA 98661.
4. Record a copy of this ordinance with the Clark County Auditor.
5. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290.
6. Transmit a copy of the adopted ordinance to Code Publishing, Inc. forthwith to update the electronic version of the Clark County Code.

ADOPTED this 18th day of December 2012.

Attest:


BOARD OF COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON


Clerk to the Board

By: 
Marc Boldt, Chair

Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: _____
Steve Stuart, Commissioner

By: 
Christine Cook
Deputy Prosecuting Attorney

By: _____
Tom Mielke, Commissioner

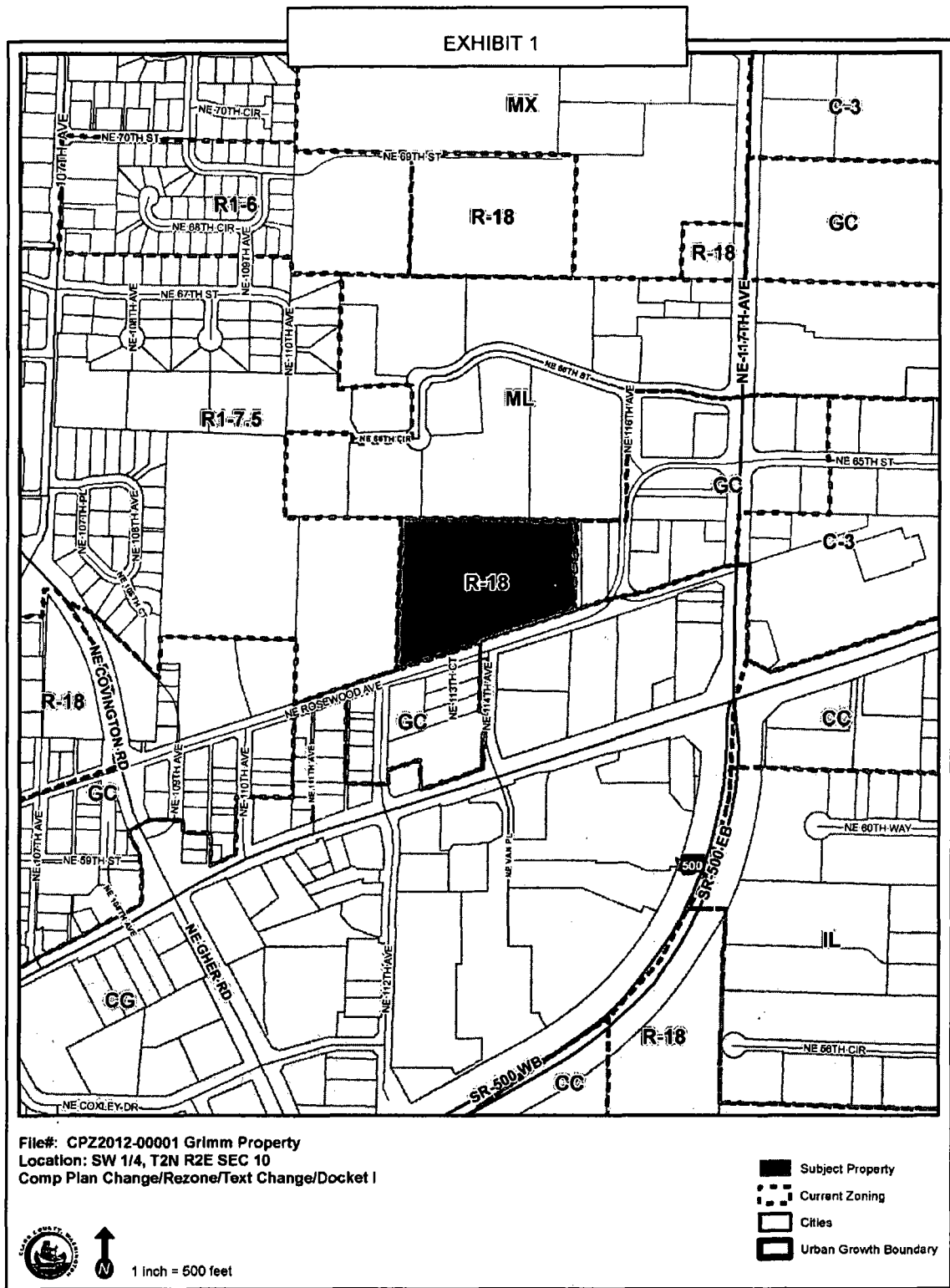
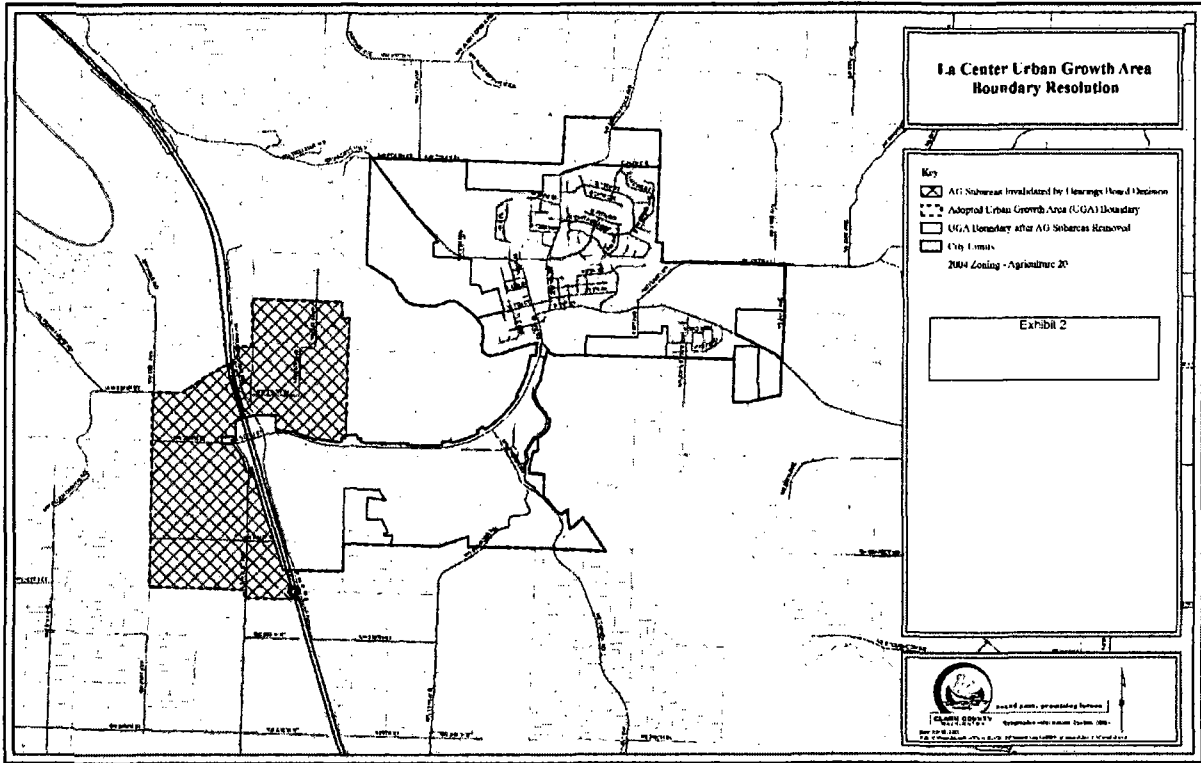
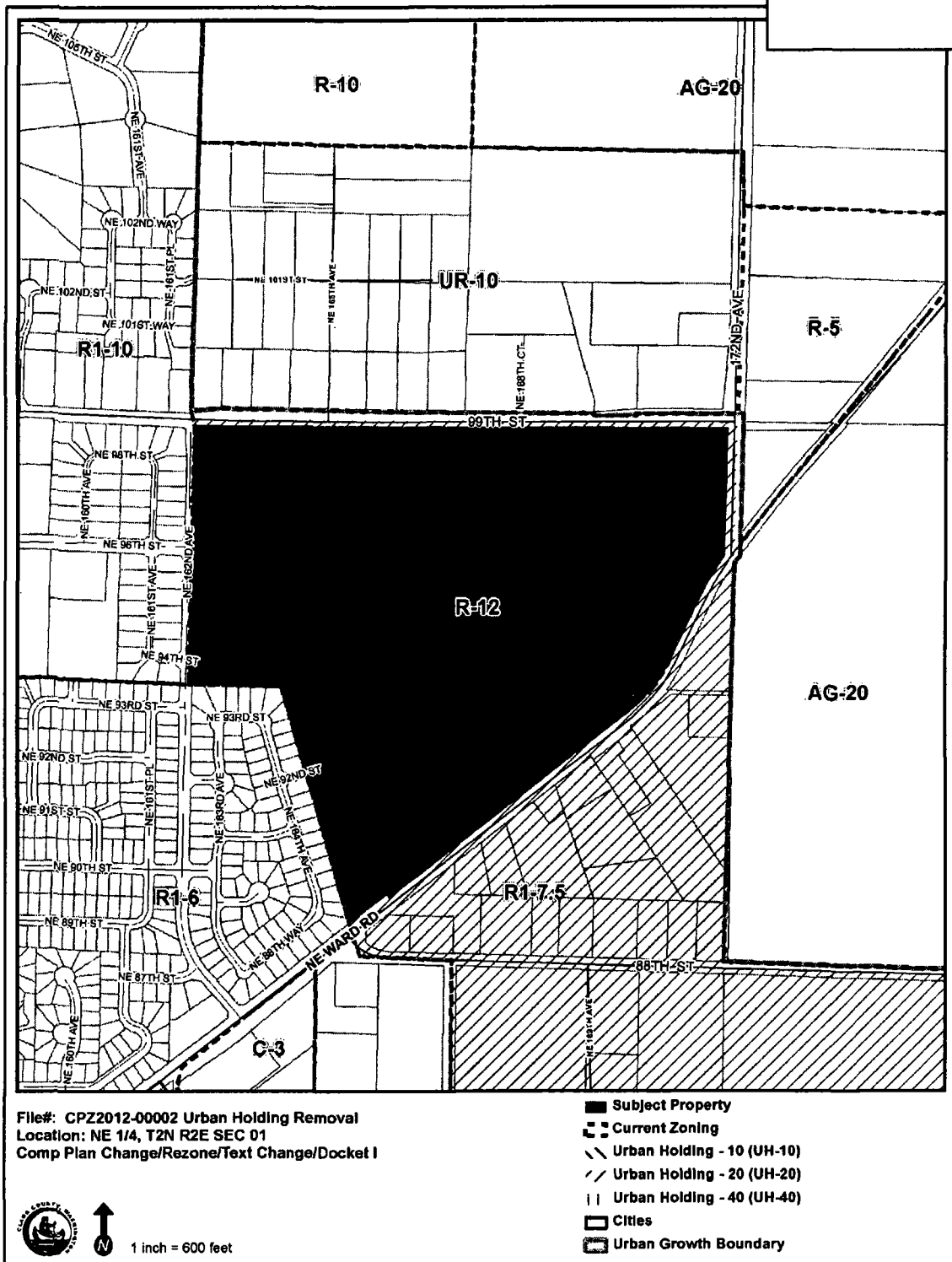


Exhibit 2





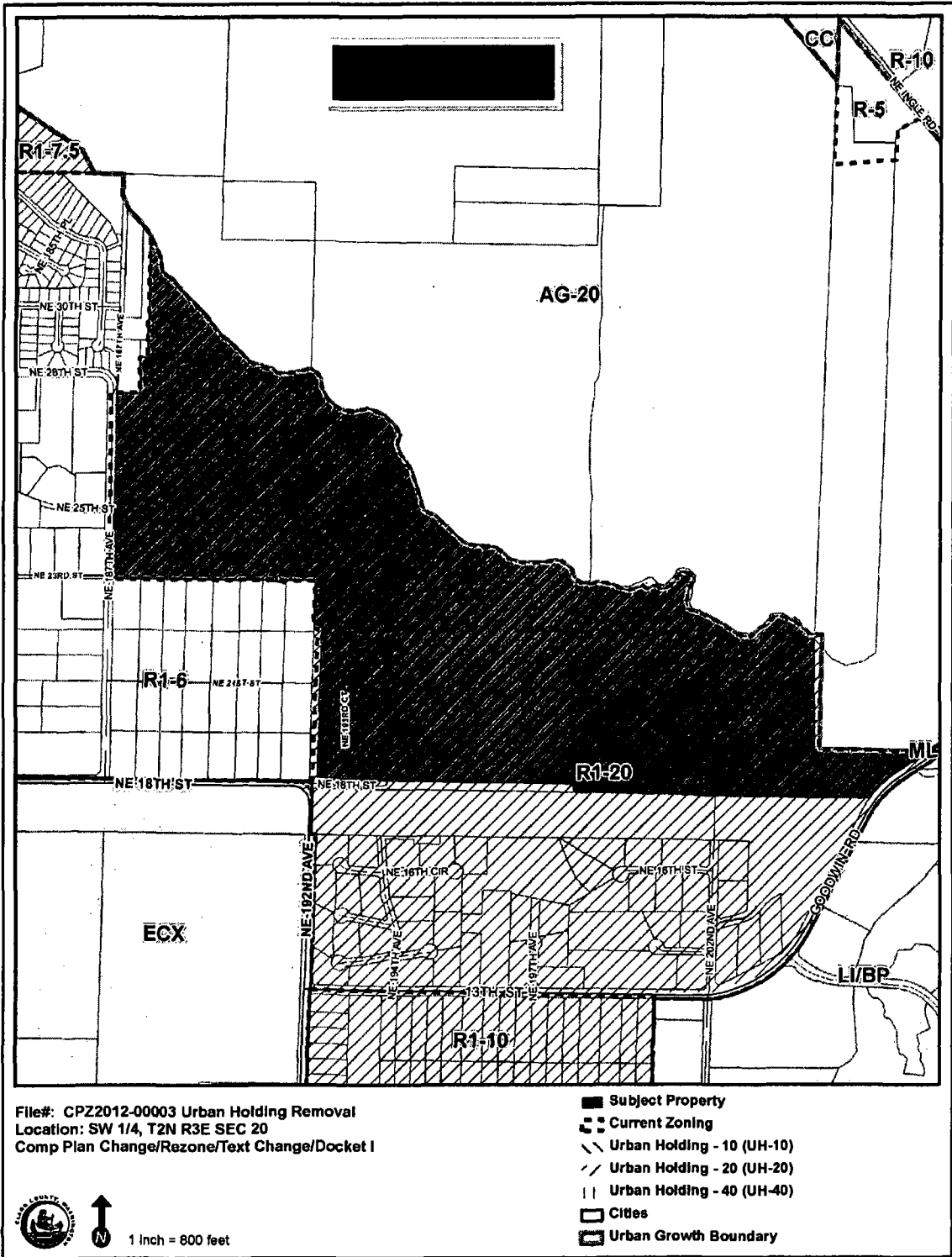
CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024

PROCEDURAL GUIDELINES CHAPTER 14: PG. 14-6

areas has unique circumstances as described below that shall be met in order to remove the Urban Holding Overlay and authorize an urban zone which is consistent with the Comprehensive Plan. The county will remove the UH overlay to appropriate areas sufficient in size that the county can collect transportation related data, analyze the cumulative transportation impacts, and address mitigation to these impacts. The areas designated Urban Residential on the Comprehensive Plan Map are zoned Urban Holding-10, Urban Holding -20 in the expanded area and those designated Industrial, Commercial, Office Campus or Business Park are zoned Urban Holding -20, Urban Holding -40 in expanded urban area.

- 1) **East Vancouver Area:** The East Vancouver area includes two areas bordered by the municipal boundary in the far eastern portion and far northeastern portion of the city. ~~These areas may only undergo urban development following annexation.~~
 - a) **Fisher Swale Area:** The area between the Cities of Camas and Vancouver including but not limited to the Fisher Creek Area east of NE 162nd Avenue, between SR-500/Fourth Plain Road and Lacamas Creek Basin. ~~These areas may only undergo urban development following annexation. Property in this area may only undergo urban development following annexation or if the petitioned city fails to process and approve within 180 days a 75% annexation petition for the property or if the petitioned city indicates in writing its intention not to support annexation of the property.~~
 - i) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.
 - b) **Fifth Plain Creek:** This area is bordered by NE 192nd on the east, NE 99th to the north, NE 162nd on the west, and SR-500 to the south. ~~With the following exception, properties within this area may only undergo urban development following annexation: in the event that a property's 75% annexation petition is not processed and approved within 180 days by the petitioned city, properties within this area may undergo urban development while unincorporated. Property in this area may only undergo urban development following annexation or if the petitioned city fails to process and approve within 180 days a 75% annexation petition for the property or if the petitioned city indicates in writing its intention not to support annexation of the property.~~
 - i) Adoption of a master plan that includes an overall minimum residential density of 10 dwelling units per gross acre and a neighborhood park;
 - ii) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.
- 2) **Orchards:** The Orchards area is bordered by the City of Vancouver municipal boundary by SR-500 on the south, NE 192nd Avenue to the east, NE 149th Street to the north; and NE St. James/NE 72nd Avenue to the west. The Orchards area is divided into unique urban holding subareas as shown on the Comprehensive Plan Map. The urban holding overlay designation may be removed pursuant to Clark County Code 40.560.010 (J) upon satisfaction of the following subarea specific criteria and with the execution of a generic covenant indicating that the owner or any subsequent owner of property shall support annexation to a city that provides urban services, is executed prior to preliminary development approval.

Exhibit 4



CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024

PROCEDURAL GUIDELINES CHAPTER 14: PG. 14-6

areas has unique circumstances as described below that shall be met in order to remove the Urban Holding Overlay and authorize an urban zone which is consistent with the Comprehensive Plan. The county will remove the UH overlay to appropriate areas sufficient in size that the county can collect transportation related data, analyze the cumulative transportation impacts, and address mitigation to these impacts. The areas designated Urban Residential on the Comprehensive Plan Map are zoned Urban Holding-10, Urban Holding -20 in the expanded area and those designated Industrial, Commercial, Office Campus or Business Park are zoned Urban Holding -20, Urban Holding -40 in expanded urban area.

2) **East Vancouver Area:** The East Vancouver area includes two areas bordered by the municipal boundary in the far eastern portion and far northeastern portion of the city. ~~These areas may only undergo urban development following annexation.~~

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b) **Fifth Plain Creek:** This area is bordered by NE 192nd on the east, NE 99th to the north, NE 162nd on the west, and SR-500 to the south. ~~With the following exception, properties within this area may only undergo urban development following annexation: in the event that a property's 75% annexation petition is not processed and approved within 180 days by the petitioned city, properties within this area may undergo urban development while unincorporated. Property in this area may only undergo urban development following annexation or if the petitioned city fails to process and approve within 180 days a 75% annexation petition for the property or if the petitioned city indicates in writing its intention not to support annexation of the property.~~

i) Adoption of a master plan that includes ~~an overall minimum residential density of 10 dwelling units per gross acre and a neighborhood park;~~

ii) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

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support annexation to a Exhibit 5 urban services, is executed prior to preliminary development ap

CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024
LAND USE CHAPTER 1: PG. 1-11

Table 1.6 Urban Plan Designation to Zone Consistency Chart

Shaded areas indicate allowed zones in each designation. Properties in the UGB's that are designated Mixed Use on the Comprehensive Plan, but have zoning other than Mixed Use (MX), can develop under the zoning district applied to the property. If a rezone is requested, the only zone consistent with the Mixed Use plan designation is MX.

PLAN ZONE	UL	UM	UH	NC	CC	GC	MU	EC I	ML	MH IH	RI	A	PF
R1-20	Shaded												Shaded
R1-10	Shaded												Shaded
R1-7.5	Shaded												Shaded
R1-6	Shaded												Shaded
R1-5	Shaded												Shaded
R-12		Shaded											Shaded
R-18		Shaded											Shaded
R-22		Shaded											Shaded
R-30			Shaded										Shaded
R-43			Shaded										Shaded
OR-15		Shaded											Shaded
OR-18		Shaded											Shaded
OR-22		Shaded											Shaded
OR-30			Shaded										Shaded
OR-43			Shaded										Shaded
C-2				Shaded									Shaded
C-3					Shaded								Shaded
GC						Shaded							Shaded
MX							Shaded						Shaded
BP								Shaded					Shaded
OC IL								Shaded					Shaded
ML								Delete	Delete				Delete
MH IH										Shaded	Delete	Shaded	Shaded
IR								Add			Delete		Add
U	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded	Shaded		Shaded	Delete	Shaded	Shaded
A											Delete	Shaded	Shaded

20-YEAR PLAN DESIGNATIONS AND LOCATION CRITERIA

URBAN LANDS

Industrial (I) Employment Center (EC)

Areas within this designation are implemented with Light Industrial (IL), Office Campus (OC) and Business Park (BP), Industrial Railroad (IR) base zones and are intended to provide the community with a employment opportunities such as compatible office and attractive new non-polluting industries. Areas designated Industrial also provides for Office and Business Park areas are designated for more intensive job related land uses that pay family wages, such as professional offices, research and technology related industries, located in a campus like setting.



~~Business Park areas may also be targeted by special public and/or private incentive programs that provide up front public service improvements or other inducements to attract family wage employment where higher job densities are encouraged. These areas are specifically targeted by local government and private sector job development organizations to consider special incentives to attract large scale businesses with public improvements, tax incentives, expedited development review or other considerations.~~

- ~~The Office Campus (OC) base zone provides land for the development of regional and general offices, light industry, research and development, and associated commercial uses which will provide services and jobs to the entire region. Areas within this designation are to be located where they can be supported by mass transit and the surrounding land uses. In general, they are on major arterial roads and at major intersections.~~
- Light Industrial (IL) base zones are intended to provide for light manufacturing, warehousing, transportation and other land intensive uses. Services and uses which support industrial uses are allowed in these areas but limited in size and location to serve workers within the light industrial area.
- The Business Park (BP) base zone provides for uses permitted in the business park and is intended to provide for campus like development with higher job densities and family wage jobs than in traditional industrial areas.
- The Industrial Railroad (IR) base zone provides land uses that require and take advantage of rail access. This designation is appropriate for industrial and manufacturing uses including

manufacturing, assembly, fabrication, processing, and bulk handling and storage (warehousing).

Light Industrial (ML)

~~Areas within this designation provides for light manufacturing, warehousing, transportation and other land intensive uses. Services and uses which support industrial uses are allowed in these areas but limited in size and location to serve workers within the light industrial area. Industrial lands are located in areas of compatible land uses and in areas with arterial access to the regional transportation network. Light Industrial, implements this plan designation.~~

Industrial Railroad (IR)

~~This designation is implemented with industrial railroad base zone and provides land uses that require and take advantage of rail access. This designation is appropriate for industrial and manufacturing uses including manufacturing, assembly, fabrication, processing, and bulk handling and storage (warehousing).~~

Heavy Industrial (MH IH)

This designation is implemented with a heavy industrial base zone and provides land for heavy manufacturing, warehousing and industrial uses that may be incompatible with other categories of land uses. This designation is appropriate for areas which have extensive rail and shipping facilities.

CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024
RURAL CHAPTER 3: PG. 3-13

Equestrian Element

Clark County recognizes the contributions of equestrian livestock husbandry, training, competition, and recreation activities to the overall rural quality of life in Clark County. These activities provide a lifestyle value to numerous county residents and visitors and economic revenue for rural residents and business owners. There are numerous organizations that support the equestrian industry by providing education and promoting equine husbandry, including the Clark County Extension Service, Future Farmers of America, 4H, the Clark County Executive Horse Council, the Mt. St. Helens Chapter of the Backcountry Horsemen, and numerous other special interest equestrian-related groups.

As growth continues to occur throughout the county, open land to sustain livestock and existing or potential trail segments may be lost to uncoordinated land development and road improvements. Also, requirements of the Endangered Species Act may limit livestock management choices and the location of new equestrian facilities on land constrained by large riparian corridors. Additionally, with the county's emphasis on preserving agricultural and forestry lands within the Resource and Rural Districts, the development of large equestrian facilities of a size and scale that would be incompatible with agricultural and forestry practices within these districts should be discouraged.

The Equestrian Community plays a vital role in Clark County's economy and rural character. Clark County is unique in the Portland metropolitan area for having many one- to ten-acre exurban parcels. These properties, many of which host equine uses, are a premium attraction for some. According to the Clark County Equine Impact report (Clark County Executive Horse Council, 2009), 4.8% of Clark County households own equines. The estimated number of equines in Clark County is approximately 28,902.

CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024
LAND USE CHAPTER 1: OVERLAY DISTRICTS PG. 1-17

Equestrian Overlay Zone

This district is intended to ensure continued equestrian activities, encourage safe circulation within equestrian neighborhoods, access to regional/community trails or equestrian facilities, signage to alert residents, newcomers, and encourage travelers to the equestrian community, encourage environmentally sound horse keeping, and sustain the area's rich equestrian tradition.

CLARK COUNTY 20-YEAR COMPREHENSIVE GROWTH MANAGEMENT PLAN, 2004-2024
RURAL CHAPTER 3: PG. 3-22

Equestrian Element

Goal: **To protect, preserve, and enhance the rural and equestrian character of Clark County, through sustainable ecological development practices.**

3.6 Policies

- 3.6.1 Complete the acquisition, development, funding, and construction of the equestrian portion of Vancouver-Clarks Parks' Regional Trail and Bikeway Systems Plan.**
- 3.6.2 Create and adopt a Clark County Park Code to implement these trail systems.**
- 3.6.3 Include the trail systems in the Arterial Atlas Road Standards.**
- 3.6.4 Integrate trail systems and open space within rural centers and urban areas, thus enhancing the overall character of existing development, providing additional economic opportunities, and providing additional opportunities for the reduction of motorized transportation.**
- 3.6.5 Educate the general public regarding the benefits to all citizens of equestrian based communities. These may include but are not limited to:**
- a) The preservation of open space through the use of shared habitats**
 - b) Improved water quality due to open space and multi-use trail system buffers**
 - c) Wildlife corridors**
 - d) Improved air quality due to the use of expanded/interlinked non-motorized trail systems**
 - e) Positive impacts to the local economy not only by equestrians, both local and at large, but also local and visiting non-equestrians utilizing trails and open space**
 - f) Increased values and faster sales for all properties adjacent to or nearby trail systems or other open space**
 - g) Open space and multi-use trail systems provide recreational opportunities for non-equestrians, resulting in significant health/fitness benefits and therefore an overall reduction in healthcare costs**
 - h) Unique social and educational opportunities**
 - i) Business opportunities which meet equestrian and recreational needs.**
- 3.6.6 Provide historical information to the public regarding the significance of equines in the county's cultural heritage, as well as historical information about specific trails and open space.**
- 3.6.7 Educate the general public about the myths and facts surrounding the equine's use on trail systems, conservation lands, etc.**

- 3.6.8 To encourage safe interactions between equestrians, non-equestrians, and motorized vehicles; educate the general public regarding proper equine etiquette.
- 3.6.9 Encourage new equestrian residential development to adopt residential cluster design concepts with shared use facilities, and permanently designated open spaces, thereby reducing the overall environmental impact and protecting sensitive or otherwise high quality habitat. They must be compatible with surrounding land uses and should be located adjacent to or in proximity to other open space, multi-use trails, and/or rural centers or urban areas. These new developments should include appropriate internal trails, as well as trails allowing linkage to rural centers or urban areas, multi-use trail systems, open space, regional parks, etc., as well as natural buffers to screen facilities, primary roadways and structures from adjacent properties.
- 3.6.10 Encourage all new construction and development to meet or exceed LEED certification standards, or equal.
- 3.6.11 Encourage equestrian owners to employ best management practices for animal health, to protect the environment, and be sensitive to surrounding neighbors and land uses.
- 3.6.12 Preserve quality agricultural lands to ensure adequate and sustainable local feed production.
- 3.6.13 Develop an identity program. The County will encourage the appropriate organizations and public agencies to promote Clark County as a regional, state, and national equestrian and recreational destination. This could include the following: marketing materials, signs, websites, parks, trails, facilities, events, services, equestrian and/or ecological tourism (eco-tourism) tourism.
- 3.6.14 Encourage economic growth by promoting commercial opportunities that provide viable equestrian based services along major travel corridors, multi-use trail systems, parks, or other facilities as appropriate.
- 3.6.15 The County should investigate providing incentives to promote equestrian businesses by lowering any applicable fees.
- 3.6.16 Expand existing public facilities, add facilities, and/or develop a new equestrian park, which address the needs of the County's equestrian community and will provide the appropriate venue and services required to attract large regional or national equine events and thereby further enhance economic development.
- 3.6.17 The County should partner with an organization (i.e. The Executive Horse Council) to develop a regional equestrian events center.
- 3.6.18 The County, in conjunction with cities, should consider adopting a countywide planning policy that allows for equestrian uses in urban areas.