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CLARK COUNTY
WASHINGTON

Planning Commission Recommendation to the Board of County Councilors

TO: Clark County Board of County Councilors

FROM: Jan Bazala on behalf of Steve Morasch, Chair of the Clark County Planning Commission

DATE: June 23, 2016

SUBJECT: Spring 2016 Bi-Annual Code Changes

I. SUMMARY

Twenty-seven code change items are presented (29 are listed in the index, but two have been removed from consideration). Most are changes to development regulations in Title 40.

II. BACKGROUND

Periodically staff “batch” minor amendments to the Clark County Code to correct scrivener’s errors, update references, clarify standards, and to make some minor policy changes. These batches of code changes are commonly known as “Biannual Code Amendments”.

III. ANALYSIS

Should the code changes be approved, several sections of Clark County Codes will be revised to include:

- Title 40, including the Highway 99 overlay standards in Appendix F
- Title 14, Buildings and Structures (regarding fence heights)
- Titles 5, 10, and 32 (Updated references to Community Development only)

Attachment “A” includes the entire text of the changes, along with a “rationale” section which explains why the change is proposed. Attachment “A” is divided into four sections:

- **Scrivener’s errors**, which correct obvious mistakes;
- **Reference updates**, which update references to other changed codes or agency processes;
- **Clarifications**, which are intended to make existing code language more clear; and,
- **Minor policy items**

IV. Community Outreach

This is an ongoing program. The need for some of the proposed clarifications was brought to staff's attention by customer inquiries; others are brought forth by staff.

The required sixty day notification of intent to adopt this set of amendments was received by the State Department of Commerce on March 16, 2016.

A SEPA determination of non-significance was published in the "Columbian" newspaper on March 30, 2016. No SEPA comments were received.

The text of the proposed changes was presented to the Development and Engineering Advisory Board (DEAB). They voted to approve the amendments as proposed at their March 2016 meeting.

A legal notice of the Planning Commission public hearing was published in the "Columbian" newspaper on April 6, 2016.

The Planning Commission held a work session on these items on April 7, 2016.

On March 21, 2016 the Planning Commission held a hearing on 28 proposed amendments. One item was pulled by staff prior to the hearing and one proposed amendment regarding the height of retaining walls and fences was returned to the Planning Commission.

V. FISCAL IMPACT

None anticipated.

VI. RECOMMENDATION

The Planning Commission recommends approval of all items except numbers 20, 22, 25 and 29. Item 25 will be re-heard by the Planning Commission and has been removed from the biannual process.

VII. PROCESS

It's anticipated that the Board will hold deliberations on the proposed amendments at the June 28th hearing. Staff will integrate any changes requested by the Board to the Attachment "A" into a final ordinance to be approved on consent at a subsequent hearing.

Enclosures:

Tab 1 Index of proposed code amendments

Tab 2 Attachment A – text changes

Tab 3 Planning Commission Minutes of April 21, 2016 public hearing