



AN ORDINANCE relating to land use; adopting amendments to the Clark County 20-year Comprehensive Growth Management Plan Map and Zoning Map to re-designate certain properties as agricultural and to remove them from the Washougal Urban Growth Area.

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 ordinance 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, portions of the update were ruled as out of compliance with Growth Management Act (GMA) by the Western Washington Growth Management Hearings Board (Growth Board); and

WHEREAS, Clark County has taken certain actions to comply with the orders of the Growth Board to move the county toward compliance with GMA; and

WHEREAS, the Clark County Planning Commission reviewed the plan and zoning map amendment on May 15, 2014 and has forwarded its recommendation to the Board; and

WHEREAS, the Board of County Commissioners in reviewing the comprehensive plan change considered the requirements of GMA, as construed in the rulings of the Growth Board; 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 May 28, 2014 relating to the 2014 GMA Compliance Amendment 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. Amend the comprehensive plan and zoning maps to re-designate the following properties now in the Washougal UGA as Agricultural (AG-20), and to remove the properties from the urban growth area. For purposes of Clark County's 2007 comprehensive plan update, these properties were a portion of the area known as Agriculture Viability Study Area WB. These properties are currently designated Industrial (I) with an Urban Holding Overlay District (UH-40) and zoned Business Park (BP). Parcels with tax serial numbers 129825-

000 and 130039-000 located in the NE ¼ Section 4, Township 1N, Range 4E and NW ¼ Section 3, Township 1N, Range 4E of the Willamette Meridian.

Section 3. 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 4 Effective Date.

This ordinance shall go into effect at 12:01 a.m. on July 2, 2014.

Section 5. 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 1st day of July, 2014.

Attest:

Ira Pedone
Deputy Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON

By: Tom Mielke
Tom Mielke, Chair

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

By: _____
David Madore, Commissioner

By: Christine Cook
Christine Cook
Deputy Prosecuting Attorney

By: _____
Edward L. Barnes, Commissioner