



TO: County Councilors
 FROM: Steve Morasch, Planning Commission Chair
 PREPARED BY: Sharon Lumbantobing, Planner II
 DATE: May 21, 2019
 SUBJECT: CPZ2019-00001 CLARK COUNTY UNIFIED DEVELOPMENT CODE AMENDMENTS (TITLE 40)

PLANNING COMMISSION RECOMMENDATION

On April 18, 2019, the Planning Commission voted 4-0 to approve the staff recommendation to amend Title 40, with two amendments to 40.560.020.E which can be found on page 22 of 169 in Exhibit 1.

PROPOSED ACTION

Amend Clark County Unified Development Code Title 40 as follows:

| No. | Title/Chapter/Section | Description |
|-----|-----------------------|--|
| 1 | 40.510.040 | Amend CCC 40.510.040 to clarify standards and current processes. |
| 2 | 40.560 | Amend Chapter 40.560 to clarify standards and current processes. |
| 3 | Title 40 | Amend Title 40 to replace the word “board” with “council” and “county council” in compliance with the county charter, correct scrivener’s errors, and amend the definition of Transportation Analysis to clarify submittal requirements. |

The proposed amendments are attached in Exhibit 1.

BACKGROUND

Staff identified several code sections in Title 40.560 and 40.510.040 that need to be updated to:

- 1) clarify standards and current processes, deadlines, and submittal requirements;
- 2) ensure consistency with changes that were made to the 2016 Comprehensive Plan Update; and
- 3) ensure consistency with RCWs and WACs.

In addition, all sections of Title 40 need to be updated to change the term “board” to “council” to comply with changes that were made to the Home Rule Charter.

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

The council approved the 2019 Community Planning Work Program at a council work session on September 5, 2018, which included amending Title 40. On March 20, 2019, a council work session was held to review the proposed amendments, and the proposed amendments were sent to the Department of Commerce pursuant to RCW 36.70A.106. On April 3, 2019, legal notice for the Planning

Commission hearing and a Notice of Determination of Non-Significance and SEPA Environmental Checklist were published in the Columbian newspaper. On April 4, 2019, the proposed amendments were posted on the Clark County website. The proposed amendments were reviewed by the Development Engineering Advisory Board on April 11, 2019. The council held a second work session on May 1, 2019, to discuss the proposed amendments and will hold a council hearing on May 21, 2019 to consider an adopting ordinance on the proposed amendments.

Public comments are included in the Planning Commission Hearing binder.

APPLICABLE CRITERIA, EVALUATION AND FINDINGS

The Clark County Unified Development Code, Title 40 (CCC), consolidates all development-related regulations, land use zoning, critical areas, and environmental protection.

CCC is required to be consistent with the 20-year Comprehensive Growth Management Plan. Amendments to CCC respond to a substantial change in policy, better implements applicable comprehensive plan policies, or reflect changes in federal/state law. The proposed amendments are provided in Exhibits 1.

Growth Management Act (GMA)

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA lists thirteen overall goals in RCW 36.70A.020 plus the shoreline goal added in RCW 36.70A.480(1). The goals are not listed in order of priority. The GMA goal that applies to the proposed action is Goal 11.

Goal 11: Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

Finding: The proposed code changes clarify processes, timelines, and submittal requirements for the annual review and docket processes to amend the comprehensive plan and zoning designations. The proposed changes clarify and codify public noticing requirements, and provide clear processes for the periodic comprehensive plan update. The proposed changes ensure consistency and compliance with RCWs and WACs, the Home Rule Charter, and updates made to the 2016 Comprehensive Growth Management Plan. The proposed changes better implement the GMA goal.

The process of taking the proposed Title 40 amendments through the Type IV legislative process encouraged citizen participation by: 1) posting the proposed amendments on the county web page early in the process, 2) circulating the proposed amendments to the Department of Commerce, 3) posting legal notice of the SEPA checklist and planning commission public hearing in the paper of record; 4) holding three council work sessions, one planning commission work session, and one work session with the Development Engineering and Advisory Board, and 5) holding two public hearings (one with the Planning Commission and one with the council).

RECOMMENDATION AND CONCLUSIONS

Based on the information presented in this report, the Planning Commission forwards a recommendation of **APPROVAL** to the Clark County Council with two amendments to 40.560.020.E which can be found on page 22 of 169 in Exhibit 1.