

ERRATA SHEET for Planning Commission

40.560.020

~~F~~E. Release of Concomitant Rezone Agreements.

1. Upon petition by the property owner, a concomitant rezone covenant may be fully or partially released, or modified, by the hearing examiner following a public hearing with notice as prescribed by Section ~~40.510.030~~ **40.510.040.E.** and in accordance with the criteria set forth in this section; provided, that if no development has occurred pursuant to a covenant entered into prior to July 1, 1980, such covenant may be fully released and the property subjected to all applicable standards and provisions of the current zoning ordinance by the board at a public meeting if it appears that no substantive issues are raised under the following criteria.
2. In considering requests for release or modification of concomitant rezone covenants, the review authority shall consider the following:
 - a. In the case of full covenant release, whether development of the site would be consistent with current zoning regulations and comprehensive plan recommendations; and
 - b. In the case of either full or partial covenant release or covenant modification, whether adequate public/private services are available to support development of the site; and
 - c. In the case of either full or partial covenant release or covenant modification, whether the requested action would unreasonably impact development undertaken on nearby properties in reliance upon the covenant commitments; and
 - d. In the case of partial covenant release or covenant modifications, whether future development under current zoning will be consistent with existing and planned development.

(Amended: Ord. 2007-09-13)

~~G~~E. Approval Criteria.

Zone changes may be approved only when all of the following are met:

1. Requested zone change is consistent with the comprehensive plan map designation.
2. The requested zone change is consistent with the plan policies and locational criteria and the purpose statement of the zoning district.
3. The zone change either:
 - a. Responds to a substantial change in conditions applicable to the area within which the subject property lies;

- b. Better implements applicable comprehensive plan policies than the current map designation; or
 - c. Corrects an obvious mapping error.
4. There are adequate public facilities and services to serve the requested zone change.

(Amended: Ord. 2008-06-02)

40.510.040 Type IV Process – Legislative Decisions

A. Decision.

1. The provisions of this section apply to all Type IV legislative decisions, which include and are limited to adoption or amendment, pursuant to the Growth Management Act (GMA), Chapter 36.70A RCW and Chapter 40.560, of the following:
 - a. comprehensive plan map and text, and zoning change consistent with the map change;
 - b. development regulations;
 - c. Arterial Atlas; and
 - d. Shoreline Master Program (SMP) pursuant to the Shoreline Management Act, Chapter 90.58 RCW, and Chapter 40.460.

40.510.040.B. Process.

1. Adoption or amendment of the comprehensive plan and development regulations is a legislative decision, rather than a project specific decision. The legislative process includes a public hearing before the Clark County Council and may include a public hearing before the planning commission. It is designed to solicit a broad range of public input at all levels pursuant to RCW 36.70A.035.
2. A Type IV decision shall be final and conclusive unless an appeal is timely filed to the growth management hearings board in accordance with RCW 36.70A.280 and RCW 36.70A.290, except as otherwise provided by law.

40.560.010

MJ. Additional Required Criteria Specific to Urban Growth Area (UGA) Boundary Map Changes.

4. ~~The extent of a~~ An UGA boundary expansion shall must that necessary to provide a minimum ~~ten (10) and a maximum~~ twenty (20) year supply of vacant and buildable lands within the UGA. ~~The calculation of supply shall~~ must ~~be based on population growth projections within the UGA, where such projections are consistent with adopted countywide growth targets and regional sub-allocations. If necessary, the county may adjust countywide growth targets and regional sub-allocations; provided, that they are consistent with official OFM forecasts.~~