



Staff Report

TO: Clark County Planning Commission
FROM: Oliver Orjiako, Director
PREPARED BY: Laurie Lebowsky, Planner III
DATE: October 18th, 2018
SUBJECT: CPZ2018-00019 CLARK COUNTY UNIFIED DEVELOPMENT CODE (TITLE 40) AMENDMENTS – PARK IMPACT FEES FOR TRAILS

PROPOSED ACTION

Clark County Public Works is requesting amendments to two sections of the Title 40 development code to include trails in park impact fee (PIF) calculations. The Title 40 amendments provided for community comments are attached in Exhibit 1.

BACKGROUND

In 2015, the county adopted the Parks, Recreation, and Open Space (PROS) plan which includes trails projects in the PROS Capital Facilities Plan. According to survey results included in the PROS plan, walking was the most popular recreational activity of Clark County residents. Park Impact Fees currently cannot be used to construct trails. To better implement the PROS plan, the County Council included a docket item to revise the park impact fee calculation to include trails.

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

A draft of the proposed changes to Clark County Code (CCC) Section 40.100.070 and Section 40.620.020 was sent to the Department of Commerce on September 26, 2018 under RCW 36.70A.106. The commerce notice and acknowledgement email can be found in the binder.

A Notice of Determination of Non-Significance and SEPA Environmental Checklist were published in the Columbian newspaper on September 18, 2018. A legal notice was published for the Planning Commission hearing on October 3, 2018. The draft proposal was reviewed and received comments from the Development Engineering Advisory Board (DEAB) on September 6, 2018 supporting staff's recommendation to include trails in the park impact fees calculation. A copy of the DEAB memo can be found in the binder. The proposed Clark County Code changes were presented to the Clark County Parks Advisory Board on September 14, 2018 and the board voted to support staff's recommended changes.

RATIONALE AND ANALYSIS



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

Clark County Code 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 described in Exhibit 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 9.

GMA Goal #9 speaks directly to open space and recreational issues. The goal states the following: “Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreational facilities.” [RCW 36.70A.070(2)].

Finding: The proposed code changes better implements the GMA than the existing development code language because the park impact fees will include trails. The park impact fees will provide another source of funding to build trail projects identified in the capital facilities plan element of the PROS plan.

NEXT STEPS

Clark County Council will hold a work session on December 12, 2018 and a hearing on December 18, 2018 on the proposed changes to the Title 40 Development Code regarding the park impact fees calculation.

RECOMMENDATION AND CONCLUSIONS

Based on the information presented in this report, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to Clark County Councilors.

Exhibit 1 – Title 40 amendments park impact fees for trails

