

Notice of Appeal and Public Hearing

The Department of Community Development has received an Appeal of a Land Use Decision, as described below. This appeal is subject to public notice and public hearing pursuant to Clark County Code (CCC) Chapter 40.510.030(H)

Public Hearing date and time: May 14, 2020 at 6:00 p.m.

Hearing date, time, and location

Due to the ongoing public health threat posed by COVID-19, the associated statewide and local orders, and social distancing guidelines, Clark County has modified the hearing and public testimony procedures relating to this matter. The hearing will be held via Webex (a video conferencing service). Participants do **not** need internet access and can connect by phone. See below for additional information.

You must contact staff no later than noon on May 14 (date of hearing), 2020 to sign up to testify at landuse@clark.wa.gov (preferred) or 564-397-4483. Staff will provide you information on participating in the hearing.

At the hearing, the examiner will consider the following:

- Project Name:** Matson and Morgan Appeal
- Case Number:** OLR-2020-00030
- Location:** 20401 NE 58th Street
- Request:** The applicant is requesting appeal of the decision Matson and Morgan code interpretation of OLR-2019-000149
- Appeal Issues:**
- 1) Appellants respectfully request that the Hearing Examiner find that the County's approval of a legal lot under UDC 40.520.010 necessarily means that it approves the lot as a legal lot of record with access and is eligible for a building permit.
 - 2) Appellants respectfully request that the Hearing Examiner find that CCC 12.05.210(1), allowing private roads in public rights-of-way, only applies to urban roads, and roads serving

Revised 5/8/13



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 564.397.2011
www.clark.wa.gov/development



For an alternate format, contact the Clark County ADA Compliance Office.
Phone: 564.397.2322
Relay: 711 or 800.833.6384
E-mail: ADA@clark.wa.gov

less than 9 lots.

Appellant: LeAnne M. Bremer, P.C
 Miller Nash Graham & Dunn LLP
 500 Broadway St. Suite 400
 Vancouver, WA 98660
Leanne.bremer@millernash.com

Date of Notice: April 9, 2020

Neighborhood Contact: Proebstel Neighborhood Association
 Neighborhood Quick Map Link
 Contact: 564.397.2316 or marilee.mccall@clark.wa.gov

Staff Contact:

Development Services Planner	Melissa Curtis	5870	Melissa.Curtis@clark.wa.gov
Development Services Manager	Susan Ellinger	5122	Susan.Ellinger@clark.wa.gov
Development Engineer Manager	Ali Safayi	4102	Ali.Safayi@clark.wa.gov

Legal Description of Property:

171700-000, 986046-022, 986046-024 and 986046-023, Located in the NE quarter of Section 17, Township 2 North, Range 3 East of the Willamette Meridian.

Applicable Laws

Clark County Code: Title 12.05 (Public and Private Road Standards), Chapter 40.100 (General Provisions), Chapter 40.500.010 (Summary of Procedures and Processes), Chapter 40.520.010 (Legal Lot Determination), 40.630.070 (Appeal).

Public Information available

The appeal document, case file, staff report, and decision under appeal, and the Clark County Code are available for review by the public during office hours at the Department of Community Development. A Staff Report and Recommendation to the Hearing Examiner will be prepared by staff and available to the public two weeks prior to the public hearing.

Public Comment

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

Closing date for public comments: April 24, 2020

An accurate mailing address must be included to qualify as a "Party of Record" and, therefore, have standing to appeal the decision.

You can provide testimony by:

- a. Submitting testimony via email
Please send an email to Melissa Curtis at melissa.curtis@clark.wa.gov with the case name and number and your testimony.
- b. Submitting testimony via U.S. Mail
Due to remote working conditions necessitated by COVID-19 public health threat, e-mail is strongly preferred (See above). You may also submit written testimony to Melissa Curtis, Community Development, PO Box 9810, Vancouver, WA 98666-9810.

Accommodation of physical Impalments

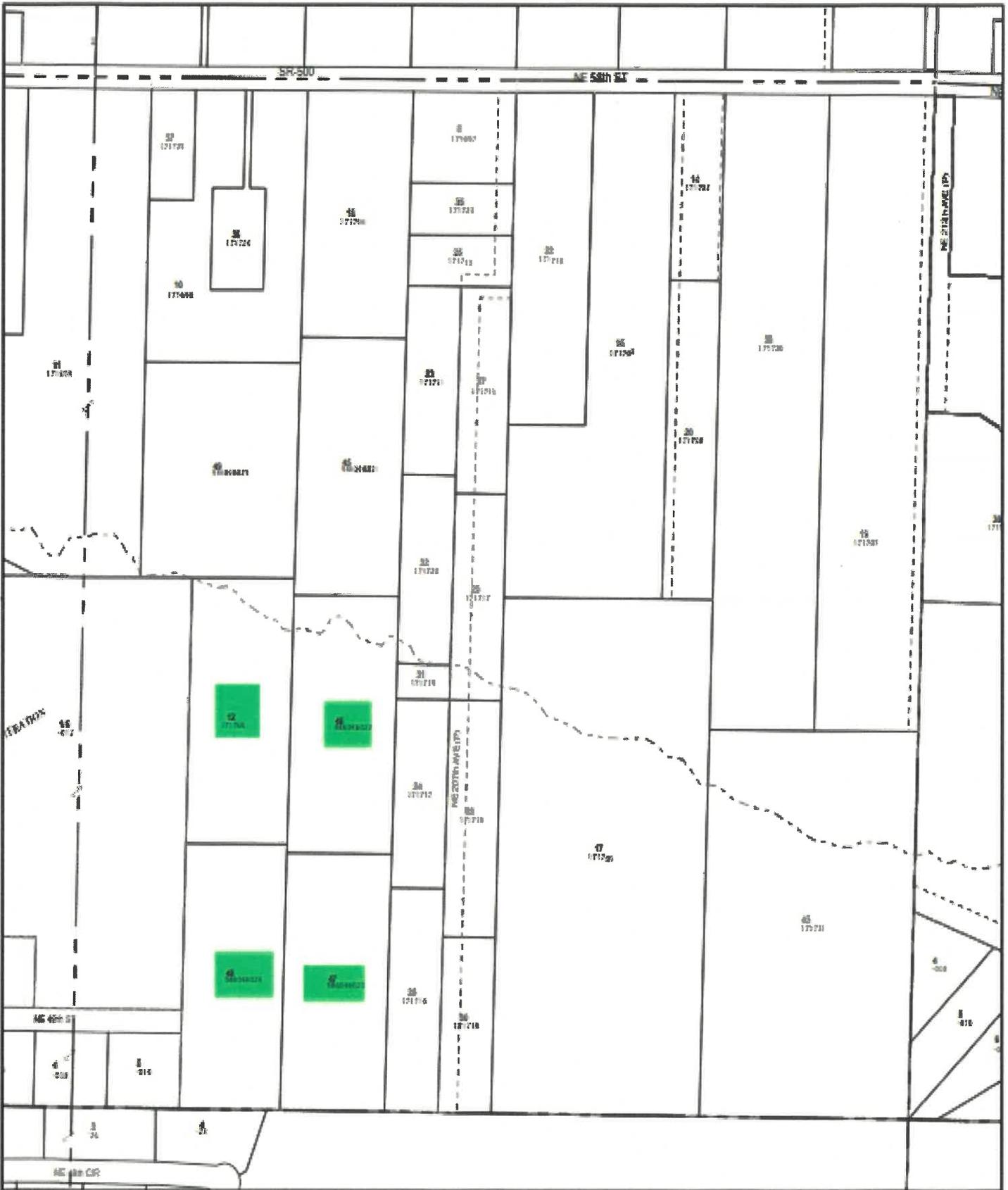
If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. Voice 564.397.2322; Relay 711 or 800.833.6384; Email ADA@clark.wa.gov.

Appeal of Hearing Examiner Decision

The Hearing Examiner normally issues a decision within two weeks after the close of the record. The decision of the Hearing Examiner is final unless:

- A motion for reconsideration is filed within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

Due to remote working conditions necessitated by COVID-19 public health threat, applications are currently being accepted on-line. To submit an appeal, email planningtech@clark.wa.gov . If you do not have access to email, call 465-397-4483. Refer to the *Appeals* handout for more information and fees.



Printed: February 13, 2020
 Scale: 1:5000
 1" = 330'

Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

Clark County
 Geographic Information System

NE Qtr of Section 17 T2N R3E WM