

GMA Compliance

Rural Industrial Land Bank (RILB)

CPZ2019-00032

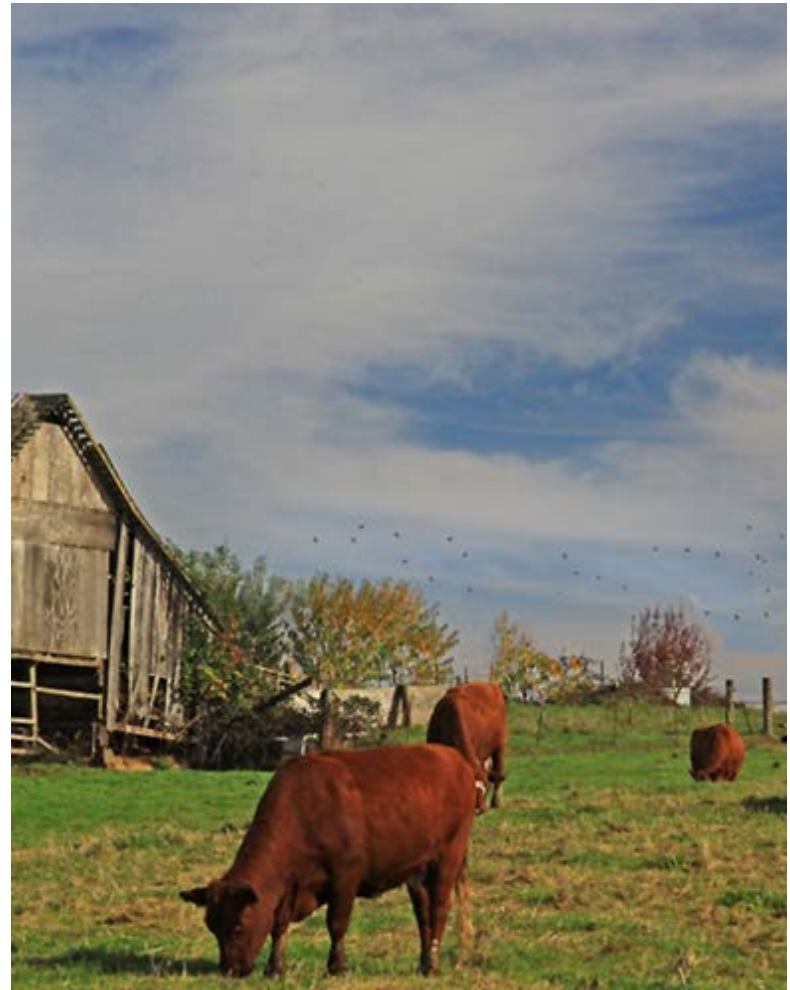
Gary Albrecht, Planner III
Community Planning & Public Works
Clark County Council
Hearing, November 12, 2019

Public Services Center, 6th Floor Training Room, 10:00 AM
1300 Franklin Street, Vancouver



Agenda

- PC Recommendation
- Background
- Vicinity map
- Court of Appeals
- Council direction
- What's being removed
- Public process



PC Recommendation

Oct. 17, Clark County Planning Commission voted 6 to 0 to forward a recommendation to remove all references to the Rural Industrial Land Bank:

- Comprehensive Growth Management Plan text
- Plan map
- Zoning map
- Arterial atlas map
- Title 40



Background

2014 County receives application to establish RILB

Section 40.520.070
Planned Master Development

Section 40.560.010 Plan Amendment Procedures
Section 40.520.075
Rural Industrial Development Master Plan

2016 RILB Comp Plan designation adopted

Arterial Atlas Amended

Comp Plan appealed to Growth Management Hearings Board (GMHB)

2017 GMHB Decision

County had not identified max RILB size per GMA

De-designation of agricultural land of commercial significance was not proper

2018 GMHB issued 1st Order and 2nd Order:

Finding de-designation of RILB continues to be invalid and invalidity remains in full force

2019 GMHB issued 3rd Order

Finding de-designation of RILB continues to be invalid and invalidity remains in full force

2019 Court of Appeals Decision

Clark County does not appeal decision and proposes amendments to come into compliance with GMA



Court of Appeals

August 20, 2019 decision:

- Issues regarding the county's UGAs designations for the cities of Ridgefield and La Center are moot.
- Court stated that the county has no ability to plan for the annexed land, and that the GMHB cannot compel the county to take action to come into compliance regarding that land.
- Annexed land into cities could not be challenged under the GMA.
- Supported the GMHB ruling that the de-designation of agricultural land was out of compliance with the state's Growth Management Act

Filed
Washington State
Court of Appeals
Division Two
August 20, 2019

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

CLARK COUNTY,

Petitioner/Cross Respondent,

FRIENDS OF CLARK COUNTY;
FUTUREWISE,

Respondents/Cross Petitioners,

and

CITY OF RIDGEFIELD; CITY OF LA
CENTER; RDGB ROYAL ESTATE FARMS
LLC; RDGK REST VIEW ESTATES LLC;
RDGM RAWHIDE ESTATES LLC, RDGF
RIVER VIEW ESTATES LLC, RDGS
REAL VIEW LLC, and 3B NORTHWEST
LLC,

Petitioners,

and

CLARK COUNTY CITIZENS UNITED,
INC.,

Petitioners,

v.

GROWTH MANAGEMENT HEARINGS
BOARD,

Respondent.

No. 50847-8-II
(Consolidated)



Council direction

- Council is not appealing August 20, 2019 Court of Appeals decision
- Propose amendments to come into compliance with the Growth Management Act



What's being removed?

- Comprehensive plan designation of Rural Industrial Land Bank (RILB) to Agriculture
- Zoning designation of Light Industrial (IL) with a Rural Industrial Land Bank Overlay (IL-RILB) to Agriculture (AG-20)
- Comprehensive Plan text and zoning code related to RILB
- Arterial Atlas map amendments related to RILB circulation



What's being removed?

Proposed Comprehensive Plan Text Amendments		
No.	Element	Description
1	Table of Contents	Delete Rural Industrial Land Bank (RILB) from the Table of Contents, page i.
2	Land Use	Delete Rural Industrial Land Bank (RILB) from Table 1.4 Rural Lands Plan Designation to Zone Consistency, page 31.
3	Land Use	Delete Rural Industrial Land Bank (RILB) and associated text, page 36-37.
4	Rural & Natural Resource	Delete County 20-year Plan Rural Industrial Land Bank goal and plan policies section 3.8, page 98.



What's being removed?

Proposed Clark County Code Amendments		
No.	Title 40	Description
1	40.230.085	Amend CCC 40.230.085 - Employment Districts (IL, IH, IR, BP, IL-RILB) to delete all references to RILB in subsection (B)(1)(d), Table 40.230.085-1 Uses, Table 40.230.085-1 footnote 10, Table 40.230.085-2 Lot Standards, Setbacks, Lot Coverage and Building Height Requirements, Table 40.230.085-2 footnote 7, subsection (D)(4) including Figures 40.230.085-1 and 40.230.085-2, and associate renumbering.
2	40.520.070	Amend CCC 40.250.070 – Master Planned Development to delete all references to RILB in subsection (B)(4) and (C)(1)(b)
3	40.520.075	Amend CCC 40.520.075 – Rural Industrial Development Master Plan to delete all references to RILB and/or RCW 36.70A.367 in (B) and amend Section 40.560.010(J) to Section 40.560.010(H), and delete “with an IL-RILB overlay. Amend (C)(1) to amend Section 40.560.010(J) to Section 40.560.010(H), and delete “or land bank” and “for the land bank.”
4	40.560.010	Amend CCC 40.560.010 – Plan Amendment Procedures to delete all references to RILB and/or RCW 36.70A.367 in (H), delete (H)(a)(2) Major industrial land banks (light industrial), and delete (H)(b)(2) Major industrial land banks (light industrial).



What's being removed?

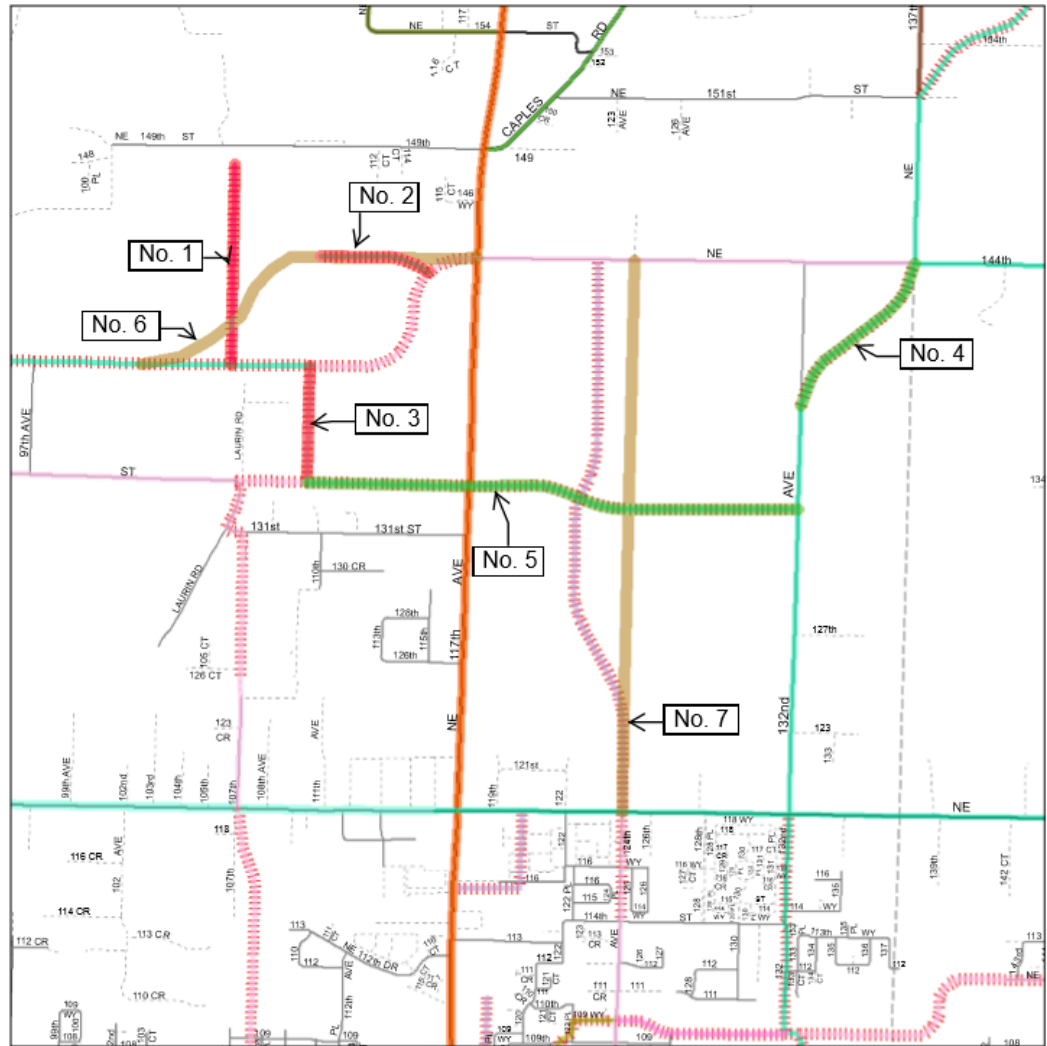
Proposed Arterial Atlas Map Amendments		
No.	Amendment	Description
1	Delete	At approximately NE 106 th Ave., delete a proposed commercial/industrial road, running north/south from NE 139 th St. to NE 149 th St.
2	Delete	At approximately NE 144 th St. and NE 114 th Ave, delete a proposed NE 144 th St. commercial/industrial road extension to the Chelatchie Prairie Railroad.
3	Delete	At approximately NE 110 th Ave. delete a proposed 2-lane minor arterial (M-2cb) from NE 134 th St. to NE 139 th St.
4	Reclassify	Reclassify a road segment between NE 144 th St. and the intersection of NE 139 th St./NE 132 th Ave. from a 2-lane minor arterial (M-2cb) to a 2-lane collector (C-2).
5	Reclassify	Reclassify a road segment of NE 134 th St. from a 2-lane minor arterial (M-2cb) to a 2-lane collector (C-2) between approximately NE 110 th Ave. to NE 132 nd Ave intersection.
6	Modify	Modify a planned road extension at approximately NE 112 th Ave. from transitioning gradually from NE 139 th St. to NE 144 th St. returning to the prior alignment beginning further west at NE 102 nd Ave. connecting NE 139 th St. to NE 144 th St.
7	Modify	Modify a planned road extension at approximately NE 124 th Ave. from NE 119 th St. to NE 144 th St. returning to the prior vertical alignment instead of the serpentine westward alignment.



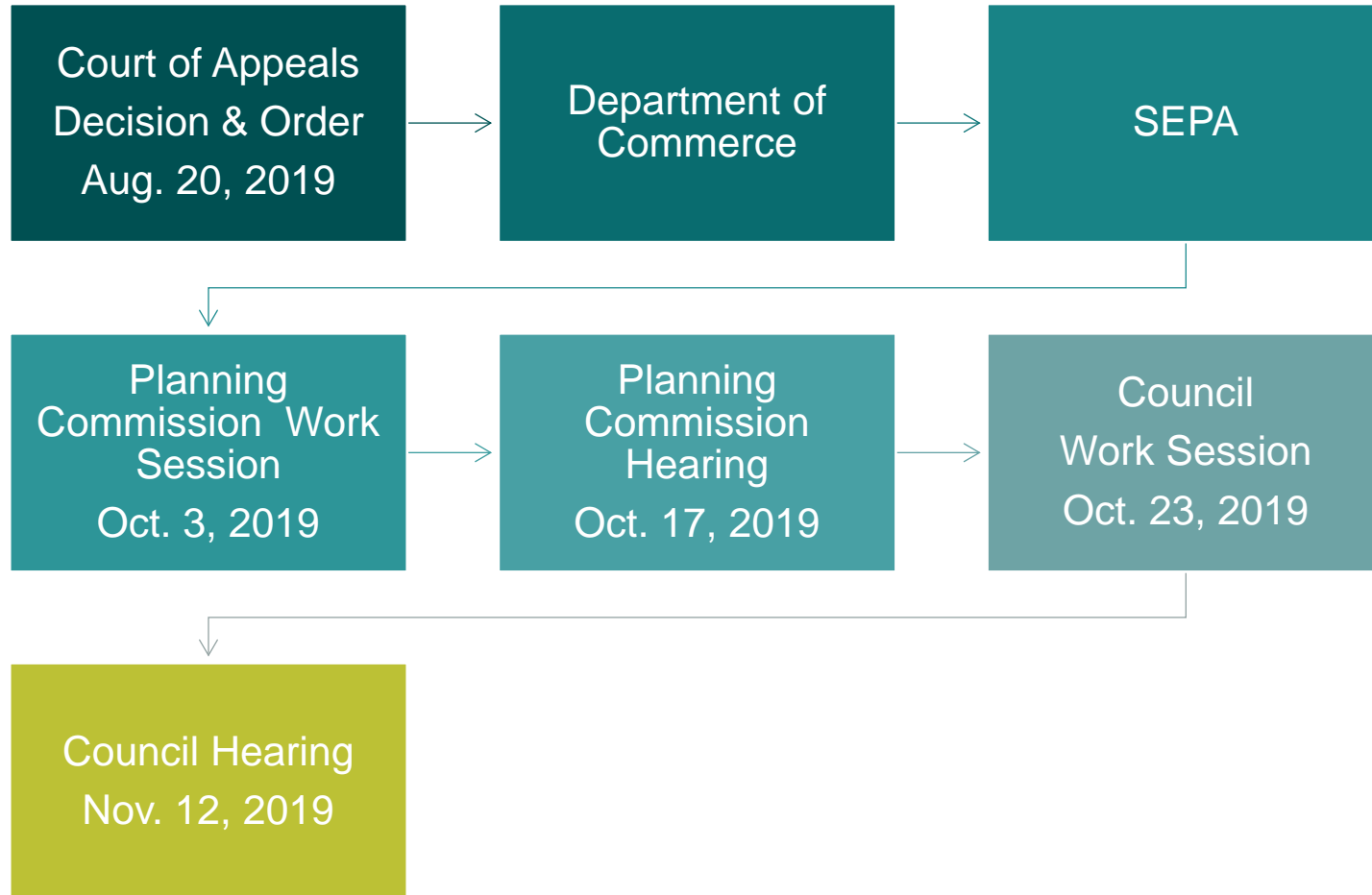
What's being removed?

Arterial Atlas Amendments:

1. Delete
2. Delete
3. Delete
4. Reclassify
5. Reclassify
6. Modify
7. Modify



Public process



Thank you!

Comments and questions

Clark County Community Planning & Clark County Public Works

www.gary.albrecht@clark.wa.gov

564-397-4318

