

1 WHEREAS, Council finds and concludes that this ordinance would further the public
2 health, safety, and welfare; now, therefore,

3 **BE IT HEREBY ORDERED, RESOLVED, AND DECREED BY THE CLARK COUNTY**
4 **COUNCIL, CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:**

5 **Section 1. Findings.** The above recitals are incorporated into this ordinance as findings.

6 **Section 2. Amendatory.** Sec. 1 (Attachment F) of 1996-04-30, and amended as Sec. 1 (Ex. A)
7 of Ord. 2003-11-01, and codified as CCC 40.240.440, and most recently amended as Ord.
8 2018-03-04, is hereby amended as follows:

9 **40.240 Columbia River Gorge National Scenic Area Districts**

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11 Section 40.240.440 - Review Uses with Additional Approval Criteria, Large-Scale or Small-Scale
12 Agricultural Designations

13 The following uses may be allowed on lands zoned Gorge Large-Scale or Small-Scale
14 Agriculture, subject to compliance with Sections 40.240.800 through 40.240.900, consistent with
15 Section 40.240.460:

- 16 A. Utility facilities and railroads necessary for public service upon a showing that:
- 17 1. There is no practicable alternative location with less adverse effect on agricultural or
18 forest lands; and
- 19 2. The size is the minimum necessary to provide the service.
- 20 B. Home occupations in existing residential or accessory structures, subject to
21 Section 40.240.240.
- 22 C. Fruit and produce stands, upon a showing that sales will be limited to agricultural products
23 raised on the subject farm and other farms in the local region.
- 24 D. Wineries, in conjunction with on-site viticulture, upon a showing that processing and sales of
25 wine is from grapes grown on the subject farm or in the local region.
- 26 E. Wine tasting rooms, in conjunction with an on-site winery.
- 27 F. Agricultural product processing and packaging, upon a showing that the processing will be
28 limited to products grown primarily on the subject farm and sized to the subject operation.
- 29 G. Exploration of mineral and geothermal resources subject to Section 40.240.800.
- 30 H. Development and production of mineral and geothermal resources, as defined by
31 Section 40.240.040, and pursuant to Section 40.240.800 and all other applicable federal,
32 state and county standards, including those of Section 40.250.022. Type ~~IV~~ **III** review
33 procedures specified under Section ~~40.510.040~~ **40.510.030** shall be required.

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2 **Section 3. Severability.** If any section, sentence, clause, or phrase of this ordinance is held
3 invalid or unconstitutional by a court of competent jurisdiction or the Growth Management
4 Hearings Board, such invalidity or unconstitutionality shall not affect the validity or
5 unconstitutionality of any other section, sentence, clause, or phrase of this ordinance.

6 **Section 4. Effective Date.** This ordinance shall go into effect on February 28, 2020, ten (10)
7 days after its adoption.

8 **Section 5. Instructions to the Clerk.**

9 The Clerk of the County Council shall:

- 10 1. Transmit a copy of this ordinance to the Washington State Department of Commerce
- 11 within ten days of its adoption pursuant to RCW 36.70A.106.
- 12 2. Transmit a copy of the adopted ordinance to Code Publishing, Inc., forthwith to update
- 13 the electronic version of the Clark County Code.
- 14 3. Transmit a copy of the adopted ordinance to Community Planning (Sharon
- 15 Lumbantobing).
- 16 4. Transmit a copy of the adopted ordinance to the Community Development Director
- 17 (Mitch Nickolds) and Permit Manager (Susan Ellinger).
- 18 5. Transmit a copy of the adopted ordinance to the Public Works Director (Ahmad
- 19 Qayoumi).
- 20 6. Record a copy of this ordinance with the Clark County Auditor.
- 21 7. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW
- 22 36.70A.290, and Clark County Code 1.02.140.

23
24 **Section 6. Roll Call Vote.** The following persons voted in favor of the above ordinance
25 [amendments]:

26 _____
27 _____.

28 The following persons voted in opposition to the above ordinance [amendments]:

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30 _____.

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32 ADOPTED this 18th of February, 2020.

33 CLARK COUNTY COUNCIL

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Attest:

FOR CLARK COUNTY, WASHINGTON

Clerk to the Council

Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: _____
Taylor Hallvik
Deputy Prosecuting Attorney

By: _____
Eileen Quiring, Chair

By: _____
Temple Lentz, Councilor

By: _____
Julie Olson, Councilor

By: _____
John Blom, Councilor

By: _____
Gary Medvigy, Councilor