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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

MEMORANDUM

TO: County Councilors
FROM: Jose Alvarez
DATE: October 12, 2017
SUBJECT: ESB 5517 Implementation Timeline

The 2017 Legislature enacted ESB 5517 which amends the Growth Management Act to allow freight rail dependent uses along the county's short line railroad. Staff identified an implementation strategy for ESB 5517 at a work session on September 20, 2017, including:

- amending the Rural and Resource Element of the comprehensive plan to allow freight rail dependent uses on Rural and resource lands;
 - preparation of a map showing where freight rail dependent uses would be allowed;
 - drafting of a list of allowable uses and regulations under which such development would occur; and
 - amending capital facilities plans as needed.
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The Board of County Councilors asked staff to identify what could be done to implement ESB 5517 before the end of 2017. Attached is a timeline identifying the items that could be completed in 2017, which are to amend the Comprehensive Plan policies and to develop a Phase I Overlay map.

The policy language would be added to the comp plan to supersede the language in the Rural and Resource Element of the Plan to be consistent with the language in ESB 5517.

The Phase I overlay map would include parcels within 500 ft. of the railroad north of NE 119th Street and south of the Brush Prairie rural center, excluding properties zoned R-5 and within the Brush Prairie rural center. The parcels excluded are primarily residential in nature and less than 10 acres.

The recommendation only includes the policy and overlay map because those are subject to the once-a-year plan amendment cycle and would otherwise not take effect until 2019. The expedited timeline does not allow adequate time to consider the

development regulations and their environmental impact, although development regulations are not subject to the same amendment cycle and can be adopted anytime in 2018.

Staff recommends the County Council adopt a public participation plan and charge the Railroad Advisory Board (RAB) sub-committee with reviewing 1) draft comprehensive plan policy language, and 2) a Phase I overlay map in order to meet the 2017 deadline. The RAB would then begin work on development regulations related to Freight Rail Dependent Uses to be adopted in 2018.

Clark County ESB 5517 Implementation Timeline

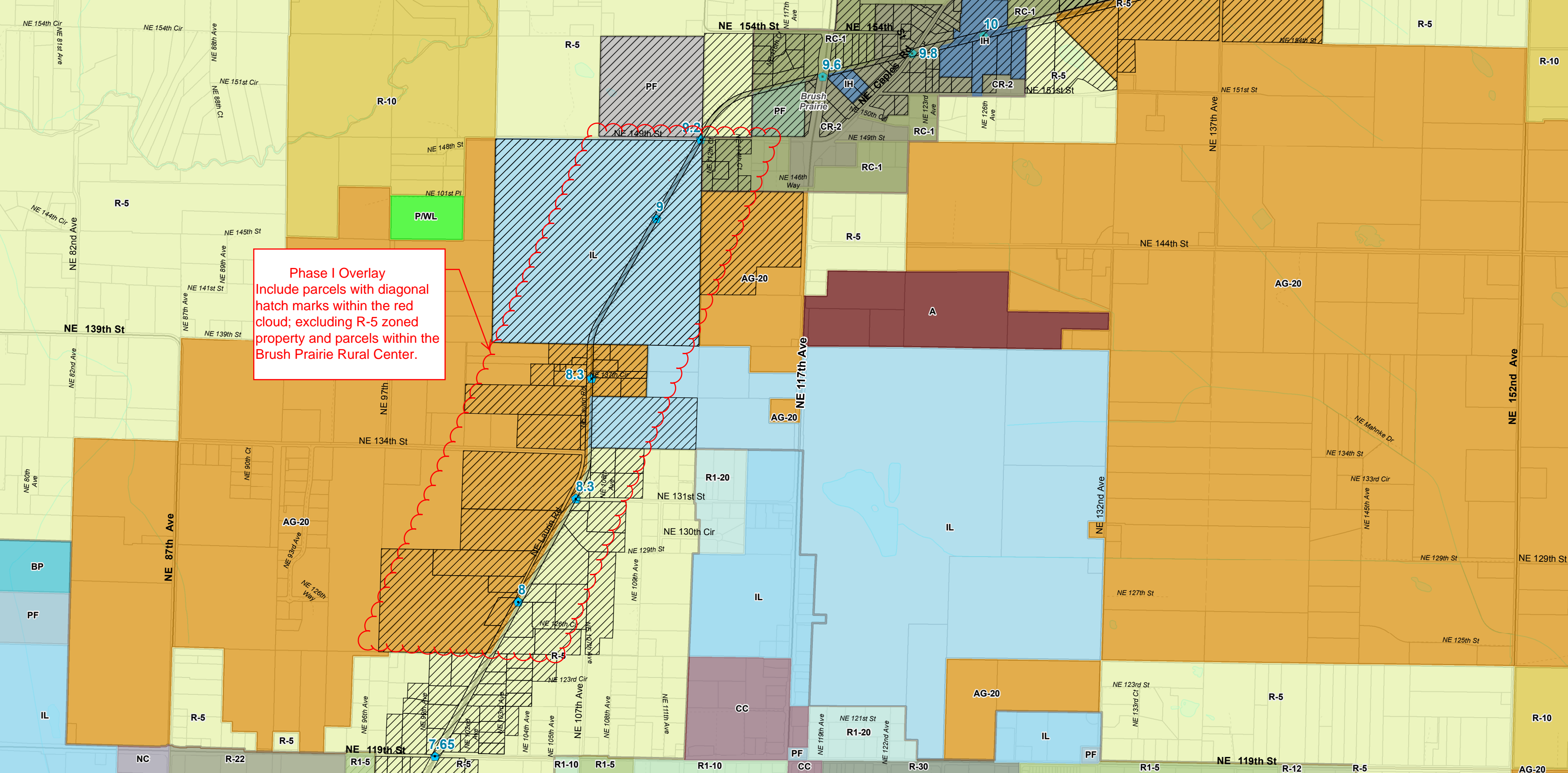
Tasks	Description	Start Date	End Date
Goal	Update Comp Plan Policy, Phase 1 Overlay Map (properties within 500' of the railroad) to Implement Freight Rail Dependent Uses 12/26/17	2017	2017
Action	BOCC Board Time -Charge to RRAB to include comp plan policy and Phase 1 Overlay map	18-Oct	18-Oct
Action	Issue press release regarding RRAB charge and Notice of Special Meeting	18-Oct	18-Oct
Action	Public Participation Plan - Special Meeting to Adopt PPP (24-hour notice required); activate web page	19-Oct	19-Oct
Action	RRAB Sub-Committee	23-Oct	23-Oct
Action	15-day notice OH (October 20th to Reflector) includes notice to property owners within 500' of Phase 1 Overlay Map area	25-Oct	25-Oct
Action	60-day notice to Commerce (60 days min.)	26-Oct	9-Jan
Action	15 -day notice PC hearing (Columbian & Reflector) Due Oct 26	1-Nov	1-Nov
Action	14 - day notice SEPA (Columbian & Reflector) Due Oct 26	1-Nov	1-Nov
Deliverable	PC Staff Report	26-Oct	2-Nov
Action	PC Work Session	2-Nov	2-Nov
Action	Open House and Public Meeting (Prairie High School)	8-Nov	8-Nov
Action	PC Hearing	16-Nov	16-Nov
Action	BOCC Work Session	6-Dec	6-Dec
Action	15 -day notice BOCC hearing (Columbian & Reflector) Due Dec. 15	24-Dec	24-Dec
Action	BOCC Hearing + Adopting Ordinance	9-Jan	9-Jan

Notes: Comp Plan policy and overlay map are the only items that are subject to the annual amendment cycle. Development regulations are not subject to that cycle and can be done in 2018 to allow more time for public input.

PC Agenda for November 16th includes innovative housing code amendments, CARA Ordinance Update, Gorge Amendment and Flood Hazard Map update (this is time sensitive and affects insurance rates) and RV Storage standards.

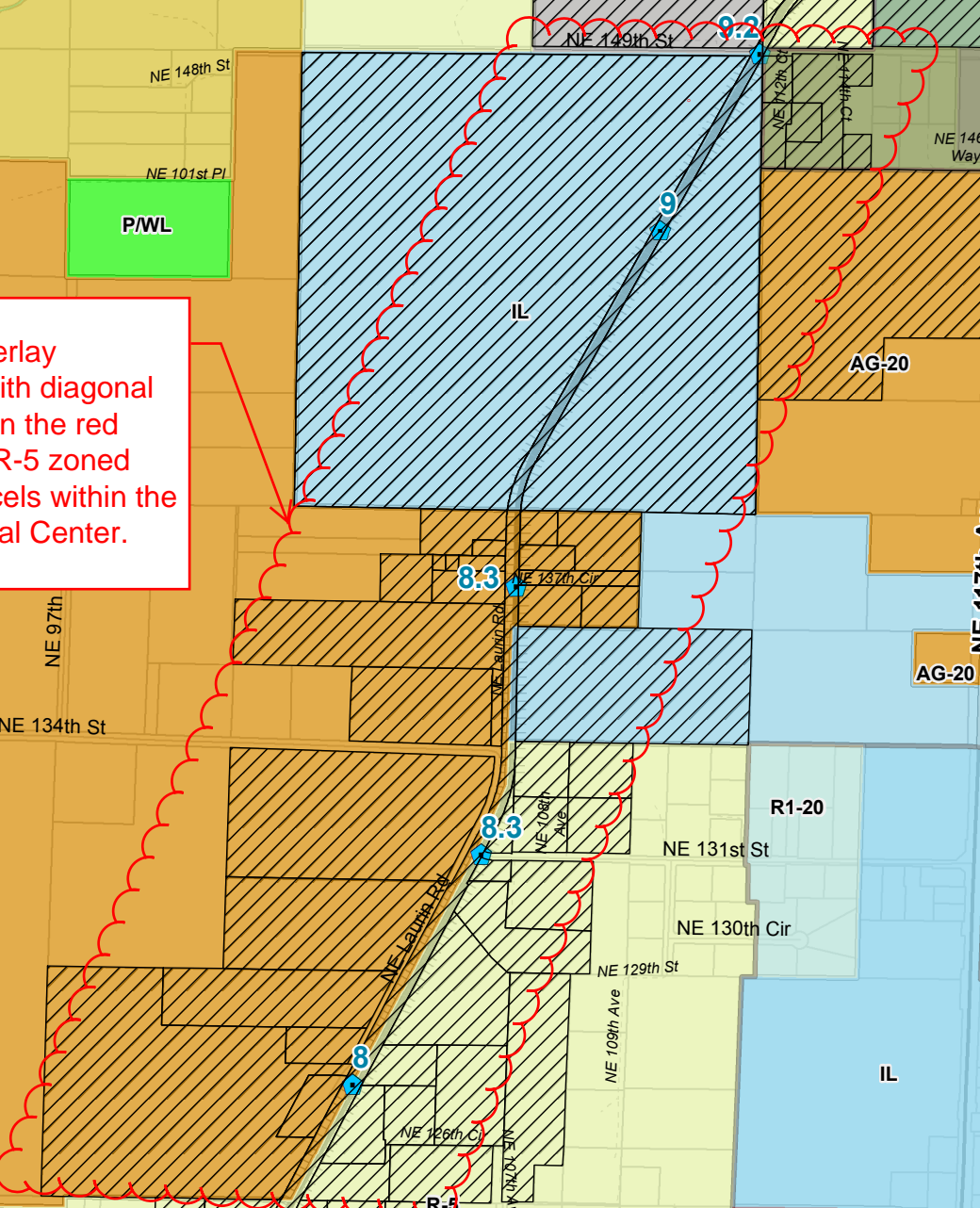
Due to the compressed time frame. There will not be time to have a work session with the Board prior to the RRAB recommendations going to the Planning Commission.

This timeline does not include any CFP amendments.



Phase I Overlay
 Include parcels with diagonal
 hatch marks within the red
 cloud; excluding R-5 zoned
 property and parcels within the
 Brush Prairie Rural Center.

P/WL



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Clark County Implementation of 3ESB 5517 – Rail Dependent Uses

Public Participation Plan & Preliminary Scoping Schedule

Purpose

The Washington State Growth Management Act (GMA) requires cities and counties to conduct outreach to ensure “early and continuous public participation” in developing and amending comprehensive plans and development regulations (RCW 36.70A.140).

To ensure compliance, the proposed public participation plan clearly identifies the scope of work and how the public can participate or comment.

Goals

1. Ensure broad participation by identifying key interest groups, soliciting input from the public, and ensuring no single group or interest dominates the process. County code requires notice to property owners within 500 feet of proposed action in the rural area.
2. Maintain effective communication and coordination with municipalities and service providers.
3. Accommodate budgetary and staffing constraints by ensuring resources are focused on elements of the amendment process likely to be of greatest interest to the public.
4. Distribute information and post notices efficiently.
5. Notify the public of all meetings, hearings, workshops and legislative actions.

Public Participation Program Structure

To best use Clark County’s limited planning resources, this plan identifies *essential* public participation strategies that *will* be employed. In some cases, final action may occur before or after the target date because of constrained resources, need for additional intergovernmental collaboration, or unforeseen circumstances.

Techniques and Strategies

The public participation methods employed by Clark County may include: Mailing list and mailing via US Postal Service to all of those entitled to notice.

Public workshops and open houses – Informal gatherings to solicit public feedback on Clark County’s planning efforts. Workshops and/or listening posts may involve presentations by staff, question and answer sessions and interactive activities.

Public hearings – A formal public process conducted before the Board of County Councilors or Planning Commission.

Clark County website – The online site where relevant documents, schedules announcements, notices of meetings, hearings and public involvement opportunities will be posted.

Citizen advisory groups – Community Planning will work with the Rail Road Advisory Board to solicit guidance on complex issues requiring a high level of knowledge concerning railroad operations. The groups will include members who have specific knowledge of or interest in economic development.

Email list – Community Planning will maintain a list of individuals and groups who have expressed an

1 interest in the implementation of 3ESB 5517. The list will be used to disseminate announcements and
2 notices.

3 **News releases** – Clark County will prepare news releases and distribute them to the regional media,
4 neighborhood associations and other local information providers throughout the update process.

5 **Board of County Councilors work sessions** – Community Planning will schedule worksessions as needed
6 to brief board members and other interested parties.

7 **Planning Commission worksessions** – Community Planning will schedule worksessions as needed to brief
8 the Planning Commission and other interested parties.

9 **Notification and availability of information** - Clark County will ensure meetings, worksessions and
10 hearings are publicized as required by state law or county code. Clark County will make every effort to
11 post all relevant documents on the county website. In addition, a project file will be maintained for
12 public review at Community Planning, Public Service Center, 1300 Franklin St., third floor, Vancouver.

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