



proud past, promising future

CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

STAFF REPORT

TO: Board of County Commissioners
 FROM: Oliver Orjiako, Director
 DATE: June 18, 2014
 SUBJECT: Suspension of CCC40.560.010 Annual Plan Amendment Cycle

BACKGROUND: The proposed adoption of the Comprehensive Plan 2016 periodic update in the Spring/Summer of 2016 precludes the ability to open the plan up for changes during the annual plan amendment process except for out-of-cycle amendments, if an emergency exists, to resolve an obvious mapping error, an appeal of a comprehensive plan filed with the growth management hearings board or with the court.

In RCW 36.70A.130(2)(a) states that each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. The annual plan amendment cycle as prescribed in CCC40.560.010 would have the 2015 cycle concluding on January 2016 thus competing with the June 2016 proposed Comprehensive plan cycle. In addition, the 2016 annual amendment cycle would occur less than 6-months from the adoption of the plan.

		2015-2035 Comprehensive Plan Adoption			06/30/16
Last Cycle		2013	2014	2015	
	Pre-Application	Oct-Dec			
	Annual Review		Jan - Dec		
	Adoption			01/01/15	
Suspend		2014	2015	2016	
	Pre-Application	Oct-Dec			
	Annual Review		Jan - Dec		
	Adoption			01/01/16	
Suspend		2015	2016	2017	
	Pre-Application	Oct-Dec			
	Annual Review		Jan - Dec		
	Adoption			01/01/17	
Next Cycle		2016	2017	2018	
	Pre-Application	Oct-Dec			
	Annual Review		Jan - Dec		
	Adoption			01/01/18	

RECOMMENDATION AND CONCLUSIONS: Based upon the information and the findings presented in this report, staff is requesting the Board suspend the 2015 and 2016 annual plan amendment cycle as outlined in CCC40.560.010.

RESOLUTION NO. 2014-_____

A RESOLUTION relating to the suspension of 2015 and 2016 site-specific annual plan amendment cycle until the completion of the county’s comprehensive land use plan 2016 periodic update pursuant to RCW 36.70A.140.

WHEREAS, Clark County adopted a 20-Year Comprehensive Growth Management Plan through ordinances 1994-12-47 and 1994-12-53 on December 20, 1994 to meet the goals and requirements of RCW 36.70A (also known as the Growth Management Act “GMA”); and

WHEREAS, Clark County adopted an updated 20-Year Comprehensive Growth Management Plan through ordinance 2004-09-02 and 2007-09-13 to meet the goals and requirements of RCW 36.70A; and

WHEREAS, the county is required under RCW 36.70A.130 to take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations by June 30, 2016 to ensure the plan and regulations comply with the requirements of this chapter; and

WHEREAS, RCW 36.70A.130(3)(a) states that each county that designates urban growth areas under RCW 36.70A.110 shall review its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area; and

WHEREAS, the review process required under RCW 36.70A.130(3) began on July 17, 2013, with a duly advertised public meeting; and

WHEREAS, the Board adopted Resolution 2014-01-10 Public Participation Plan and Preliminary Scoping schedule at a duly advertised public hearing on January 21, 2014 that will be used for the county’s Comprehensive Plan 2016 periodic update pursuant to RCW 36.70A.140 ; and

WHEREAS, RCW 36.70A.130(1)(d) states that any amendment of or revision to a comprehensive land use plan shall conform to this chapter. Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan; and

WHEREAS, RCW 36.70A.130 (2)(a) states that each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and [36.70A.140](#) that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year; and

WHEREAS, RCW 36.70A.130(2)(b) states that except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the court; and

1 WHEREAS, the Board considered the **Suspension of Annual Reviews** at a worksession on June 18,
 2 2014; and

3
 4 WHEREAS, the Board considered the **Suspension of Annual Reviews** at a duly advertised public
 5 hearing on June 24, 2014; and

6
 7 WHEREAS, the Board took public testimony from interested parties, considered all the written and
 8 oral arguments and testimony, and considered all the comments presented to the Board; and

9
 10 WHEREAS, the Board finds and concludes that suspending the 2015 and 2016 annual
 11 comprehensive plan amendments and accompanying rezone requests will further the public health, safety
 12 and welfare; now therefore,

13
 14 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF
 15 WASHINGTON, as follows:

16
 17 Section 1. Suspend. Clark County Unified Development Code 40.560.010 for the 2015 and 2016 annual
 18 comprehensive plan amendments and accompanying rezone request is suspended and shall not be
 19 separately considered during the review of the county’s comprehensive plan as shown in Table 1. This
 20 action does not preclude out-of-cycle amendments, if an emergency exists, to resolve an obvious mapping
 21 error, an appeal of a comprehensive plan filed with the growth management hearings board or with the
 22 court.
 23
 24

Table 1

2015-2035 Comprehensive Plan Adoption			06/30/16
Last Cycle	2013	2014	2015
	Pre-Application	Oct-Dec	
	Annual Review	Jan - Dec	
	Adoption		01/01/15
Suspend	2014	2015	2016
	Pre-Application	Oct-Dec	
	Annual Review	Jan - Dec	
	Adoption		01/01/16
Suspend	2015	2016	2017
	Pre-Application	Oct-Dec	
	Annual Review	Jan - Dec	
	Adoption		01/01/17
Next Cycle	2016	2017	2018
	Pre-Application	Oct-Dec	
	Annual Review	Jan - Dec	
	Adoption		01/01/18

25
 26 Section 2. Effective. Upon completion of the comprehensive plan 2016 periodic update process, the annual
 27 review process will commence with the 2017 annual comprehensive plan amendments and accompanying
 28 rezone requests as outlined in Clark County Unified Development Code 40.560.010.

1 Section 3. Instructions to Clerk.

2
3 The Clerk to the Board shall:

- 4
- 5 1. Transmit a copy of this resolution to the Washington State Department of Commerce within ten
- 6 days of its adoption pursuant to RCW 36.70A.106.
- 7
- 8 2. Transmit a copy of the adopted resolution to Community Planning Department Director.
- 9
- 10 3. Transmit a copy of the adopted resolution to the Cities of Battle Ground, Camas, La Center,
- 11 Ridgefield, Washougal, Woodland, Vancouver and Town of Yacolt.
- 12
- 13 4. Record a copy of this resolution with the Clark County Auditor.
- 14
- 15 5. Cause notice of adoption of this resolution to be published forthwith pursuant to RCW
- 16 36.70A.290.
- 17
- 18

19 ADOPTED this ____ day of June 2014.

20
21 BOARD OF COUNTY COMMISSIONERS
22 FOR CLARK COUNTY, WASHINGTON

23 Attest:

24
25
26
27 _____
28 Clerk to the Board

By: _____
Tom Mielke, Chair

29
30
31
32 Approved as to Form Only:
33 Anthony F. Golik
34 Prosecuting Attorney

By: _____
David Madore, Commissioner

35
36
37 By: _____
38 Christine Cook
39 Deputy Prosecuting Attorney

By: _____
Ed Barnes, Commissioner