

RESOLUTION NO. 2017-10-07

A RESOLUTION relating to the adoption of a Public Participation Plan for implementation of ESB 5517 allowing for freight rail dependent uses along the county railroad consistent with the Growth Management Act, Chapter 36.70A RCW.

WHEREAS, Clark County adopted an updated 20-Year Comprehensive Growth Management Plan through ordinances 2016-06-12 and 2017-07-04 to meet the goals and requirements of Chapter 36.70A RCW; and

WHEREAS, the 2017 Washington legislature enacted ESB 5517 that allows Clark County to adopt freight rail dependent uses on parcels adjacent to the county railroad; and

WHEREAS, Clark County is undertaking a process to implement the provisions of ESB 5517; and

WHEREAS, Chapter 36.70A.140 RCW requires counties to conduct outreach to "establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans."; and

WHEREAS, Clark County is required to clearly identify the procedures for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments; and

WHEREAS, the Board of County Councilors after effective notice considered the Public Participation Plan (Exhibit 1) at a duly advertised public meeting on October 19, 2017; and

WHEREAS, the Board concluded at duly advertised public hearing and finds that adoption will further the public health, safety and welfare; now therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COUNCILORS OF CLARK COUNTY,
STATE OF WASHINGTON:

Section 1. Adoption of a Public Participation Plan. The Public Participation Plan shown in Exhibit 1 is adopted to be used for the county's implementation process for ESB 5517.

Section 2. Charge to the Railroad Advisory Board. The Railroad Advisory Board is charged with assisting the county as shown in Exhibit 2.

Section 3. Instructions to Clerk.

The Clerk to the Board shall:

1. Transmit a copy of this resolution to the Washington State Department of Commerce within ten days of its adoption pursuant to RCW 36.70A.106.
2. Transmit a copy of the adopted resolution to Community Planning Department Director.
3. Transmit a copy of the adopted resolution to the Cities of Battle Ground and Vancouver.
4. Record a copy of this resolution with the Clark County Auditor.
5. Cause notice of adoption of this resolution to be published forthwith pursuant to RCW 36.70A.290.

ADOPTED this 19th day of October, 2017.

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY, WASHINGTON

Attest:

Rebecca Jiton
Clerk to the Board

By: [Signature]
Marc Boldt, Chair

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

By: _____
Jeanne Stewart, Councilor

By: _____
Julie Olson, Councilor

By: [Signature]
Chris Horne
Chief Deputy Prosecuting Attorney

By: _____
John Blom, Councilor

By: _____
Eileen Quiring, Councilor



Exhibit 1

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

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

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

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

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

EXHIBIT 2

Railroad Advisory Board Sub Committee

Purpose

The County Council wants to implement new provisions of the state Growth Management Act (GMA) that allow development along the county-owned Chelatchie Prairie Railroad.

During the 2017 legislative session, lawmakers amended the act to permit freight rail-dependent uses on parcels adjacent to the railroad. If adopted by the Board of County Councilors, such uses would be allowed in rural, agriculture and forest-zoned lands.

The Council has charged the Railroad Advisory Sub Committee (RASC) to consider and recommend 1) draft comprehensive plan policy language amending the Comprehensive Plan's Land Use, Rural and Resource, and Transportation Element with Policies to allow freight rail-dependent uses; and 2) a Phase 1 map overlay identifying areas where such uses would be allowed; and 3) subsequent to 1 and 2 above, begin work on development regulations related to freight rail dependent uses to be adopted in 2018.

Members of the Railroad Advisory Sub Committee

Daniel Weaver	Chair, Railroad Advisory Board
John Shaffer	Vice-Chair, Railroad Advisory Board
Eric Fuller	Commercial and Industrial Real Estate
Jeff Swanson	City Manager Battle Ground
Elizabeth Scott	CREDC
Kent Cash	Port of Vancouver
Eric Temple	Portland Vancouver Junction Railroad
Dick Clairmont	Railroad Advisory Board
Lloyd Lycan	Railroad Advisory Board