

CLARK COUNTY STAFF REPORT

DEPARTMENT: Community Development

DATE: March 20, 2020

REQUESTED ACTION: Approval of a permanent ordinance to correct a scrivener's error in Ordinance 2020-03-01, adopted March 10, 2020. This permanent ordinance will replace interim ordinance 2020-03-11.

_____ Consent X Hearing _____ County Manager

BACKGROUND

Periodically staff proposes minor amendments to the Clark County Code (CCC) to correct errors, update references, clarify standards, and to make some minor policy changes. These code changes are commonly known as “biannual code amendments”.

The ordinance adopting the most recent biannual amendments included a scrivener's error. Significant changes were made to CCC 40.260.115 in July, 2019, lifting the moratorium on marijuana facilities. The scrivener’s error made in the biannual code amendment included the use of the code adopted prior to July 2019 (Ord. 2017-07-04) as the basis for the code change rather than the most current code (Ord. 2019-07-01) that went into effect on January 1, 2020. To clearly show these modifications, staff used the format described in the table below.

Key to modifications:

Strikeout	Version of CCC 40.260.115 adopted in Ordinance 2017-07-04
Underline	Version of CCC 40.260.115 adopted in Ordinance 2019-07-01
Strikeout and red highlight	Deletions from Ordinance 2019-07-01
<u>Double Underline and green highlight</u>	Additions to Ordinance 2019-07-01

Council adopted interim ordinance 2020-03-11 on March 18, 2020 to remedy the scrivener’s error. This permanent ordinance replaces the interim measure.

COUNCIL POLICY IMPLICATIONS

The ordinance confirms and clarifies that the recent biannual code changes were limited to the sign provisions in CCC 40.260.115(E)(5)(a) and were not intended to impact any other provisions of CCC 40.260.115.

ADMINISTRATIVE POLICY IMPLICATIONS

N/A

COMMUNITY OUTREACH

The biannual code changes went through the public process outlined below. No community outreach has been completed for the interim or permanent ordinances to fix the scrivener’s error.

Biannual Code Changes

The required sixty day notification of intent to adopt development regulation items 1 through 16 were received by the State Department of Commerce on December 19, 2019 (Fee updates are not development regulations and are not required to be sent to Commerce).

A SEPA determination of non-significance was published in the “Columbian” newspaper on December 23, 2019. No SEPA comments were received on any of the items. The text of the proposed changes was presented to, and reviewed by the Development and Engineering Advisory Board (DEAB). The DEAB supports the amendments. See Tab 3.

Legal notice of the Planning Commission public hearing was published in the “Columbian” newspaper on January 31, 2020. The Planning Commission a held work session on these items on January 2, 2020; the Planning Commission hearing was held on January 16, 2020.

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	
Company Name	

DISTRIBUTION:

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

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APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____

APPROVED: _____
Kathleen Otto, Acting County Manager

DATE: _____