

14 Procedural Guidelines

Introduction

Adoption of the 20-Year Plan does not complete the land use planning process. This chapter differs in format from other chapters because it establishes procedures and criteria which shall be followed for the ongoing implementation and updating of the 20-Year Plan as established in Washington Administrative Code 365-195.

Plan Interpretation

The 20-Year Plan provides a guide and regulatory framework for development in Clark County that reflects the community vision of a desirable community. Plan policies are identified by number at the end of each chapter. Because of the general nature of the 20-Year Plan policies, conflict between and among these policies is possible. The following general rules of construction are intended to be used in interpreting the 20-Year Plan:

- Policies are intended to be read as mutually supportive, and all are intended to be read together so that each has meaning.
- When conflicts arise between policies, the policy which is more specific shall prevail.
- The 20-Year Plan Map, or future proposals to amend the 20-Year Plan Map, should reflect and be based upon the 20-Year Plan policies in the text.
- When conflicts arise between the 20-Year Plan policies and the 20-Year Plan Map, the Map shall prevail.
- The 20-Year Plan is consistent with the statewide goals and carries out in more detail the Community Framework Plan. The 20-Year Plan also contains strategies which, in contrast to policies, are not intended to be directive but are suggested as a means to carry out the Plan. Other strategies to carry out the plan may also be available, and in some cases preferred.

Amendments to 20-Year Plan

Amendments to the 20-Year Plan fall into several major categories or types and different review application and review criteria are applied. The kinds of amendments identified in this chapter are: urban growth boundary changes, (both major and minor), 20-Year Plan policy or text change, 20-Year Plan Map change, changes to supporting material (such as capital facilities) emergency amendments, regional facilities, and technical errors or omissions. Each of these types of amendments are described, criteria are identified as appropriate, the persons or parties responsible or authorized to initiate amendments are identified and procedural steps are identified as appropriate. This chapter also contains policies for removal of the Urban Holding overlay zone through Type IV county initiated rezone proceedings.

Urban Growth Boundary Changes

A comprehensive plan map changes including urban growth area (UGA) boundary changes considered by the county may schedule major area-wide or general review relating to boundary movement, rural land uses on a rotational basis.⁵⁷ Amendments to the plan shall not be considered more frequently than once every year, except in cases of emergency. All proposed amendments in any year shall be considered concurrently so that the cumulative effect of the various proposals can be ascertained.

The county shall review consistent with RCW 36.70A.130, its designated urban growth areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. The county shall use the following criteria to determine where and how much land should be added to the urban area:

- The amendment shall be consistent with the following adopted plans: Community Framework Plan, county 20-Year Plan, local comprehensive plans, applicable capital facilities plans and official population growth forecasts.
- The amendment shall consider urban reserve areas first.
- The amendment demonstrates that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner. Such services include water, sewage, storm drainage, transportation, fire protection and schools.
- The amendment would be compatible with contiguous development within the urban growth area and proposed development shall occur at urban intensity.
- The amendment is reviewed by the Planning Commission and Board of Commissioners as described in the review and notification section below.
- Unless otherwise required by the county, boundary line amendments shall be made with parallel changes to the Comprehensive Plan Map and Zoning map for the affected properties.

Frequency of UGA Review and Expansions

RCW 36.70A.130 requires review of urban growth areas at least every ~~eighteen years~~ eight years to accommodate the urban growth projected to occur for the succeeding twenty-year period and review of the comprehensive plans every ~~eighteen years~~ eight years to ensure continued GMA compliance.

This plan does not contemplate a rolling 20-year supply of urban land. UGA boundary reviews and expansions based on a new planning horizon shall occur no more frequently than every five years. With the following exceptions, UGA boundary reviews and expansions not based on a new planning horizon shall occur no more frequently than every three years:

1. Expansions of 100 acres or less, limited to employment;
 2. Expansions necessary to implement and agricultural TDR program;
 3. Expansions necessary to complete road frontage or utility improvements on arterial roadways which straddle existing UGA boundary lines;
 - ~~4. Expansions of the Yacolt UGA based upon an adopted town capital facilities plan for providing public sewer;~~
 - ~~5. Expansion of the La Center UGA to replace any land approved as Cowlitz tribal trust or reservation.~~
- ~~6.4.~~ A UGA boundary following a public road shall be construed to encompass the entire right-of-way.

Plan Policy or Text Change

The Comprehensive Plan Policies and Text shall be considered for update by the county a minimum of once every ~~eighteen~~ eight years. The Comprehensive Plan Policies and Text may be considered through the annual review process, once a year. The Comprehensive plan update shall be initiated by the county. Annual review requests will be initiated by interested person(s). Policy and text amendments may be approved only when it is shown by the proponent (county is the proponent for comprehensive plan update; county, city or interested person(s) as proponent for annual review applications) that the amendment shall be consistent with the state Growth Management Act and

the following adopted plans: Community Framework Plan, 20-year Plan, each city’s comprehensive plan as applicable, applicable capital facilities plans and official population growth forecasts. All Comprehensive Policy and Text changes shall be reviewed by the Planning Commission and the Board of Commissioners as described in the review and notification section below.

20-Year Plan Map Amendment

Map amendments will be considered by application through the annual review process, once a year. The Comprehensive Plan update shall be initiated by the county. Annual review requests shall be initiated by property owner or interested person(s). Map amendments may be approved only when it is shown by the proponent (county is the proponent for the Comprehensive Plan update; city is proponent for city initiated amendments; property owner or interested person(s) is proponent for annual plan map change applications) that the supply of available land in the requested plan designation may be insufficient to accommodate anticipated growth. Criteria used to determine where, when and how much land in a specific land use category should be added are:

1. The amendment shall be consistent with the state Growth Management Act and the following adopted plans: Community Framework Plan, 20-Year Plan, each city comprehensive plan as applicable, applicable capital facilities plans and official population growth forecasts.
2. The amendment shall meet the location criteria for the requested designation.
3. The proponent demonstrates that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner. Such services include water, sewage, storm drainage, transportation, fire protection and schools.
4. The requested change will not impact the character of the area to the extent that further plan map amendments will be warranted in future annual reviews unless the scope of the amendment is expanded. The county may expand the scope of any annual review.
5. Unless otherwise required by the county, applications for map amendments shall be accompanied by parallel rezone applications.
6. Reviewed by the Planning Commission and Clark County Board of Commissioners as described in the review and notification.

Other Planning Documents

Capital Facilities Plans

Capital Facilities Plan Updates are reviewed annually in public hearings by the Clark County Planning Commission and Clark County Board of ~~Councilors~~Commissioners for those facilities subject to county jurisdiction.

Arterial Atlas

The Arterial Atlas is a supporting document to the comprehensive plan, which defines the future roadway system in terms of role, function and cross-section. Amendments to the Arterial Atlas are considered as part of the annual review process. Arterial Atlas amendments are considered as plan map amendments and judged using the following criteria:

1. Is there a need for a change and state the reason;
2. Is the proposed change compliant with the Growth Management Act (e.g. level of service standards);
3. Is the change consistent with the adopted comprehensive plan;
 - ~~Is it consistent with the land use plan;~~
 - ~~Is it consistent with the rest of the Arterial Atlas;~~
Fit with system: Does it connect to the right facilities;
Do predicted volumes match the classification;

~~Benefit: Does it improve link volume to capacity;
Does it address arterial access conflicts;~~

4. Is the change consistent with applicable interlocal agreements; and
5. Is the change consistent with the adopted Metropolitan Transportation Plan

County Road Improvement Plans

County Road Improvement Plans updates are reviewed annually in public hearings by the Clark County Planning Commission and Clark County Board of ~~Councilors~~Commissioners.

Parks, Recreation and Open Space Plan

Park, Recreation, and Open Space Plan updates are reviewed annually by the Clark County Parks Advisory Board, ~~Planning Commission~~ and the Clark County Board of ~~Councilors~~County Commissioners, except amendments to the park impact fee ordinance, which are reviewed in public hearings by the Planning Commission and Board of County ~~Councilors~~Commissioners.

Emergency Amendments

The 1990 Growth Management Act (GMA) precludes considering amendments to the 20-Year Plan more than once a year. However, emergency amendments may be considered at any time if the following situations arise:

- ◆1. To provide a regional facility/service that is needed to protect the public health, safety or welfare including waste disposal transfer sites, sewer treatment plants, port or airport facilities or significant state or local government facilities that cannot be reviewed through another process.
- ◆2. In the development of a countywide plan and implementing zoning map it is possible that technical errors in mapping or obvious errors in applying plan map or zoning map designations may occur. These mistakes can be corrected by making an application at any time during the first year following adoption of the 20-Year Plan Map or zoning map. The applicant needs to demonstrate that an obvious error occurred. The application can be initiated by the county, property owner or interested person(s). After the first year these applications shall be:
 - Considered once a year.
 - Limited to correcting an error.

Special Implementation Procedures

The comprehensive plan map contemplates one land use method to assure the adequacy of public facilities needed to support urban development within urban growth areas. That method is to apply an Urban Holding District combined with urban zoning.

Urban Holding

When development polices require a legislative action prior to urban development occurring, the county applies the Urban Holding Plan Map and Zoning Overlay with a specific underlying urban zone. In these cases, identified criteria are established that must be met in order to remove the urban holding zoning and authorize the underlying urban zone. Under certain circumstances a Master Plan or Sub-Area Plan which includes how and when an area develops and with what uses, may be required. In most cases, city plan policies may require annexation prior to development.

Battle Ground, Camas, La Center, Ridgefield, Washougal, Yacolt, and Woodland Urban Growth Areas

~~Urban Holding areas are designated Urban Residential and Mixed Use (City Mixed Use Residential) on the Comprehensive Plan Map and are zoned Urban Holding 10, Urban Holding 20. Those designated Industrial, Commercial, Office Campus, Mixed Use (City Mixed Use Employment) or Business Park are zoned Urban Holding 20, Urban Holding 40.~~

These areas may only undergo urban development following annexation, or consistent with an Intergovernmental Agreement which responds to a significant opportunity for a major employer if immediate annexation is not geographically feasible.

Vancouver Urban Growth Area

The Vancouver Urban Growth Area is divided into ~~the following~~ larger sub-areas: ~~East Vancouver, Orchards, and the Three Creeks Special Planning Area.~~ Each of these areas has unique circumstances as described below that shall be met in order to remove the Urban Holding Overlay and authorize an urban zone which is consistent with the Comprehensive Plan. The county will remove the UH overlay to appropriate areas sufficient in size that the county can collect transportation related data, analyze the cumulative transportation impacts, and address mitigation to these impacts. ~~The areas designated Urban Residential on the Comprehensive Plan Map are zoned Urban Holding 10, Urban Holding 20 in the expanded area and those designated Industrial, Commercial, Office Campus or Business Park are zoned Urban Holding 20, Urban Holding 40 in expanded urban area.~~

- ~~1) **East Vancouver Area:** The East Vancouver area includes two areas bordered by the municipal boundary in the far eastern portion and far northeastern portion of the city.
 - ~~a) **Fisher Swale Area:** The area between the Cities of Camas and Vancouver including but not limited to the Fisher Creek Area east of NE 162nd Avenue, between SR 500/Fourth Plain Road and Lacamas Creek Basin. Property in this area may only undergo urban development following annexation or if the petitioned city fails to process and approve within 180 days a 75% annexation petition for the property or if the petitioned city indicates in writing its intention not to support annexation of the property.
 - ~~i) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.~~~~
 - ~~b) **Fifth Plain Creek:** This area is bordered by NE 192nd on the east, NE 99th to the north, NE 162nd on the west, and SR 500 to the south. Property in this area may only undergo urban development following annexation or if the petitioned city fails to process and approve within 180 days a 75% annexation petition for the property or if the petitioned city indicates in writing its intention not to support annexation of the property.
 - ~~i) Adoption of a master plan that includes a neighborhood park;~~
 - ~~ii) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.~~~~~~
- 2) **Orchards:** The Orchards area is bordered by the City of Vancouver municipal boundary by SR-500 on the south, NE 192nd Avenue to the east, NE 149th Street to the north; and NE St. James/NE 72nd Avenue to the west. The Orchards area is divided into unique urban holding subareas as shown on the Comprehensive Plan Map. The urban holding overlay designation may be removed pursuant to Clark County Code 40.560.010 (J) ~~upon satisfaction of the following subarea specific criteria and with the execution of a generic covenant indicating that the owner or any subsequent owner of property shall support annexation to a city that provides urban services, is executed prior to preliminary development approval.~~

a) NE 119th Street: This area is bordered by NE 119th Street to the north, NE 157th on the east, NE 99th Street on the south, and NE 72nd Avenue on the west. This area includes the northwest corner of the intersection of NE 119th and SR 503 and the area north of NE 119th Street, east and west side of NE 72nd Avenue, south of NE 134th Street.

i) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

b) Clark County Rail and Corporate Center: ——— This area is bordered by NE 119th Street to the south, NE 132nd Avenue to the east, NE 149th Street to the north, and NE 92nd Avenue to the west. Excludes the area designated as commercial abutting SR 503.

i) Adoption of a subarea plan that includes designation of a rail industrial corridor;

ii) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

3) Three Creeks Special Planning Area

This unincorporated area is bordered by Minnehaha Street to the south, NE 72nd Avenue on the east, Green Lake to the west, and NE 209th Street to the north. The Three Creeks area is subdivided into unique urban holding subareas as shown on the Comprehensive Plan Map. Each of these areas has unique circumstances as described below that shall be met in order to remove Urban Holding Overlay and authorize an urban zone which is consistent with the Comprehensive Plan. The areas designated Urban Residential on the Comprehensive Plan Map are zoned Urban Holding 10, Urban Holding 20 in the expanded urban area and those designated Industrial, Commercial, Office Campus or Business Park are zoned Urban Holding 20, Urban Holding 40 in expanded urban area. The urban holding overlay designation may be removed pursuant to Clark County Code 40.560.010 (J) upon satisfaction of the following subarea specific criteria and with the execution of the generic covenant indicating that the owner or any subsequent owner of property shall support annexation to a city, including but not limited to Battle Ground, Ridgefield, Vancouver or a newly incorporated city, that provides urban services, is executed prior to preliminary development approval:

a) Mill Creek: The area is bordered by NE 179th Street to the north, NE 50 Avenue to the east, NE 163rd Street to the south, and NE 34th Avenue to the west.

i) Following adoption of a sub area plan, to be completed no later than one (1) year from the date of the adoption of this plan;

ii) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

Other: Includes West Fairgrounds, East Fairgrounds and Pleasant Valley.

i) Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

Zone To Zone Consistency

To address the Zone to Zone Consistency between the zoning categories within certain urban growth areas and the county's zoning categories the following table was developed. Those urban growth areas not identified in this table have developed zoning categories consistent with those found in the county zoning code.

Table 14.1 City Zone to County Zone Consistency Chart

ZONE	R1-5/6	R1-7.5	R1-10	R1-20	R-12	R-18	R-22	R-22	R-30	R-43
BATTLE GROUND										
R1-15				X						
R-1-10			X							
R-1-7.5		X								
R-1-6	X									
R-22							X			
R-16						X				
R-10					X					
CAMAS										
R1-12.5			X							
R1-10			X							
WASHOUGAL										
R1-15			X							
R1-10			X							
R1-7.5		X								
R1-5	X									
R-16						X				
R-22						X				
RIDGEFIELD										
R1-7.5		X								
R1-8.5		X								
R-16					X					

Shaded areas indicate allowed zones in each designation

Governmental Coordination

Clark County, with each city and town, will provide for annual review processes. These update periods shall be established to occur within each jurisdiction not to exceed once a year.

- ~~after November 30, distribute copies of pre-application forms submitted by applicant to affected city and agencies;~~
- ~~between October 15 and January 1, complete pre-application meetings with county staff, applicants and affected city and agencies in attendance;~~
- ~~between January 1 and February 15, distribute fully completed applications with any additional information to affected jurisdictions to facilitate their review process;~~
- ~~in coordinating with the county, the cities shall submit written recommendations or additional information to the county;~~
- ~~the county shall circulate initial review including SEPA determination and other pertinent information to the affected city and agencies; and~~
- ~~the county will schedule public hearings before Clark County Planning Commission followed by public hearings before the Board of County Commissioners.~~

These annual reviews shall meet the following criteria:

1. Each urban area annual review shall assess the cumulative impacts of all potential or requested changes to the 20-Year Plan Map and policies throughout the urban area and, further, on the countywide plan.
2. Proposals that would result in urban development outside of an adopted urban boundary shall not be permitted.
3. Cities, special districts and Clark County shall cooperate to preserve and protect natural resources, agricultural lands, open space and recreational lands within and near the urban areas.

In addition to plan amendments or updates initiated by the county or applicable city, individual annual review applications may be submitted once a year to the applicable jurisdiction based on a schedule adopted by that jurisdiction. To the extent possible, the same schedule should be adopted by the county and each city/town for each urban area to facilitate mutual review and assessment of the criteria in Governmental Coordination, ~~Section A,~~ above. Where no agreement exists between the applicable city and the county or the amendment request is in the rural area, annual review applications and plan update requests shall be submitted in December of each year and processed by the county during the following year.

Plan Amendment, Public Notification and Public Hearing Processes

All private applicants (except for those alleging an error in drafting or judgment) requesting amendment to the 20-Year Plan text, policies or map must file for a pre-application conference prior to or in conjunction with submittal of a formal application as described in CCC40.560.

~~Prior to, or in conjunction with, initiating a formal review of the application, the applicant shall participate in a pre-application meeting with staff and shall receive a written staff review of the submitted information. If the applicant requests, or is required to seek a simultaneous rezone, such application and fee shall be submitted. The applicant shall have two weeks from the receipt of the staff report to submit additional applications or written information to the county.~~

~~All plan map amendment public hearings shall have public notice issued at least fifteen calendar days before the date of a hearing. The notice shall be published a newspaper of general circulation which includes a summary of the request and its location, the date, time and place of the hearing. The notice shall also be mailed to the applicant and owners of the property within a radius of 300 feet of the subject property as shown on the records of the County Assessor. The notice shall also be posted by county staff in three conspicuous places on or in the vicinity of the site and removed by the applicant within fifteen calendar days after the public hearing date. The applicable neighborhood association(s) where the property is located shall also receive notice.~~

~~The Clark County Planning Commission shall conduct the public hearing and make a written recommendation to the Board of Commissioners. The Board will automatically schedule a public hearing for all cases recommended for approval by the Planning Commission.~~

~~All appeals of a Planning Commission recommendation for denial shall be administratively considered by the Board of Commissioners at one time by each urban area or the rural area. The Board will schedule public hearings only on those cases where the Board finds that the Planning Commission recommendation may have been made in error or the Board concludes that the Planning Commission decision raises a significant and unresolved land use policy issue that warrants immediate consideration.~~

Dispute Resolution

Traditional approaches to conflict are not set up to help parties resolve their differences; rather they are designed to decide an issue. The dispute mediation process allows for consensus building and can be used in disputes at the neighbor level, disputes between jurisdictions or disputes at the policy setting level.

The Washington State Dispute Resolution Act, (RCW 7.75) allows the county to place a surcharge on Civil and Small Claims filing fees for funding a dispute resolution center. Assisted mediation services may be available through a county operated Dispute Resolution Center or through the selection of a private facilitation/mediation service provider.

It is therefore the policy of Clark County to encourage the use of alternative dispute resolution techniques, recognizing the cost, complexity and adversarial nature of resolving neighborhood and community disputes through the traditional hearing process.

Cooperative Agreements and Interjurisdictional Guidelines

A significant degree of cooperation and coordination between the county, cities and other service providers is required to manage land use in the urban and rural areas. Policies covering interagency cooperation, land use planning and development review, urban service provisions and boundary amendments are needed to set the countywide framework for interjurisdictional agreements.

Establish interagency planning teams to develop ongoing coordinating program within the rural area and each urban area to include the county, all cities and towns, all special districts (including school districts, Clark Public Utilities, Clark County Public Health, Clark Regional Wastewater District, port districts and fire districts). These teams shall develop:

- 1. Specific procedures for affected agencies, jurisdictions and special districts to participate, review and comment on the proposed plans and implementation measures of the others to assure consistency with the 20-Year Plan.
- 2. Specific coordination procedures for affected agencies, jurisdictions and special districts to periodically review, at a minimum of every ~~eighteen~~ years, the capital improvement plans, to enhance, improve and focus concurrency management plans and to assure consistency with all other elements of the 20-Year Plan. Such procedures shall include an inventory of the location and capacities of the public facilities to include, at a minimum, public roads, public water and sewer systems, storm water facilities, schools, parks and recreational facilities and police and fire protection services. Where inconsistencies are identified between the Capital Facilities and Utilities element, including financing assumptions and actual financing, and the other plan elements, the procedures shall ensure that appropriate plan amendments are made to eliminate those inconsistencies.
- 3. Specific procedures to improve joint efforts or the combining of operations (e.g., roads, sheriff/police departments, fire departments) to achieve greater efficiency and effectiveness in service provision.

Land Use Planning Implementation Measures and Annexation

- 1. City/town and county adopted implementation measures shall be, to the extent possible, consistent within all urban areas.
- 2. Cities/towns shall not annex territory beyond the adopted urban growth boundaries. Clark County shall not permit urban growth to occur outside of adopted urban boundaries.