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**COMMUNITY PLANNING**

**STAFF REPORT**

TO: Clark County Planning Commission

FROM: Oliver Orjiako, Director

PREPARED BY: Jose Alvarez

DATE: March 26, 2014

SUBJECT: CPZ2014-00007 Washougal UGA Removal



**Proposed Action:** Amend the comprehensive plan and zoning maps to re-designate certain properties now in the Washougal Urban Growth Area as Agricultural (Ag-20), and to remove these properties from the urban growth area.

**Recommendation:** Staff recommends approval of the proposal.

**Background:** For purposes of Clark County's 2007 comprehensive plan update, the properties subject to this proposal were known as Agriculture Viability Study Area WB. Prior to the update, both parcels were designated and zoned for agriculture (AG-20). As part of the 2007 update, Clark County brought the area within the Washougal Urban Growth Area, and re-designated the land for urban uses. The properties are currently designated Industrial (I) within an Urban Holding Overlay District (UH-40) and zoned Business Park (BP).

John Karpinski, Clark County Natural Resources Council and Futurewise appealed the 2007 plan update to the Western Washington Growth Management Hearings Board (Growth Board). On June 3, 2008, the Growth Board held that certain of the re-designations, including the re-designation of Area WB from agricultural to urban, had failed to comply with the Growth Management Act. Clark County and various other parties appealed the Growth Board's ruling to Clark County Superior Court.

In May of 2009, Superior Court Judge Harris reversed the Growth Board's ruling with respect to Area WB. Karpinski, et al., appealed the Superior Court decision to the Washington State Court of Appeals. In April of 2011, the Court of Appeals remanded the Growth Board's decision on Area WB for further consideration of all WAC factors.

On March 11, 2014, the Growth Board issued its order on remand, ruling that Area WB had been improperly removed from agricultural designation, and ordering Clark County to bring the plan designation into full compliance with GMA.

The effects of staff's proposal, if approved, will be to return the subject properties to their comprehensive plan designations and zoning as those existed immediately before