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ORDINANCE NO. 1998-07-19

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AN ORDINANCE relating to land use and zoning, adopting amendments to the 20 year Comprehensive Growth Management Plan Map and zoning map for the Rural 5, 10 and 20 and adopting associated amendments and additions to the 20-Year Comprehensive Growth Management Plan Document and Clark County Code Chapter 18; repealing policies and provisions relating to agri-forest; providing severability; providing an effective date; and requiring notice.

WHEREAS, the Superior Court of Washington for Clark County in the April 4, 1997 Findings of Fact, Conclusions of Law and Order No.96-2-00080-2 found that the county's treatment of the Agri-forest zoning designation did not comply with certain aspects of the Growth Management Act (GMA) and remanded the issue back to the Western Washington Growth Management Hearings Board which remanded the issue to the county for appropriate action; and

WHEREAS, the Board of County Commissioners appointed a citizen task force to develop proposed amendments to the 20-year Comprehensive Growth Management Plan to answer the remand and gain compliance with the GMA; and

WHEREAS, the task force developed a public involvement program which provided for public participation in the process through newsletters, public open houses, task force meetings, direct mailings, press releases, newspaper advertisements, postings and the Planning Commission and Board of County Commissioners Hearings; and

WHEREAS, using the provisions of the GMA, including the revisions to RCW 36.70A.070 adopted by ESB 6094 and the county comprehensive plan the task force developed a recommendation to replace the existing agri-forest zoning designation; and

WHEREAS, after conducting 15 public meetings and three open houses and considering the public comments received, the task force recommended a preferred alternative for previously zoned agri-forest property that meets the requirements of the GMA and forwarded the recommendation to the Clark County Planning Commission for consideration; and

WHEREAS, the Planning Commission considered the proposed changes at a duly advertised public hearing on April 29th and continued deliberations on April 30th; and

WHEREAS, the Planning Commission recommended approval of a report submitted by a minority of the task force members after submittal of the task force recommendations, and

WHEREAS, The Board of County Commissioners has considered this action at a duly advertised public hearings on May 19th and 28th, 1998 and continued deliberations at public meetings on June 17th, 22nd, 23rd, 24th and July 2nd ; and

WHEREAS, the Board considered the recommendations of both the Planning Commission and a second minority report submitted after the Planning Commission recommendations; and concluded that the amendments as recommended by Task Force will comply with the requirements of the Growth Management Act; and are in the best public interest; and

ORDINANCE - I  
REQUIRES CODIFICATION

1           WHEREAS, the Board finds that additional work is necessary to complete the  
 2 recommendations of the Task Force,

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 4           BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY  
 5 COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

6  
 7           Section 1. Comprehensive plan and zoning maps. The 20-year Comprehensive Growth  
 8 Management Plan Maps and zoning maps for the Rural and Natural Resource Lands as adopted by  
 9 Ordinance 1994-12-47 and Ordinance 1994-12-53 are amended as indicated on the attached  
 10 exhibits 1A -, comprehensive plan map and 2A -zoning map:

11  
 12           Section 2. Comprehensive plan document. The 20 year Comprehensive Growth  
 13 Management Plan adopted by Ordinance 1994-12-47 is hereby amended as indicated:

- 14  
 15           • Delete policies 4.3.19 and 4.3.20  
 16           • 4.1.9       Those areas with a Comprehensive Plan rural designation of ~~Rural Estate~~ shall  
 17 have a residential density of either one dwelling unit per 5 acres, 10 or 20 acres. ~~Those areas~~  
 18 ~~within the Meadow Glade sewer service area may have a density of one dwelling unit per acre if~~  
 19 ~~dwelling are provided with public sanitary sewer service.~~  
 20           • Modify tables 2.4 and 2.5 as outlined below

21           **Table 2.4 Resource Lands Plan Designation to Zone Consistency Chart**

PLAN/ZONE	AGRICULTURE	AGRICULTURE / WILDLIFE	FOREST TIER I	FOREST TIER II	AGRI-FOREST	PUBLIC FACILITY	AIRPORT
AG 20							
AG/WL							
FOREST 30							
FOREST 40							
AGRI-FOREST 20							
AIRPORT (A)							

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**Table 2.5 Rural Lands Plan Designation to Zone Consistency Chart**

PLAN/ZONE	RURAL S. 18.20	RURAL CON.	RURAL IND.	URBAN RESERVE	INDUSTRIAL URBAN RESERVE	PUBLIC FACILITY
RURAL S. 10-20						
CR 1						
CR 2						
HEAVY INDUSTRY (HH)						
AIRPORT						
URBAN RESERVE - 10						
URBAN RESERVE - 20						

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Section 3 Repeal Chapter 18.303 in its entirety and adopt new CCC 18.303A as indicated on the attached Exhibit C. check citations in code if referenced anywhere

Section 4 Amendatory. Section 18.201 of Ordinance 1980-06-80 and CCC 18.200.010 is hereby amended to read

18.200.010 Classification of zoning districts.

For the purposes of this title, the county is divided into zoning districts designated as follows:

**Zoning District Map Symbol**

- Agricultural AG-20
- Agriculture/wildlife AG/WL
- Forest FR-40, FR-80
- Agri-forest AF-20
- Rural-estate RE
- Rural 5 R-5
- Rural 10 R-10
- Rural 20 R-20
- Single-family residential R1-5, R1-6, R1-7.5, R1-10, R1-20
- Residential R-12, R-18, R-22, R-30, R-43
- Office residential OR-15, OR-18, OR-22, OR-30, OR-43
- Rural center residential RC-1, RC-2.5
- Rural commercial CR
- Convenience commercial C1
- Neighborhood commercial C2

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1	Community commercial	C3
2	Limited commercial	CL
3	Highway commercial	CH
4	Freeway commercial	CF
5	Mixed use	MX
6	Business park	BP
7	Office park	OC
8	Light industrial	ML
9	Heavy industrial	MH
10	Airport	A
11	Urban reserve-10	UR-10
12	Urban reserve-20	UR-20
13	Urban holding-5	UH-5
14	Urban holding-10	UH-10
15	Urban holding-20	UH-20
16	University	U

17  
18 **Special Combining Districts**

19	Environmental	E
20	Floodplain	FP
21	Heritage area	H
22	Surface mining	S
23	Shoreline	SL
24	Transportation overlay	TOD
25	National scenic area	NSA
26	Contingent zoning	X
27	(Sec. 18.201 of Ord. 1980-06-80; amended during 12-92 supplement; amended by Sec. 2	
28	of Ord. 1995-08- 52)	
29		
30		

31 Section 5 Amendatory. Section 18.409.50 of Ordinance 1980-01-07; and Section 18.406.020 of  
32 Ordinance 1980-06-80; Section 18.411.120 of Section 8 of Ordinance 1996-05-01; and Section  
33 18.413.020 of Section 7 of Ordinance 1995-04-16 are hereby amended to read

34  
35 CCC 18.409.050 (Signs)

36  
37 E. Agricultural: AG-20; Forest: FR-40, FR-80; ~~Rural Estate: RE~~ Rural: R-5, R-10,  
38 R-20; ~~Agri-Forest: AF-20~~; Agriculture/Wildlife: AG/WL; Rural Center Residential.

39 1. Agricultural Signs. For the purpose of advertising handicraft and farm products  
40 produced on the premises, one (1) sign for each six hundred sixty (660) feet of road  
41 frontage is permitted on any one (1) property under the same ownership. Each such sign  
42 shall not exceed thirty-two (32) square feet in area. The maximum height shall be twenty  
43 (20) feet.

44 2. Home Occupations and Home Businesses. Signs identifying home occupations and home  
45 businesses shall be limited to two (2) square feet and shall be unlighted. The maximum  
46 height shall be eight (8) feet.

47 3. Commercial and Industrial. For commercial and industrial enterprises, signs are  
48 permitted if they relate to the products sold, and/or produced, or services rendered on the  
49 premises; and shall be subject to the provisions in subsection C of this section.

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1 4. Conditional Use Permit. Conditional uses such as churches, private recreational  
2 facilities, veterinary clinics, etc., shall be the same as subsection B of this section.  
3 5. Real Estate Signs. Same as subsection (A)(3) of this section. (Ord. 1991-12-109;  
4 amended by Sec. 10 of Ord. 1995-04-16)  
5

6 CCC 18.406.020 (Provisions applying to special uses)  
7

8 B. Animal Feed Yards, Animal Sales Yards, Kennels, Riding Academies, and  
9 Public Stables. In an R1, apartment, or commercial district, animal feed yards, poultry  
10 farms, animal sales yards, kennels, riding academies, and public stables shall be located  
11 not less than two hundred (200) feet from any property line. In the above zones and the ~~RE~~  
12 rural 5, 10 and 20, resource, UR and UH districts, the applicant shall provide automobile  
13 and truck ingress and egress; and shall also provide parking and loading spaces so  
14 designed as to minimize traffic hazards and congestion. In all the above zoning districts,  
15 the applicants shall show that odor, dust, noise and drainage shall not constitute a  
16 nuisance, hazard or health problem to adjoining property or uses.  
17

18 P. Ambulance Dispatch Facility. In any urban residential zoning district,  
19 rural 5, 10 and 20 estate, forest or agricultural zoning district, an ambulance dispatch  
20 facility may be permitted upon issuance of a conditional use permit; PROVIDED, that the  
21 site has a minimum lot size of ten thousand (10,000) square feet in the urban area and  
22 should be on a street designated as an arterial on the county's comprehensive plan.  
23

24 CCC 18.411.010 Exceptions to lot sizes.  
25

26 A. For areas designated industrial urban reserve, urban reserve, urban  
27 holding, rural estate 5, 10 and 20, ~~agri-forest~~, agricultural and forest, land dedicated or  
28 acquired hereinafter for public right-of-way shall not be excluded from the calculation of  
29 the lot sizes.  
30

31 CCC 18.411.120 Notice of agricultural, forest or mineral resource activities.  
32

33 All plats, building permits or development approvals under this title, or Title 17,  
34 issued for residential development activities on, or within the distance entitled to legal  
35 notice of public hearing for a Type III application for lands zoned agriculture-wildlife  
36 (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), ~~agri-forest (AF-20)~~, or surface  
37 mining (S), or in current use pursuant to RCW Chapter 84.34, shall contain or be  
38 accompanied by a notice provided by the planning director. Said notice shall include the  
39 following disclosure:  
40

41 The subject property is within or near designated agricultural land, forest  
42 land or mineral resource land (as applicable) on which a variety of commercial  
43 activities may occur that are not compatible with residential development for  
44 certain periods of limited duration. Potential discomforts or inconveniences may  
45 include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation  
46 of machinery (including aircraft) during any twenty-four (24) hour period, storage  
47 and disposal of manure, and the application by spraying or otherwise of chemical  
48 fertilizers, soil amendments, herbicides and pesticides.  
49

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1 In the case of plats, short plats or recorded binding site plans, such notice shall also be  
2 recorded separately with the Clark County auditor. (Sec. 1 of Ord. 1991-08-50; amended  
3 by Sec. 15 of Ord. 1994-12-53; amended by Sec. 29 of Ord. 1995-01-26; amended by Sec.  
4 8 of Ord. 1995-04-16; amended by Sec. 8 of Ord. 1996-05-01)

5  
6 CCC 18.413.020 Temporary dwellings—Conditions.

7 Temporary dwellings authorized herein shall be subject to the following minimum  
8 conditions:

9 A. The lot, tract or parcel shall be of such size and configuration, and the  
10 temporary dwelling shall be located in such a manner as to enable compliance with such  
11 zoning and subdivision regulations as would be applicable but for the authorization of this  
12 chapter; PROVIDED, that one (1) temporary dwelling may be approved for each  
13 authorized permanent dwelling, if the tract or parcel of which it is a part is one (1) acre or  
14 larger in size and is otherwise in compliance of this title, and, within the agriculture and  
15 forest districts (FR-80, FR-40, AG-20, ~~AF-20~~) the additional dwelling(s) private well and  
16 septic system shall be located where they will minimize adverse impacts on resource land,  
17 which location if practical shall be within two hundred (200) feet of the principal dwelling.  
18

19 Section 6 Amendatory. CCC 18.300.065 of Section 23 of Ordinance 1994-12-53; and CCC  
20 18.306.065 of Section 26 of Ordinance 1994-12-53; is hereby amended to read

21  
22 CCC 18.300.065 (Resource Districts)

23  
24 C. Lot Requirements. The yard setback, dimensional, use and height  
25 standards for these lots shall be as established for the rural estate 5 zone except that  
26 reductions in side and rear yard setbacks shall be granted where necessary to permit  
27 construction of a dwelling on the parcel. Providing, when the parcel is adjacent to, or  
28 surrounded by, property zoned for resource uses, the minimum setback from those  
29 property lines shall be fifty (50) feet for all structures. (Sec. 23 of Ord. 1994-12-53)

30  
31 CCC 18.306.065 (Urban holding districts)

32  
33 C. Lot Requirements. The yard setback, dimensional, use and height  
34 standards for these lots shall be as established for the rural estate 5 zone except that  
35 reductions in side and rear yard setbacks shall be granted where necessary to permit  
36 construction of a dwelling on the parcel: PROVIDING, when the parcel is adjacent to, or  
37 surrounded by, property zoned for resource uses, the minimum setback from those  
38 property lines shall be fifty (50) feet for all structures.  
39

40 Section 7 Amendatory. Section 9.24.010 as last amended in Section 2 of Ordinance 1991-11-09  
41 is hereby amended to read

42  
43 CCC 9.24.010 Nuisances enumerated.

44  
45 Each of the following conditions, unless otherwise expressly permitted by law, is  
46 declared to constitute a public nuisance:

47 (1) On property with a rural zoning classification under Title 18 of this code,  
48 i.e., agricultural- wildlife district (AG-WL), ~~forest (FR), rural farm (RF), rural estate~~  
49 ~~(RE), and rural residential (RR)~~ Resource (FR-80, FR-40, AG-20), Rural (R-5, R-10, R-

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1 20). Urban Reserve (UR-10, UR-20), Rural Center Residential (RC-1, RC-2.5), Rural  
2 Commercial (CR-1, CR-2):

3 (a) The outside accumulation within the front and side yard of two (2) or  
4 more cubic yards of waste, rubbish, and trash, including but not limited to bottles, cans,  
5 glass, wire, broken crockery, broken plaster, and other similar abandoned, discarded or  
6 unused material, which is visible from an adjacent property or roadway, unless kept in  
7 covered bins or receptacles; PROVIDED, that nothing herein shall prohibit the  
8 maintenance of a compost pile outside the front and side yard as long as the usage of the  
9 same is intended for the household's use.

10 (b) The outside storage within the front and side yard of abandoned,  
11 discarded, or unused objects or equipment, excluding farm equipment; including but not  
12 limited to household furniture, stoves, refrigerators and freezers which are visible from an  
13 adjacent property or roadway.

14 (c) The outside storage within the front and side yard for more than sixty (60)  
15 days of more than five (5) cubic yards of any used or unused building materials which are  
16 visible from an adjacent property or roadway; PROVIDED, that nothing herein shall:

17 (i) Prohibit such storage when done in conjunction with a construction project for  
18 which a building permit has been issued and which is being pursued diligently to  
19 completion;

20 (ii) Prohibit such storage upon the premises of a bona fide lumberyard, dealer in  
21 building materials, or other commercial enterprise when the same is permitted under the  
22 zoning ordinance and other applicable laws;

23 (iii) Make lawful any such storage when it is prohibited by other ordinances or  
24 laws.

25 (d) The presence for more than thirty (30) consecutive days within the front,  
26 side or rear yard of unattached motor vehicle parts or three (3) inoperable or dismantled  
27 motor vehicles or uninhabitable travel trailer or unusable boat which are visible from an  
28 adjacent property or roadway.

29 (2) On property zoned in an urban classification under Title 18, i.e., all  
30 zoning classifications other than those provided for in subsection (1) above:

31 (a) The outside accumulation of more than one (1) cubic yard of waste,  
32 rubbish and trash, including but not limited to bottles, cans, glass, wire, broken crockery,  
33 broken plaster, and any other similar abandoned, discarded or unused material, which is  
34 visible from an adjacent property or road, unless kept in covered bins or receptacles;  
35 PROVIDED, that nothing herein shall prohibit the maintenance of a compost pile outside  
36 of the front or side yards as long as the usage of the same is intended for the household's  
37 use.

38 (b) The outside storage of abandoned, discarded or unused objects or  
39 equipment, including but not limited to tires, household furniture, stoves, refrigerators, and  
40 freezers, which are visible from an adjacent property or road.

41 (c) the outside storage for more than sixty (60) consecutive days of more than  
42 five (5) cubic yards of any used or unused building materials which are visible from an  
43 adjacent property or road; PROVIDED, that nothing herein shall:

44 (i) Prohibit such storage when done in conjunction with a construction project for  
45 which a building permit has been issued and which is being pursued diligently to  
46 completion;

47 (ii) Prohibit such storage upon the premises of a bona fide lumberyard, dealer in  
48 building materials, or other commercial enterprise when the same is permitted under the  
49 zoning ordinance and other applicable law;

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REQUIRES CODIFICATION



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(iii) Make lawful any such storage when it is prohibited by other ordinances or laws.

(d) The presence for more than thirty (30) consecutive days on any property residentially zoned under Title 18 of any inoperable or dismantled vehicles or any unattached motor vehicle parts or an uninhabitable travel trailer or unusable boat which is/are visible from an adjacent property or road.

(e) The presence of uncontrolled and uncultivated weeds, brush, berry vines, poison oak/ivy; or grasses not maintained to a height of twelve (12) inches on any property within the front yard or front and side yards if the property is a corner lot; PROVIDED, that nothing herein shall prohibit the growth of berry vines or grass which are grown and used for agricultural purposes.

(3) All garbage containers with a capacity of one-half cubic yard or more and all containers used to hold or recycle newspaper, glass or cans that are present on the travel portion of the roadway or within Clark County's right-of-way. (Sec. 1 of Ord. 1988-08-36; amended by Sec. 2 of Ord. 1991-11-09)

Section 8 Amendatory CCC. 18.302 of Section 26 of Ordinance 1994-12-53 is hereby amended to read

**Sections:**

- 18.302.010 Purpose.
- 18.302.020 Permitted uses.
- 18.302.030 Conditional uses.
- 18.302.040 Uses permitted after review and approval as set forth in Chapter 18.403 of this title.
- 18.302.050 Height regulations.
- 18.302.060 Lot requirements.
- 18.302.070 Signs.
- 18.302.090 Previous land divisions.
- 18.302.095 Nonconforming lots—Lot reconfiguration standards.

**18.302.010 Purpose**

A. The purpose of the forest 80 district is to maintain and enhance resource based industries, encourage the conservation of productive forest lands and discourage incompatible uses consistent with the Forest I policies of the comprehensive plan. The forest 80 district applies to lands which have been designated as Forest Tier 1 on the comprehensive plan. Nothing in this chapter shall be construed in a manner inconsistent with the Washington State Forest Practices Act.

B. The purpose of the forest 40 district is to encourage the conservation of lands which have the physical characteristics that are capable of management for the long-term production of commercially significant forest products and other natural resources, such as minerals.

C. The purpose of the agriculture 20 district is to encourage the conservation of lands which have the growing capacity, productivity, soil composition, and surrounding land use to have long-term commercial significance for agriculture and associated resource production.

~~D. The purpose of the agriculture/forest 20 district is to encourage the conservation of lands which have the characteristics of both long term forestry and agriculture capability and, in many cases, where both types of activities are occurring on~~

**ORDINANCE - 8  
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1 site- (Sec. 26 (Att. D) of Ord. 1994-12-53)

2  
3 18.302.020 Permitted uses.

4 The following uses are permitted:

5 A. The growing, harvesting and transport of timber, forest products and  
6 associated management activities in accordance with the Washington Forest Practices Act  
7 of 1974 as amended, and regulations adopted pursuant thereto.

8 B. Subject to the provisions of Chapter 13.51, Habitat Conservation  
9 Ordinance, the removal, harvesting, wholesaling and retailing of vegetation from forest  
10 lands including but not limited to fuel wood, cones, Christmas trees, salal, berries, ferns,  
11 greenery, mistletoe, herbs and mushrooms.

12 C. Agriculture, floriculture, horticulture, general farming, dairy, the raising,  
13 feeding and sale or production of poultry, livestock, fur bearing animals, and honeybees  
14 including feedlot operations, animal sales yards, Christmas trees, nursery stock and floral  
15 vegetation and other agricultural activities and structures accessory to farming or animal  
16 husbandry. Equestrian activities, including rodeos, boarding, training and stabling.

17 D. Aggregate extraction for the purposes of construction and maintenance of  
18 a timber or agricultural management road system. Additional surface mining and  
19 associated activities subject to zone change to surface mining combining district, Chapter  
20 18.329.

21 E. Exploration for rock, gravel, oil, gas, minerals and geothermal resources.

22 F. Chippers, pole yards, log sorting and storage, temporary structures for  
23 debarking, accessory uses including but not limited to scaling and weigh operations,  
24 temporary crew quarters, storage and maintenance facilities, disposal areas, saw mills  
25 producing ten thousand (10,000) board feet per day or less, and other uses involved in the  
26 harvesting of forest products. Commercial uses supporting resource uses, such as packing,  
27 first stage processing and processing which provides value added to resource products.

28 G. Roadside stands, not exceeding three hundred (300) square feet in area,  
29 exclusively for the sale of agricultural products grown in the affected area, and set back a  
30 minimum twenty (20) feet from the abutting right-of-way or property line.

31 H. One (1) single-family dwelling on legal, nonconforming lot of record.

32 I. One (1) single-family dwelling on legal, conforming lot of record.

33 J. Public recreation, scenic and park uses, except that intensive uses such as  
34 public country clubs and golf courses are not permitted, except as conditional uses in the  
35 AG-20 and AF-20 districts.

36 K. Family day care centers.

37 L. Utilities, structures and uses including but not limited to utility  
38 substations, pump stations, wells, water shed intake facilities, gas and water transmission  
39 lines and telecommunication facilities.

40 M. Forestry, environmental and natural resource research and facilities.

41 N. Dispersed recreation and recreational facilities such as primitive  
42 campsites, trails, trailheads, snowparks and warming huts.

43 O. Heliports, helipads and helispots only in the FR-80 district. (Sec. 26 (Att.  
44 D) of Ord. 1994- 12-53; amended by Sec. 5 of Ord. 1997-04-19; amended by Sec. 8 of  
45 Ord. 1997-12-47)

46  
47 18.302.030 Conditional uses.

48 The following are the conditional uses, in accordance with the provisions of  
49 Chapter 18.404.

- 1           A.     Public correction facilities.
- 2           B.     Saw mills greater than ten thousand (10,000) board feet, and other
- 3 products from wood residues, drying kilns and equipment.
- 4           C.     One guesthouse in conjunction with a single- family dwelling or mobile
- 5 home. Kitchen facilities may not be provided in a guesthouse.
- 6           D.     Dams for flood control and hydroelectric generating facilities.
- 7           E.     The processing of rock, oil, gas, minerals and geothermal resources.
- 8           F.     Private use landing strips for aircraft and, except as provided in the FR-80
- 9 district, heliports pursuant to Section 18.406.020(J).
- 10          G.     Private recreational facilities, including retreats but excluding such
- 11 intensive uses as country clubs and golf courses.
- 12          H.     Kennels pursuant to Section 18.406.020(B).
- 13          I.     Public and private elementary and middle schools serving a student
- 14 population primarily outside of urban growth boundaries.
- 15          J.     Government facilities necessary to serve the area outside urban growth
- 16 boundaries, including fire stations, ambulance dispatch facilities and storage yards,
- 17 warehouses, or similar uses.
- 18          K.     Country clubs and golf courses in the AG-20 and AF-20 districts.
- 19          L.     Churches, except within the FR-80 district where they are not permitted.
- 20 (Sec. 26 (Att. D) of Ord. 1994-12-53; amended by Sec. 4 of Ord. 1996-05-01)
- 21
- 22 18.302.060    Lot requirements.
- 23          A.     Except as provided in subsection B of this section, minimum parcel size
- 24 (acres) for newly created parcels shall be:
- 25            1.     FR-80, eighty (80) acres.
- 26            2.     FR-40, forty (40) acres.
- 27            3.     AG-20, twenty (20) acres.
- 28            ~~4.     AF-20, twenty (20) acres.~~
- 29          B.     The following uses may be permitted on newly approved lots of less than
- 30 the minimum parcel size:
- 31            1.     The following permitted uses: subsection L of Section 18.302.020.
- 32            2.     The following conditional uses: subsection D of Section 18.302.030.
- 33          C.     Minimum Lot Width—Six hundred sixty (660) feet for new conforming
- 34 lots. One hundred forty (140) feet for legal lots created under subsections (A)(1) and (2) of
- 35 this section.
- 36          D.     Minimum Lot Depth—None.
- 37          E.     Minimum Front Yard Setback—Fifty (50) feet from public road right-of-
- 38 way or private road easement.
- 39          F.     Side Yard—Fifty (50) feet for all structures.
- 40          G.     Street Side Yard—Twenty-five (25) feet.
- 41          H.     Rear Yard—Fifty (50) feet for all structures.
- 42          I.     Setback Reductions. For parcels which are conforming or nonconforming
- 43 as to lot size or dimensional requirements setbacks shall be those as established for
- 44 conforming lots, unless those setback requirements reduce the buildable area of the parcel
- 45 to dimensions that are less than one hundred and fifty (150) feet in width and/or depth.
- 46 Side and rear yard setbacks may then be reduced to a minimum of five feet as needed to
- 47 allow for a maximum building area of one hundred and fifty (150) feet in width and/or
- 48 depth. Setbacks shall be reduced the minimum amount necessary in order to achieve the
- 49 one hundred and fifty (150) feet width and/or depth of the buildable area. (Sec. 26 (Att. D)



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of Ord. 1994-12- 53; amended by Sec. 6 of Ord. 1995-04-16; amended by Sec. 3 of Ord. 1995-08-52; amended by Sec. 5 of Ord. 1996-05-01)

Section 9. Future work items. The Board directs Long Range Planning to develop a work program for the following items:

- Continue to development appropriate code language to address the sidebar issues of cluster development for Rural 5, 10 and 20 and farmsteads for the 1998 workprogram.
- Formulation of a program for Purchase of Development Rights
- The sidebar issues of tax incentives and incentives for restoration will be addressed as part of the Long Range Planning workprogram for 1999.

Section 10 Severability. If any section, sentence, clause, or phase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction or the Growth Management Hearings Board, such invalidity or unconstitutionality shall not affect the validity of unconstitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 11. Effective Date. This ordinance shall go into affect on August 1, 1998.

Section 12. Instructions to Clerk. The Clerk to the Board shall:

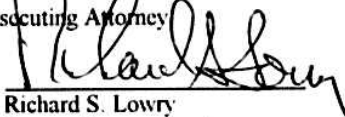
- (1) Transmit a copy of this ordinance to the Washington State Department of Community Trade and Economic Development within ten days of its adoption pursuant to RCW 36.70A.106.
- (2) Record a copy of this ordinance with the Clark County Auditor
- (3) Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290.

ADOPTED this 28<sup>th</sup> day of July, 1998.

Attest:  
  
Clerk to the Board

BOARD OF COUNTY COMMISSIONERS  
FOR CLARK COUNTY, WASHINGTON

By:   
Betty Sue Morris, Chair

Approved as to Form Only  
ARTHUR D. CURTIS  
Prosecuting Attorney  
By:   
Richard S. Lowry  
Deputy Prosecuting Attorney

By: \_\_\_\_\_  
Judie Stanton, Commissioner

By: \_\_\_\_\_  
Mel Gordon, Commissioner

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Attest:  
*Jamie Richards*  
Clerk to the Board

BOARD OF COUNTY COMMISSIONERS  
FOR CLARK COUNTY, WASHINGTON  
By: Betty Sue Morris  
Betty Sue Morris, Chair

Approved as to Form Only  
ARTHUR D. CURTIS  
Prosecuting Attorney  
By: Richard S. Lowry  
Richard S. Lowry  
Deputy Prosecuting Attorney

By: \_\_\_\_\_  
Judie Stanton, Commissioner  
By: \_\_\_\_\_  
Mel Gordon, Commissioner



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ORDINANCE - 11  
REQUIRES CODIFICATION



**Exhibit C**

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**Repeal Chapter 18.303 - Rural Estate District (RE) in its entirety and adopt the following:**

**Chapter 18.303A  
RURAL DISTRICTS (R)**

**R-5 acres/d.u.  
R-10 acres/d.u.  
R-20 acres/d.u.**

**Sections:**

- 18.303A.010 Purpose.
- 18.303A.020 Permitted uses.
- 18.303A.030 Conditional uses.
- 18.303A.040 Uses permitted after review and approval as set forth in Chapter 18.403 of this title.
- 18.303A.050 Height restrictions.
- 18.303A.060 Lot requirements.
- 18.303A.065 Previous land divisions.
- 18.303A.070 Signs.
- 18.303A.080 Off-street parking.
- 18.303A.090 Other provisions.

**18.303A.010 Purpose.**

The rural zone is to provide lands for residential living in the rural area. Natural resource activities such as farming and forestry are allowed and encouraged in conjunction with the residential uses in the area. These areas are subject to normal and accepted forestry and farming practices.

**18.303A.020 Permitted uses.**

The following uses are permitted:

- A. Single-family dwellings and accessory buildings.
- B. Agricultural and forestry, including any accessory buildings and activities. Commercial uses supporting resource uses, such as packing, first stage processing and processing which provides value added to resource products.
- C. Silviculture.
- D. Roadside stands not exceeding two hundred (200) square feet in area, exclusively for the sale of agricultural products locally grown, and set back a minimum of twenty (20) feet from any abutting right-of-way or property line.
- E. Quarters, accommodations, or areas for transient labor, such as labor cabins or camps.
- F. Publicly owned recreational facilities, services, parks and playgrounds.
- G. Family day care centers.
- H. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, water shed intake facilities, gas and water transmission lines and telecommunication facilities.

- 1  
2 18.303A.030 Conditional uses.  
3 The following are the conditional uses, in accordance with the provisions of Chapter  
4 18.404:  
5 A. Churches.  
6 B. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within  
7 cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential  
8 district.  
9 C. Public or private schools, but not including business, dancing or technical schools.  
10 D. Golf courses.  
11 E. Kennels.  
12 F. Riding stables.  
13 G. Private recreational facilities, such as country clubs and golf courses, including  
14 such intensive commercial recreation uses as a golf driving range, race track, amusement park or  
15 gun club.  
16 H. Veterinary clinics.  
17 I. Government facilities necessary to serve the area outside urban growth  
18 boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or  
19 similar uses.  
20 J. Private ambulance dispatch facility.  
21 K. Residential care homes.  
22  
23 18.303A.040 Uses permitted after review and approval as set forth in Chapter 18.403 of this title.  
24 A. Home occupations and home businesses, subject to the provisions of Section  
25 18.406.020(I).  
26 B. Outdoor public entertainments, amusements and assemblies, subject to the  
27 provisions of Chapter 5.32.  
28 C. Commercial nurseries predominantly marketing locally produced plants and  
29 associated landscaping materials.  
30  
31 18.303A.050 Height restrictions.  
32 Thirty-five (35) feet for residential structures.  
33  
34 18.303A.060 Lot requirements.  
35 A. Except as provided in subsection B of this section, minimum parcel size (acres)  
36 for newly created parcels shall be:  
37 1. Five (5) acres in the R-5 District or legally described as one-one hundred  
38 twenty-eighth (1/128) of a section.  
39 2. Ten (10) acres in the R-10 District.  
40 3. Twenty (20) acres in the R-20 District.  
41  
42 B. The following uses may be permitted on newly approved lots of less than the  
43 minimum parcel size:  
44 1. The following permitted uses: subsection H of Section 18.303A.020.  
45 2. The following conditional uses: none.  
46 C. Lot Width—Minimum lot width:  
47 1. In R-5, one hundred forty (140) feet, unless a greater width shall be  
48 required by the Clark County fire code.  
49 2. In R-10 and R-20, three hundred thirty (330) feet.

ORDINANCE - 13  
REQUIRES CODIFICATION

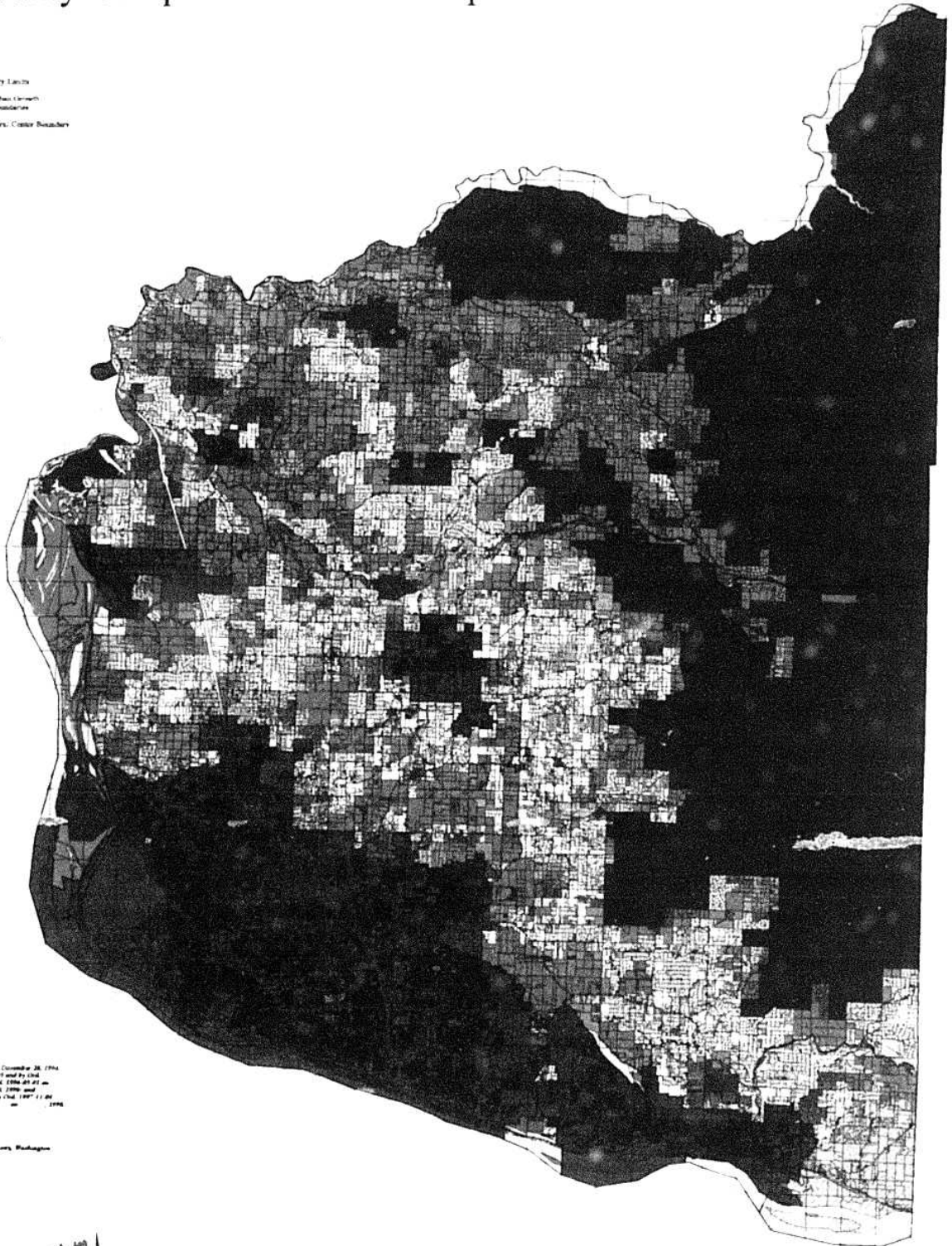


- 1           D.     Lot Depth—No requirement.
- 2           E.     Front Yard—Minimum front yard setback shall be fifty (50) feet.
- 3           F.     Side Yard—Minimum side yard setback on each side of the residential dwelling
- 4     and incidental buildings shall be twenty (20) feet, and fifty (50) feet for accessory buildings used
- 5     for agricultural purposes. Side yard setbacks from adjacent property zoned for natural resource or
- 6     surface mining uses shall be a minimum of fifty (50) feet for all structures.
- 7           G.     Rear Yard—Minimum rear yard shall have a depth of twenty (20) feet, fifty (50)
- 8     feet when adjacent to property zoned for natural resource or surface mining uses.
- 9           H.     Street Side Yard—Minimum street side yard setback shall be twenty-five (25)
- 10    feet.
- 11
- 12    18.303A.065   Previous land divisions.
- 13           The parent parcel of a previously approved cluster land division shall not be further
- 14    subdivided or reduced in size until incorporated into an urban growth boundary.
- 15
- 16    18.303A.070   Signs.
- 17           Signs shall be permitted according to the provisions of Chapter 18.409 of this title.
- 18
- 19    18.303A.080   Off-street parking.
- 20           Off-street parking shall be provided as required in Chapter 18.402A of this title.
- 21
- 22    18.303A.090   Other provisions.
- 23           See Chapter 18.406 applying to special uses where applicable.
- 24
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# Clark County Comprehensive Plan Map

Exhibit 1A

- Forest Tier I
- Forest Tier II
- Agriculture
- Rural S
- Rural M
- Rural L
- Agriculture Wildlife
- Mining Lands
- Rural Commercial
- Rural Industrial
- Public Facility
- Parks / Open Space
- Clean, including UGA
- Urban Holding Areas
- Urban Reserve Overlay
- Industrial / Urban Reserve Overlay
- Mining
- Columbia River Corps National Science Area
- City Limits
- Urban Growth Boundaries
- Rural Center Boundaries



Adopted by Ordinance Number 1994-23-07 on December 28, 1994  
 Amended by Ord. 1995-08-03 on April 11, 1995 and by Ord.  
 1995-05-05 on May 26, 1995. Amended by Ord. 1996-05-01 on  
 May 6, 1996. Ord. 1996-12-04 on December 13, 1996 and  
 Ord. 1997-05-01 on May 27, 1997. Amended by Ord. 1997-11-04  
 on November 4, 1997. Amended by Ord. 1998-05-01 on  
 May 1, 1998.

Buy the Map! Call  
 Board of County Commissioners for Clark County, Washington  
 360-798-3300

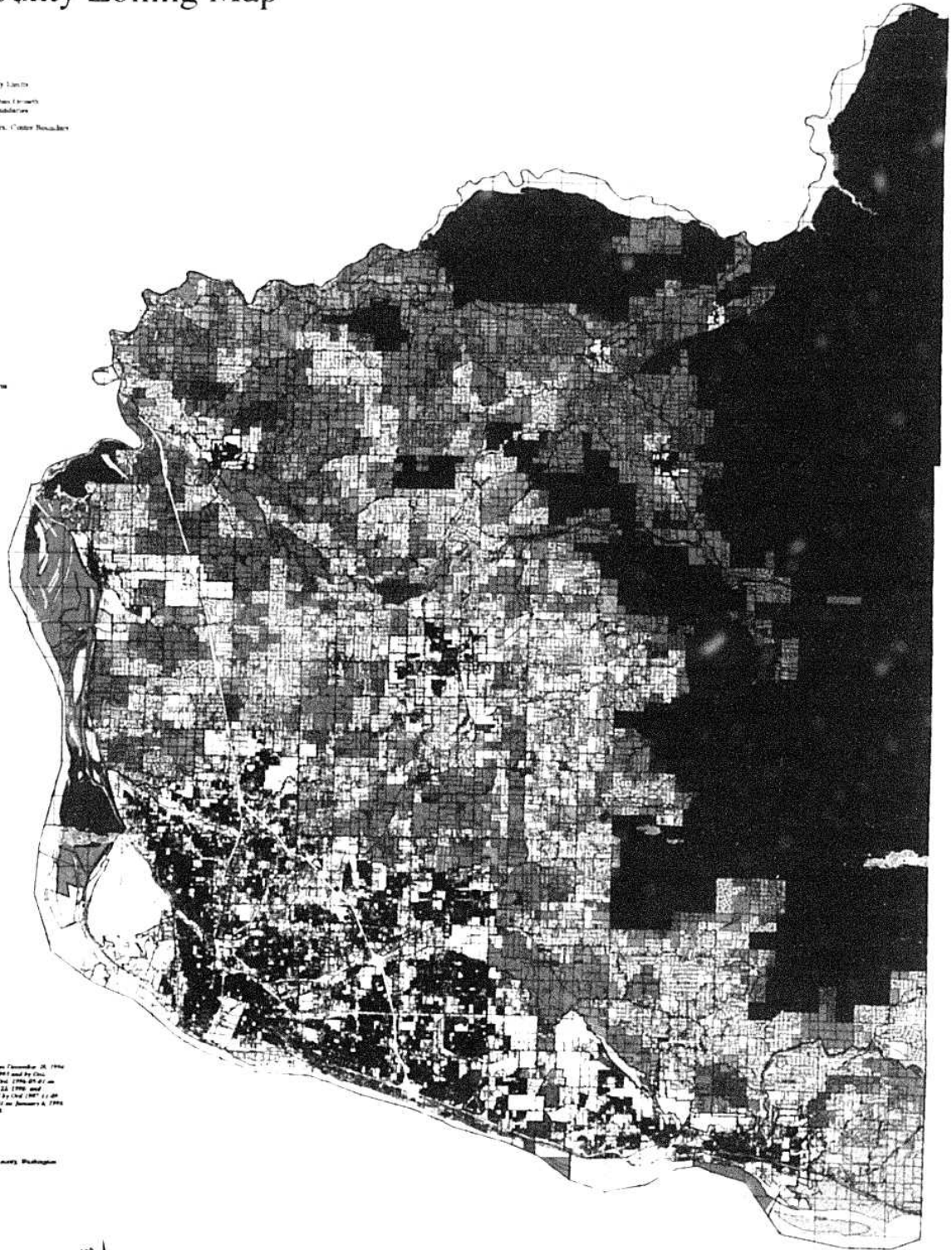
Clark on the Road





# Clark County Zoning Map

- Rural Commercial
- Inside Rural Centers
- Rural Commercial Outside Rural Centers
- Rural Industrial
- Public Facility
- Airport
- Parks / Open Space
- Urban Reserve 10
- Urban Reserve 20
- Rural 1
- Rural 10
- Rural 20
- Forest Tree I
- Forest Tree II
- Agriculture
- Agriculture-Wildlife
- Inside Urban Growth Boundaries
- Columbia River Ocean Service Area
- Mining Community District
- ▲ City Limits
- ▲ Urban Growth Boundaries
- ▲ Rural Center Boundaries



Adopted by Ordinance Number 1966 11-11 on December 20, 1966  
 Corrected by Ord. 1967 1-26 on April 11, 1967 and by Ord.  
 1967 2-14 on May 20, 1967. Amended by Ord. 1968 05-14 on  
 May 4, 1968. Ord. 1968 12-04 on December 22, 1968 and  
 Ord. 1967 05-11 on May 27, 1967. Amended by Ord. 1967 11-04  
 on November 4, 1967, and by Ord. 1968 01-01 on January 6, 1968.  
 Amended by Ord. 1968 11-01 on November 11, 1968.

Paul J. Van Meter, Clerk  
 Board of County Commissioners for Clark County, Washington  
 1968

Clark to the River



**CLARK COUNTY  
STAFF REPORT**

**DEPARTMENT/DIVISION:** Community Development/Long Range Planning

**CONTACT PERSON:** Jerri Bohard (x4112) or Brian Carrico (x4798)

**DATE:** July 28, 1998

**REQUEST:** Board to sign the adoption ordinance which implements the approvals made by the Board in previous public hearings on the agri-forest designation.

**CHECK ONE:**             Consent             Routine             Public Hearing

**BACKGROUND:** The attached ordinance reflects the changes to the agri-forest designation. This includes the changes to the land use designations for both the Comprehensive Plan and Zoning Map. The ordinance also reflects the necessary changes to implement the new zoning designations of Rural 5 (replacing Rural Estate), Rural 10 and Rural 20 and the repeal of the Agri-forest zoning.

Staff has provided an analysis of the acreages and potential household numbers based on the zoning designations approved by the Board.

<b>Zoning</b>	<b>Relation to East Fork</b>	<b># Parcels</b>	<b>Acreage</b>	<b># Non conforming</b>	<b>Acreage Nonconforming</b>	<b>Number Developed</b>	<b>Potential HH Growth</b>
Rural-5	North of	270	1492.29	92	181.26	138	207.2
	South of	610	4932.98	238	481.93	256	846.92
Rural-10	North of	2160	15695.14	1730	7182.55	1089	1431.81
	South of	642	5449	475	901.51	323	588.37
Rural-20	North of	358	3939.86	291	1574	171	222.43
	South of	373	3567.84	326	1591	180	237.61
Ag-20	North of	0	0	0	0	0	0
	South of	6	15.28	6	15.28	6	0
Forest Tier II	North of	4	174.34	3	94.34	2	2
	South of	0	0	0	0	0	0
<b>TOTAL</b>		<b>4423</b>	<b>35267</b>	<b>3161</b>	<b>12022</b>	<b>2165</b>	<b>3536</b>

Information provided in earlier staff reports indicated that the potential household growth under the Agr-forest zoning designation had a total of 2813 households. The task force recommendation indicated a potential 2659 households but did not take into account the 1900 acres in which the group could not reach consensus. The majority of this area became Rural 20, looking at the parcelization in this area it allows for an approximate 300 additional households for a total of approximately 2959 households.

**ACTION REQUESTED:** The Board is requested to adopt the attached ordinance and sign the map authorizing the changes to the existing agri-forest zoning designation.

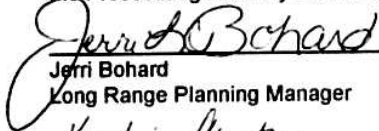


**COMMUNITY INVOLVEMENT:** This went through an extensive public process, involving a task force appointed by the Board of Commissioners.

**BUDGET IMPLICATIONS:**

None.

**DISTRIBUTION:** Please return a signed copy to Community Development and to Rich Lowry and Chris Home in the Prosecuting Attorney's office and Bob Pool in GIS and Assessment.

  
\_\_\_\_\_  
Jerri Bohard  
Long Range Planning Manager

  
\_\_\_\_\_  
Michael V. Butts  
Interim Community Development Director

Approved: 7-28-98 SK251-98  
CLARK COUNTY BOARD OF  
COMMISSIONERS

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