

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Community Planning

**DATE:** June 4, 2019

**REQUESTED ACTION:**

A public hearing to take testimony on Interim Emergency Ordinance No. 2019-04-02 which was adopted by Clark County Council on April 16, 2019. State law (RCW 35.63.200 and RCW 36.70A.390) requires that a hearing on an interim ordinance or resolution be held 60 days of initial adoption.

\_\_\_ Consent     X  Hearing    \_\_\_ County Manager

**BACKGROUND**

The Council enacted emergency ordinance 2019-04-02 relating to land use, re-enacting certain Urban Growth Areas in the Clark County Comprehensive Growth Management Plan 2015-2035; providing for severability; providing an effective date; and requiring notice.

**COUNCIL POLICY IMPLICATIONS**

There are no known policy implications. The Council is required to hold a duly advertised public hearing within 60 days in compliance with state law. The purpose of Interim Emergency Ordinance No. 2019-04-02 was to demonstrate a level of compliance with the orders of the Growth Management Hearings Board. This would continue that compliance for a six-month period. See options available to Council in Exhibit 1.

**ADMINISTRATIVE POLICY IMPLICATIONS**

N/A

**COMMUNITY OUTREACH**

N/A

**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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Shawn Hennessee  
County Manager

**APPROVED:** \_\_\_\_\_

**CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS**

DATE: \_\_\_\_\_

SR# \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Shawn Hennessee, County Manager**

DATE: \_\_\_\_\_

## BUDGET IMPACT ATTACHMENT

### Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

### Part II: Estimated Revenues

Fund #/Title	2017-2018 Biennium		2019 Annual Budget		2020 Annual Budget	
	GF	Total	GF	Total	GF	Total
<b>Total</b>						

II. A – Describe the type of revenue (grant, fees, etc.)

### Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	2017-2018 Biennium		2019 Annual Budget		2020 Annual Budget	
		GF	Total	GF	Total	GF	Total
<b>Total</b>							

III. B – Expenditure by object category

Fund #/Title	2017-2018 Biennium		2019 Annual Budget		2020 Annual Budget	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
<b>Total</b>						

Exhibit 1

**Staff report presentation/remarks.**

On April 16, 2019, Clark County Council adopted Interim Emergency Ordinance No. 2019-04-02 that re-enacted certain Urban Growth Areas in the Clark County Comprehensive Growth Management Plan 2015-2035 consistent with the adopted Amended Ordinance 2016-06-12 on June 28, 2016, completing the required 2016 update of the county's comprehensive plan (2016 Plan Update). The council is required to hold a duly advertised public hearing within 60 days in compliance with state law.

The Hearings Board on March 23, 2017, issued its Final Decision and Order (Order) finding and concluding that the portions of the 2016 Plan amendment described above had violated GMA, and directed Clark County to come into compliance with GMA.

The Council directed appeal of the Hearings Board ruling on this matter. The case is pending at the Court of Appeal Division II.

In order to continue the effect of an interim ordinance, state law requires that the Council hold a duly advertised public hearing within 60 days of initial passage of the ordinance, take any public testimony, and adopt findings supporting the ordinance.

**OPTIONS**

The Board has several options with regard to the interim ordinance:

Option 1. Take no action, which would end on June 16, 2019, 60 days after its passage, the findings and re-adopted Urban Growth Boundaries approved by Interim Emergency Ordinance 2019-04-02.

Option 2. Extend the interim ordinance by six months. Re-adoption of the six month extension could be necessary in January 2020.

Option 3. Repeal the Interim Emergency Ordinance 2019-04-02.