

# GMA Compliance

Rural Industrial Land Bank (RILB)

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CPZ2019-00032

Gary Albrecht, Planner III

Community Planning

Presentation to Clark County Planning Commission

Work Session, October 3, 2019

Public Services Center, 6<sup>th</sup> Floor Training Room, 5:30 PM  
1300 Franklin Street, Vancouver



# Agenda

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- Background
- Vicinity map
- Court of Appeals
- Council direction
- What's being removed
- Next steps



# Background

**2007** Clark County receives RILB application

Addendum to Environmental Final Environmental Impact Statement

Master Plan

SEPA Appeal

**2014** Section 40.520.070 Planned Master Development

Section 40.520.075 Rural Industrial Development Master Plan

Section 40.560.010 Plan Amendment Procedures

**2016** RILB Overlay adopted

Arterial Atlas Amended

Comp Plan appealed to Growth Management Hearings Board (GMHB)

**2017** GMHB Decision:

Final Decision and Order

County amended 2015 Buildable Lands Report

**2018** GMHB issued:

Order on Compliance Order on Motions to Modify Compliance Order,

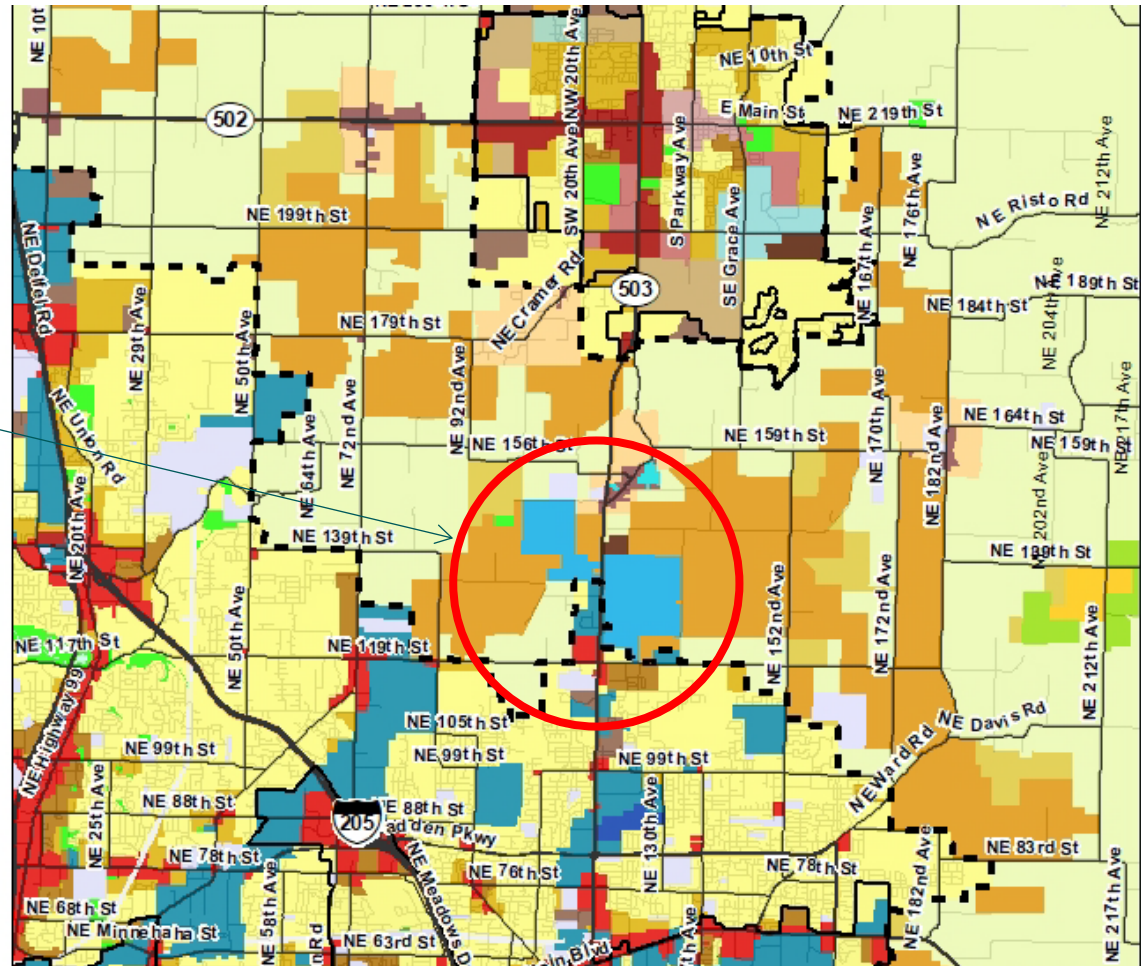
Rescind Invalidity, Stay Order and Supplement the Record)

**2019** Court of Appeals Decision

Clark County does not appeal decision



# Rural Industrial Land Bank



# Court of Appeals

August 20, 2019 decision:

- Issues regarding the county's UGAs designations for the cities of Ridgefield and La Center are moot.
- Court stated that the county has no ability to plan for the annexed land, and that the GMHB cannot compel the county to take action to come into compliance regarding that land.
- Annexed land into cities could not be challenged under the GMA.
- Supported the GMHB ruling that the de-designation of agricultural land was out of compliance with the state's Growth Management Act



Filed  
Washington State  
Court of Appeals  
Division Two  
August 20, 2019

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

CLARK COUNTY,

Petitioner/Cross Respondent,

No. 50847-8-II

(Consolidated)

FRIENDS OF CLARK COUNTY;  
FUTUREWISE,

Respondents/Cross Petitioners,

and

CITY OF RIDGEFIELD; CITY OF LA  
CENTER; RDGB ROYAL ESTATE FARMS  
LLC; RDGK REST VIEW ESTATES LLC;  
RDGM RAWHIDE ESTATES LLC, RDGF  
RIVER VIEW ESTATES LLC, RDGS  
REAL VIEW LLC, and 3B NORTHWEST  
LLC,

Petitioners,

and

CLARK COUNTY CITIZENS UNITED,  
INC.,

Petitioners,

v.

GROWTH MANAGEMENT HEARINGS  
BOARD,

Respondent.



## Council direction

- Council is not appealing August 20, 2019 Court of Appeals decision
- Propose amendments to comply with Growth Management Hearings Board Final Decision and Order



# What's being removed?

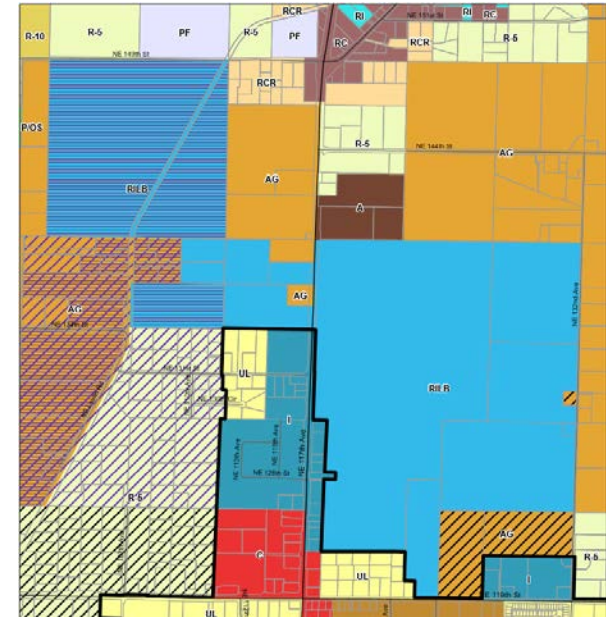
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- Comprehensive plan designation of Rural Industrial Land Bank
- Zoning designation of Light Industrial (IL) with a Rural Industrial Land Bank Overlay (IL-RILB)
- Comprehensive Plan text and zoning code related to RILB
- Arterial Atlas amendments related to RILB circulation



# What's being removed?

- Repeal Ordinances related to RILB: 2016-04-03, 2016-05-03 and 2018-12-64
- Amend Comprehensive Plan and Zoning Maps for 13 parcels (600 acres):
  - Amend comprehensive plan designation of Rural Industrial Land Bank (RILB) to Agriculture (AG)
  - Amend zoning designation of Light Industrial (IL) with a Rural Industrial Land Bank Overlay (IL-RILB) to Agriculture (AG-20)



Existing Zoning





# What's being removed?

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Proposed Comprehensive Plan Text Amendments		
No.	Element	Description
1	Table of Contents	Delete Rural Industrial Land Bank (RILB) from the Table of Contents, page i.
2	Land Use	Delete Rural Industrial Land Bank (RILB) from Table 1.4 Rural Lands Plan Designation to Zone Consistency, page 31.
3	Land Use	Delete Rural Industrial Land Bank (RILB) and associated text, page 36-37.
4	Rural & Natural Resource	Delete County 20-year Plan Rural Industrial Land Bank goal and plan policies section 3.8, page 98.



# What's being removed?

Proposed Clark County Code Amendments		
No.	Title 40	Description
1	40.230.085	Amend CCC 40.230.085 - Employment Districts (IL, IH, IR, BP, IL-RILB) to delete all references to RILB in subsection (B)(1)(d), Table 40.230.085-1 Uses, Table 40.230.085-1 footnote 10, Table 40.230.085-2 Lot Standards, Setbacks, Lot Coverage and Building Height Requirements, Table 40.230.085-2 footnote 7, subsection (D)(4) including Figures 40.230.085-1 and 40.230.085-2, and associate renumbering.
2	40.520.070	Amend CCC 40.250.070 – Master Planned Development to delete all references to RILB in subsection (B)(4) and (C)(1)(b)
3	40.520.075	Amend CCC 40.520.075 – Rural Industrial Development Master Plan to delete all references to RILB and/or RCW 36.70A.367 in (B) and amend Section 40.560.010(J) to Section 40.560.010(H), and delete “with an IL-RILB overlay. Amend (C)(1) to amend Section 40.560.010(J) to Section 40.560.010(H), and delete “or land bank” and “for the land bank.”
4	40.560.010	Amend CCC 40.560.010 – Plan Amendment Procedures to delete all references to RILB and/or RCW 36.70A.367 in (H), delete (H)(a)(2) Major industrial land banks (light industrial), and delete (H)(b)(2) Major industrial land banks (light industrial).



# What's being removed?

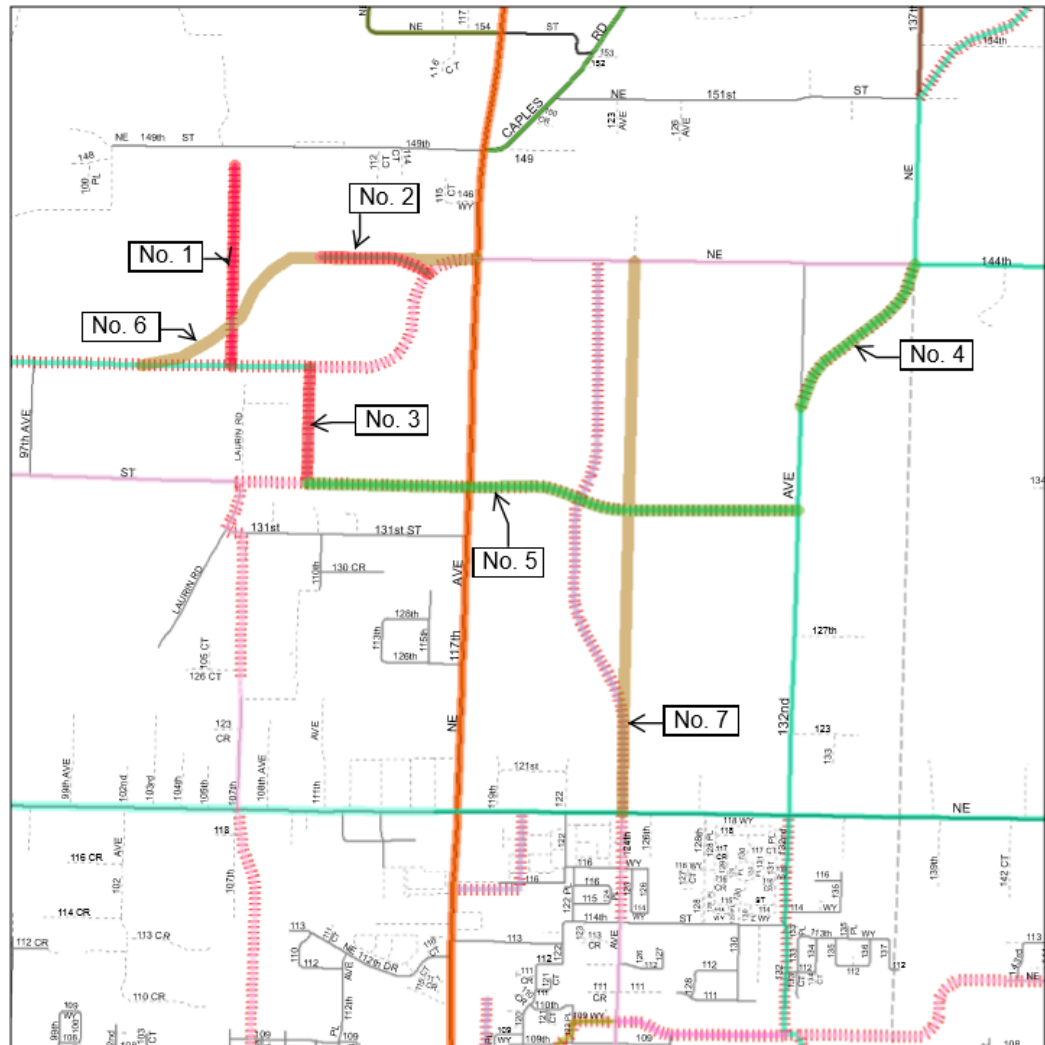
Proposed Arterial Atlas Map Amendments		
No.	Amendment	Description
1	Delete	At approximately NE 106 <sup>th</sup> Ave., delete a proposed commercial/industrial road, running north/south from NE 139 <sup>th</sup> St. to NE 149 <sup>th</sup> St.
2	Delete	At approximately NE 144 <sup>th</sup> St. and NE 114 <sup>th</sup> Ave, delete a proposed NE 144 <sup>th</sup> St. commercial/industrial road extension to the Chelatchie Prairie Railroad.
3	Delete	At approximately NE 110 <sup>th</sup> Ave. a proposed 2-lane minor arterial (M-2cb) from NE 134 <sup>th</sup> St. to NE 139 <sup>th</sup> St.
4	Reclassify	A road segment between NE 144 <sup>th</sup> St. and the intersection of NE 139 <sup>th</sup> St./NE 132 <sup>th</sup> Ave. from a 2-lane minor arterial (M-2cb) to a 2-lane collector (C-2).
5	Reclassify	A road segment of NE 134 <sup>th</sup> St. from a 2-lane minor arterial (M-2cb) to a 2-lane collector (C-2) between approximately NE 110 <sup>th</sup> Ave. to NE 132 <sup>nd</sup> Ave intersection.
6	Modify	A planned road extension at approximately NE 112 <sup>th</sup> Ave. from transitioning gradually from NE 139 <sup>th</sup> St. to NE 144 <sup>th</sup> St. returning to the prior alignment beginning further west at NE 102 <sup>nd</sup> Ave. connecting NE 139 <sup>th</sup> St. to NE 144 <sup>th</sup> St.
7	Modify	A planned road extension at approximately NE 124 <sup>th</sup> Ave. from NE 119 <sup>th</sup> St. to NE 144 <sup>th</sup> St. returning to the prior vertical alignment instead of the serpentine westward alignment.



# What's being removed?

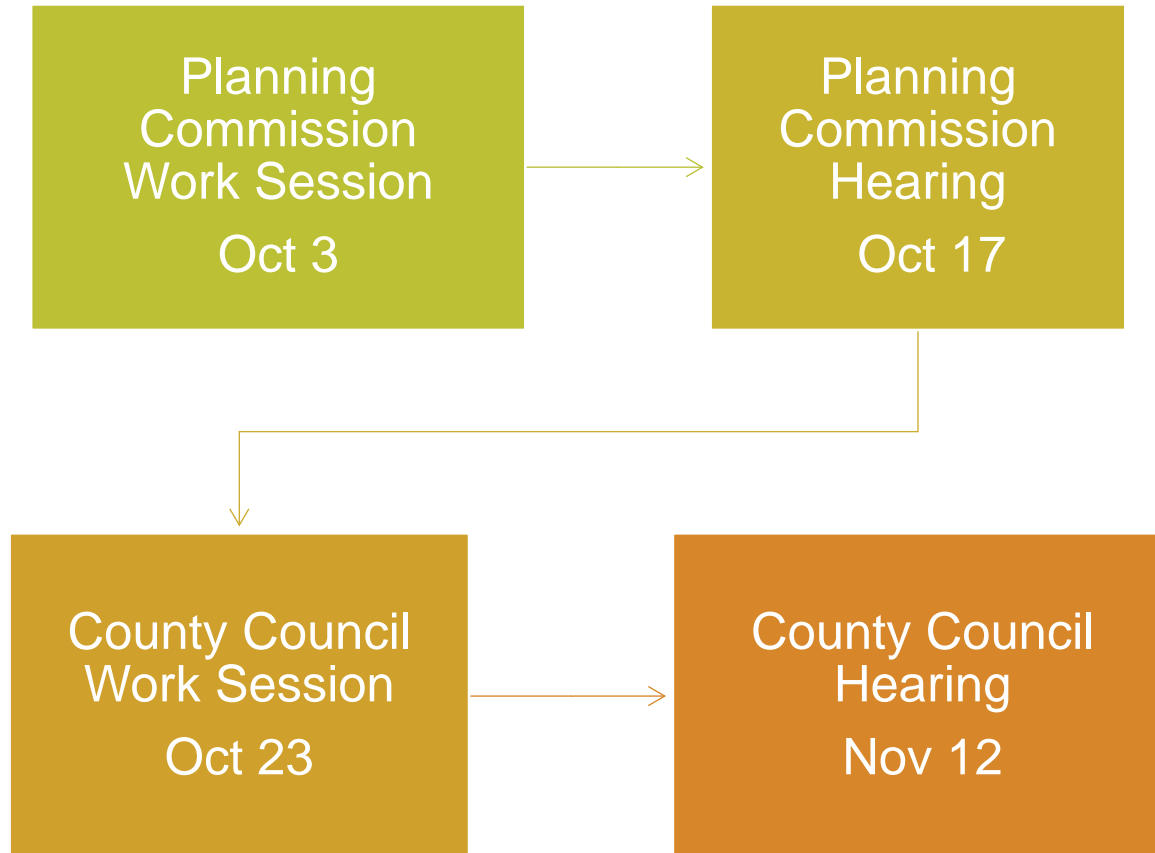
## Arterial Atlas Amendments:

1. Delete
2. Delete
3. Delete
4. Reclassify
5. Reclassify
6. Modify
7. Modify



## Next steps

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# Thank you!

## Comments and questions

Clark County Community Planning

[www.clark.wa.gov/community-planning](http://www.clark.wa.gov/community-planning)

564-397-2280

