	1	
	2	
	3	
	4	
	5	
	6	
	6 7	
	0	
	89	
	9	
1	O	
1	1	
1	2	
1	3	
1	12345678	
1	5	
1	6	
1	7	
1	8	
1	9	
)	9	
>	1	
)	1234567890	
<u>ئ</u>	2	
<u> </u>	3	
4	4	
۷	2	
_	6	
2	7	
2	8	
2	9	
3	0	
3	1	
3	2	
3	3	
3	4	
3	5	
	6	
	7	
2	8	
2	9	
1	0	
1	1	
1	2	
1	2	
ł	4	
	5	
ı	6	

48 49

50 51

ORDINANCE NO. 2019-11-110

An ordinance relating to land use adopting amendments to the Clark County 20-year Comprehensive Growth Management Plan 2015-2035 map, zoning map, comprehensive plan text, arterial atlas map, and Clark County Code Title 40 to remove authorization for and all references to the Rural Industrial Land Bank.

WHEREAS, Clark County adopted a 20-Year Comprehensive Growth Management Plan through Ordinances 1994-12-47 and 1994-12-53 on December 20, 1994 to meet the goals and requirements of Chapter 36.70A RCW (also known as the Growth Management Act "GMA"); and

WHEREAS, the 20-Year Comprehensive Growth Management Plan has been updated and amended numerous times since 1994, through periodic updates and through annual reviews, all pursuant to GMA; and

WHEREAS, RCW 36.70A.367 provides a process for designating a bank of no more than two (2) master planned locations for major industrial activity outside urban growth areas; and

WHEREAS, the county received application CPZ2014-00006 Ackerland/Lagler Industrial Land Bank in February 2014 to establish two Rural Industrial Land Bank (RILB) master planned locations. The application included (1) the Ackerland property located west of 117th Ave., parcels 196656, 198375, 198335, 198324, 198113, 198111, and 198082 (-000) totaling approximately 223.72 acres and (2) the Lagler property east of 117th Ave., parcels 198080, 198076, 198112, 198101, 198072, and 198075 (-000) totaling approximately 378.71 acres; and

WHEREAS, the county initiated the process to establish two Rural Industrial Land Banks pursuant to RCW 36.70A.367 in August 2014; and

WHEREAS, on December 16, 2014, Clark County Council adopted Ordinance 2014-12-16 that amended Clark County Code Title 40 sections 40.560.010 Plan Amendment Procedures, 40.520.075 Rural Industrial Development Master Plan, and 40.520.070 Master Planned Development to allow for the provision for master planning of rural industrial land bank sites; and

WHEREAS, the county adopted Ordinance 2016-04-03 on April 26, 2016 that established two Rural Industrial Land Bank sites; amended the 20-year Comprehensive Growth Management Plan 2004-2024 (2007 Plan) plan and zoning map designations from Agriculture (AG-20) to Employment Center (IL and IL - RILB Overlay) for parcels: 198335000, 198375000, 196656000,198111000, 198324000, 198112000,198101000, 198075000, 198072000, 198080000, and 198076000; the 2007 Plan Land Use and Rural and Natural Resource Elements; arterial atlas; and Clark County Code sections 40.230.085 and 40.520.075; and

WHEREAS, two parcels included in the CPZ2014-00006 Ackerland/Lagler Industrial Land Bank application whose zoning was to be changed by Ordinance 2016-04-03 were inadvertently left off the list of parcels in Section 2. Ordinance 2016-05-03 Section 1 added parcels 198082000 and 198113000; and

WHEREAS, pursuant to RCW 36.70A.130, Clark County adopted an updated 20-Year Comprehensive Growth Management Plan 2015-2035 (2016 Plan) through amended Ordinance 2016-06-12 on June 28, 2016; and

WHEREAS, Ordinance 2016-06-12 amended the 2016 Plan map designation from Employment Center to Rural Industrial Land Bank (RILB) for parcels: 198335000, 198375000,

 196656000,198111000, 198324000, 198112000,198101000, 198075000, 198072000, 198082000, 198113000 and 198076000; and the Land Use Element text; and

WHEREAS, Futurewise and Friends of Clark County (FOCC) appealed the 2007 Plan amendments (Ordinance 2016-04-03 and 2016-05-03) that established the two RILB to the Growth Management Hearings Board (GMHB), Case No. 16-2-0002; and

WHEREAS, Clark County Citizens United (CCCU) and FOCC appealed the 2016 Plan to the Growth Management Hearings Board. The GMHB consolidated all the cases under Case No. 16-2-0005c; and

WHEREAS, on September 9, 2016, the GMHB issued its Final Order Granting Summary Judgment that stated the county failed to meet statutory deadlines, thus violating RCW 36.70A.367(6) and RCW 36.70A.130(4), and remanded the ordinances to Clark County. [Case No. 16-2-0002]; and

WHEREAS, on November 29, 2016 the GMHB issued its Order Denying Partial Summary Judgment on Issue 17 (Rural Industrial Land Banks). The GMHB vacated the summary judgment order for Case No. 16-2-0002. The GMHB then consolidated Cases 16-2-0002 and 16-2-0005c; and

WHEREAS, on March 23, 2017, the GMHB issued its Final Decision and Order regarding the two Rural Industrial Land Banks (Issue 19), finding that the county had not identified the maximum size of the RILB as required by GMA, and that the de-designation of agricultural resource land of long-term commercial significance (ALLTCS) had not been proper, [Case No. 16-2-0005c]; and

WHEREAS, on July 11, 2017, the county adopted Ordinance 2017-07-04 Exhibit 20 that amended CCC40.560.010(J)(2) to establish a maximum size of a rural industrial designation to be seven hundred (700) acres as required by GMA; and

WHEREAS, on January 10, 2018, the GMHB issued an Order on Compliance and Order on Motions to Modify Compliance Order, Rescind Invalidly, Stay Order and Supplement the Record (First Compliance Order), that invalidated the parts of the 2016 Plan which included the de-designated ALLTCS on 602 acres underlying the RILB; and

WHEREAS, on October 17, 2018 the GMHB issued the Second Order Finding Continuing Noncompliance (Second Compliance Order), regarding the de-designation of ALLTCS on 602 acres underlying the two RILB was invalid; and

WHEREAS, on December 18, 2018, Clark County Council adopted Interim Ordinance 2018-12-64 that suspended land use applications to develop lands within the RILB Overlay; and

WHEREAS, on February 12, 2019, Clark County Council at a duly notice hearing extended Interim Ordinance 2018-12-64 for six (6) months; and

WHEREAS, on July 9, 2019, the GMHB ruled in its Order Granting Stay for Issues 5, 10, and 19 and Re-enforcing Invalidity, that the county need not take and report on actions to come into compliance regarding Issue 19 (RILB) until a final appellate decision is rendered on the dedesignation of ALLTCS on 602 acres; and

1 2	WHEREAS, on August 6, 2019, Clark County Council at a duly notice hearing extended Interim Ordinance 2018-12-64 for six (6) months; and
3 4 5 6 7 8 9 10 11 12	WHEREAS, on August 20, 2019, the Court of Appeals granted FOCC's motion to dismiss the county's petition for judicial review of the GMHB's ruling that the de-designation of agricultural land on 602 acres underlying the two Rural Industrial Land Banks was out of compliance with the state's GMA, but did not dismiss the county's appeal of the First Compliance Order. In footnote 13, the court noted "even if we were to consider this argument, our review of the record here reveals that the Board did not err."[Clark County v. Growth Management Hearings Bd., Wn. App (2019) (Case Nos. 50874-8-II and 51745-1-II, Consolidated), at pages 25 and 51; and
13 14 15	WHEREAS, the Clark County Council directed county staff to initiate a process to remove all references to the Rural Industrial Land Bank; and
16 17 18	WHEREAS, the required sixty day notice of intent to adopt this set of amendments was received by the State Department of Commerce on September 9, 2019, and
19 20 21	WHEREAS , a SEPA determination of non-significance was published on October 2, 2019 and two comments were received and included in the record; and
22 23 24	WHEREAS, the Clark County Planning Commission held a work session on October 3, 2019 to review the staff recommendation on the proposed amendments; and
25 26 27	WHEREAS, the Planning Commission held a duly noticed public hearing on October 17, 2019 at which it considered and deliberated on the staff proposed amendments and forwarded a recommendation of approval to the Council regarding the proposed amendments; and
28 29 30	WHEREAS, the Council held a work session on October 23, 2019 to review the Planning Commission recommendation on the proposed amendments; and
31 32 33 34	WHEREAS , the Council at its duly noticed public hearing on November 12, 2019, took public testimony and considered all comments presented to the Council, the recommendations of the Planning Commission, and staff; and
35 36 37 38 39 40 41	WHEREAS, the Council finds that adoption of the proposed amendments that repeal and rescind the establishment of the two Rural Industrial Land Banks and the de-designation of 602 acres of agricultural land underlying the Rural Industrial Land Banks is an appropriate response to the Growth Management Hearings Board Final Decision and Order regarding the two Rural Industrial Land Banks, three subsequent compliance orders issued by the GMHB, and the decision of the Washington Court of Appeals; and
42 43 44 45	WHEREAS , the Council finds that adoption of the proposed amendments will further the public health, safety and welfare; and now, therefore,
46 47	BE IT HEREBY ORDAINED, RESOLVED AND DECREED BY THE CLARK COUNTY COUNCIL, CLARK COUNTY, STATE OF WASHINGTON, as follows:
48 49 50	Section 1. Findings. The recitals above are incorporated into this ordinance as findings.
51 52	Section 2. Amendatory . Amend the 20-year Comprehensive Growth Management Plan 2015-2035 Plan Map designation (Exhibit 1) and corresponding Zoning Map (Exhibit 2) for that certain

2

9 10

11 12

13

property totaling approximately 602 acres in size formerly known as the two Rural Industrial Land Bank sites from Rural Industrial Land Bank (IL and IL-RILB Overlay) to Agriculture (AG-20) tax serial parcel numbers: 198335000, 198375000, 196656000, 198111000, 198324000, 198112000,198101000, 198075000, 198072000,198080000, 198082000, 198113000, and 198076000.

Section 3. Amendatory. The Arterial Atlas Map (see Exhibit 3) is amended as follows:

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

Section 4. Amendatory. 20-year Comprehensive Growth Management Plan 2015-2035 text is amended as follows:

Table of Contents

14	Introduction	
15	Clark County, Washington	2
16	Growth Management	4
17	Community Framework Plan	6
18	Countywide Planning Policies	
19	Comprehensive plan organization and use	6
20	Community Framework Plan	
21	The Community Vision	
22	Policies	10
23	Chapter 1 Land Use Element	4
24	Introduction	
25	Relation to other elements of the plan	24
26	Relation to other county planning policy documents	25
27	Relation to city comprehensive plans	25
28	Land Use Conditions	25

1	General History	25
2	Current general distribution of land uses and population	
3	Residential Land Uses	
4	Commercial and Industrial Land Uses	
5	Parks	
6	Land Use Integration	
7	Urban Growth Areas	
8	Focused Public Investment Areas	
9	Sub-area Plans	
10 11	Communitywide Plans	
	Interpretation of the 20-Year Plan Map	
12	20-Year plan designations and location criteria	
13	Residential Lands	
14	Commercial (C)	
15	Mixed Use (MU)	
16	Industrial (I)	
17 18	Heavy Industrial (IH)	
19	Public Facility (PF)	
20	Parks/Open Space (P/OS)	
21	Bonneville Power Administration (BPA)	
22	Rural Lands	
23	Rural Center (RC)	
24	Rural Commercial (CR)	
25	Rural Industrial (RI)	
26	Rural Industrial Land Bank (RILB)	
27	Resource Lands	
28	Agriculture Lands (AG)	. 37
29	Agriculture/Wildlife (AG/WL)	
30	Forest Tier I	
31		
32		
33	****	
34	Land Use Element, page 31	
	autia oce atemorit, page or	
35	Interpretation of the 20-Year Plan Map	
36	The 20-Year Plan Map identifies a number of different designations which are described	
37	below. The plan designations have been chosen are consistent with the location criteria	
38	described. Future amendments to the 20-Year Plan map must be made in a manner, which	is
39	consistent with these general descriptions (Tables 1.4, 1.5 and 1.6).	
40	Comprehensive Plan Map: Establishes land use designations for all land in Clark	
41	County. It shows the long-term vision of how and where the county will change over the	
42	next 20 years to accommodate expected population growth.	
43	Zoning Map: Shows how land can be used and what can be built on any given property	
44	today. Zones are more specific than comprehensive plan designations and come with a	
45	set of rules described in the county's Unified Development Code Title 40.	
46		

Table 1.4 | Rural Lands Plan Designation to Zone Consistency Chart

Comprehensive Plan	Zoning
Rural 5 (R-5)	Rural (R-5)
Rural 10 (R-10)	Rural (R-10)
Rural 20 (R-20)	Rural (R-20)
Rurai 20 (R-20)	Airport (A)
Rural Center (RC)	Rural Center (RC-1)
• •	Rural Center (RC-2.5)
	Rural (R-5)
Rural Commercial (CR)	Rural Commercial (CR-1)
	Rural Commercial (CR-2)
Rural Industrial (RI)	Heavy Industrial (IH)
,	Airport (A)
Public Facility (PF)	Public Facility (PF)
	Airport (A)
Rural Industrial Land Bank (RILB)	Light Industrial (IL)

Land Use Element, page(s) 36-37

Rural Lands

The Rural (R-5, R-10,R-20) designations are intended to provide lands for residential living in the rural area. Natural resource activities such as farming and forestry are allowed and encouraged to occur as small scale activities in conjunction with the residential uses in the area. These areas are subject to normal and accepted forestry and farming practices. The Rural 5, 10 and 20 comprehensive plan designations are implemented with corresponding Rural 5, 10 and 20 base zones. A Rural 10 designation is applied within the rural area to prevent premature subdivision of future urban areas where the lands are adjacent to designated Urban Reserves, where the predominant size is equal or greater than 10 acres, to act as a buffer to Natural Resource lands or to protect environmentally critical areas consistent with applicable county ordinance and related regulations. This allows for efficient urban development when land is added to the urban growth areas. A Rural 20 designation applies to rural areas where the lands act as a buffer to Natural Resource designated lands, are used for small scale forest or farm production or contain significant environmentally constrained areas as defined by applicable county code and related regulations.

Rural Center (RC)

The rural center residential zones are to provide lands for residential living in the Rural Centers at densities consistent with the comprehensive plan. These districts are only permitted in the designated Rural Centers and are implemented with the RC-1 and RC-2.5 base zones.

Rural Commercial (CR)

- This commercial district is located in rural areas outside of urban growth boundaries in existing commercial areas and within designated Rural Centers. These areas are generally
- 32 located at convenient locations at minor or major arterial crossroads and sized to
- accommodate the rural population. Rural commercial areas are not intended to serve the

2 3 4 5	commercial areas within designated Rural Centers are implemented with the CR-2 base zone. Existing commercial areas outside of these Rural Centers are implemented with the CR-1 base zone. All new rural commercial applications shall address the criteria for new commercial areas through a market and land use analysis.
6 7 8 9	Rural Industrial (RI) This industrial designation is to provide for industrial uses in the rural area that are primarily dependent on the natural resources derived from the rural area. The Heavy Industrial base zone implements this designation.
11	Rural Industrial Land Bank (RILB)
12 13 14	A rural industrial land bank is a master planned location for major industrial developments established consistent with RCW 36.70A.367. The minimum size of the land bank is 100 acres.
15 16 17 18 19 20 21	"Major industrial development" means a master planned location suitable for manufacturing or industrial businesses that: (i) Requires a parcel of land so large that no suitable parcels are available within an urban growth area; (ii) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent; or (iii) requires a location with characteristics such as proximity to transportation facilities or related industries such that there is no suitable location in an urban growth area. The major industrial development may not be for the purpose of retail commercial development or multitenant office parks.
23 24 25 26 27 28 29	"Industrial land bank" means up to two master planned locations, each consisting of a parcel or parcels of contiguous land, sufficiently large so as not to be readily available within the urban growth area of a city, or otherwise meeting the criteria in "major industrial development" above and is suitable for manufacturing, industrial, or commercial businesses and designated by Clark County through the comprehensive planning process specifically for major industrial use.
30	Rural and Natural Resource Element, page 98
31	Rurai and Natural Resource Element, page 30
32 33	Goals and Policies County 20-Year Plan Policies
34 35	Rural Industrial Land Bank
36 37 38 39 40	GOAL: Support the creation of a rural industrial land bank consistent with the growth management act to provide a master planned location for living wage jobs and industries supporting rural communities in an environmentally sensitive manner.
41	3.8 Policies
42 43	3.8.1. Designate a rural industrial land bank that is compatible with surrounding land uses and that creates long term value for both the community and the
44 45	industrial users. The maximum size of industrial land bank sites shall be 700 acres.
46	3.8.2 Develop rural major industrial developments within the designated rural

general traveling public in rural areas located between urban population centers. Rural

2		our environmental impacts, protecting natural resources and reducing waste.
3 4 5	3.8.3	Anticipate changing market and industrial needs and maintain the flexibility required for a variety of light industrial uses within the rural industrial land bank.
6 7 8 9	3.8.4	Ensure rural major industrial development within the rural industrial land bank respects and preserves critical areas functions and values and develops a stermwater solution that mimics the natural hydrology of the site while developing buffers both internally and externally. Incorporate low impact development strategies.
11 12 13 14	3.8.5	Ensure infrastructure requirements are met to maximize the land value. Coordinate infrastructure analysis and planning with public and private agencies so that their long term planning can anticipate the future light industrial development within the rural industrial land bank.
15 16 17	3.8.6	Develop a roadway and site infrastructure backbone within the rural industrial land bank that allows for phased development based on the market needs. Accommodate rail access.
18 19	3.8.7	Promote a level of predictability for future light industrial developers and the County through the flexibility of standards and consolidated reviews.
20 21	Freight Rail D	ependent Uses
22 23 24	7.1.7.	rt freight rail dependent uses where the use is dependent on and makes nort line railroad, as defined by the Surface Transportation Board.
25 26 27 28	3.9.1	3.8.1 Support freight rail dependent uses in rural lands, as well as agriculture, forest and mineral resource lands, where the use is dependent on and makes use of the short line railroad within the county.
29 30 31	3.9.2	3.8.2 Freight rail dependent uses will be allowed on parcels with a freight rail dependent use overlay, where such uses minimize impacts on adjacent rural and resource uses.
32 33 34 35 36 37 38	3.9.3	3.8.3 Freight rail dependent uses means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development. Clark County may include development of freight rail dependent uses on land adjacent to a short line railroad in the transportation element of this plan. The County may also modify development regulations to include development of freight rail dependent uses that do not require urban

A. Purpose. The purpose of this section is to provide for a wide range of noncommercial economic

B. Applicability. The regulations in this section shall be applicable in the following zoning districts:

or supporting enterprises not oriented to the general public.

development and employment opportunities that limit residential, institutional, commercial, office and

a. Light Industrial District (IL). The light industrial district is intended to provide for those less-

intensive industrial uses which produce little noise, odor and pollution. It also provides for

b. Business Park (BP) District. The Business Park district provides for the development of uses

including limited light manufacturing and wholesale trade, light warehousing, business and

resource-based uses and service uses that are deemed compatible with light industrial uses.

professional services, research, business, and corporate offices, and other similar compatible

Railroad Industrial District (IR). The railroad industrial district is intended to provide for those

industrial uses that are most suited for and can take advantage of locations along the

Light Industrial - Rural Industrial Land Bank (IL-RILB) Overlay. The light industrial - rural

standards are intended to promote sustainable development by minimizing environmental

impacts, protecting natural resources, reducing waste, promoting compatibility with the

resource-based activity, and creating long-term value for both the community and the

2. Heavy Industrial District (IH). The heavy industrial district is intended to preserve, enhance and

C. Uses. The uses set out in Table 40.230.085-1 are examples of uses allowable in the Industrial and

"C" - Conditional uses which may be permitted, subject to the approval of a conditional use permit as

surrounding land uses, avoiding urban growth in areas designated for long-term rural or

create areas containing industrial and manufacturing activities which are potentially incompatible

industrial land bank district overlay (IL-RILB) is applied in conjunction with the IL base zone. This overlay is intended to provide for industrial and manufacturing businesses which provide a variety of employment uses which produce little noise, odor and pollution. Development

other nonindustrial uses to those necessary for the convenience and support of such development

40.230.085 Employment Districts (IL, IH, IR, BP, IL-RILB)

(Amended: Ord. 2016-04-03; Ord. 2018-01-09)

2

3 Section 5. Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.230.085, and most recently amended by Sec. 23 of Ord. 2018-01-09, are each hereby 4 5 amended as follows:

6 7 8

and opportunities.

1. Industrial (I) Districts.

county's rail line.

with most other uses.

Business Park zoning districts.

set forth in Section 40.520.030.

"X" - Uses specifically prohibited.

17

22

35 36 37

34

38 39 40

41 42

> 43 44

45

46 47

48 49

50

Industry groups (four (4) digit); and

(Amended: Ord. 2016-04-03; Ord. 2018-01-09)

"P" - Uses allowed subject to approval of applicable permits.

The list of uses is based on the 2012 North American Industrial Classification System (NAICS), http://www.naics.com/search.htm. NAICS is organized in a hierarchical structure as follows:

- Sector (two (2) digit); Subsector (three (3) digit);
- Industry (five (5) digit).

In Table 40.230.085-1, each line is intended to include all lower divisions within it. If a specific industry group or industry is separately called out on its own line in the table under a subsector, it is to be separately regulated, but all other industry groups or industry under a subsector not listed will be regulated the same as the subsector. Where no industry group or industry is separately called out, the use category is intended to apply generally to uses within the subsector.

The use categories apply to the industry sector of the user and are not intended to be applied individually to floor areas within each use category.

2012 North	Table 40.230 American Industria	0.085-1. Uses I Classification		3)	IL	IH	IR	ВР	IL-RILB Overlay
A. Resource Uses									
11 Agriculture, foresti	ry, fishing and hunting	9						=	
111	Crop production	n		Р	Р	Р	Р	Þ	
112	Animal product	ion			Р	Р	Р	Р	Þ
113	Forestry and lo	orestry and logging					Р	Р	P
114	Fishing, hunting	g and trapping			Р	Р	Р	Р	Þ
115	Support activities	es for agricultu	are and forestry		Р	Р	Р	Р	₽
21 Mining									
211	Oil and gas ext	raction			х	C ⁴	C ⁴	x	×
212	212 Mining (except oil and gas)				x	C ⁴	C ⁴	X	×
	2123	Nonmetallic mineral mining and quarrying				P ⁴	P ⁴	×	×
213	Support activities	Support activities for mining					C ⁴	×	×
22 Utilities				= 1000		* =			
221	Utilities								
		22111	Electric power	generation	Р	Р	P	С	c
		22112	Electric power and distribution		Р	Р	Р	Р	P
		22121	Natural gas dis	tribution	Р	Р	Р	Р	P
		22131	Water supply a systems	nd irrigation	Р	Р	Р	Р	P
		22132	Sewage treatm	ent facilities	Р	Р	Р	С	e
23 Construction		•							
236	Construction of	buildings			P ⁵	P ⁵	P ⁵	P ⁵	₽ ⁶
237	Heavy and civil	engineering o	construction		P ⁵	P ⁵	P ⁵	P ⁵	₽6
238	Specialty trade	contractors			P ⁵	P ⁵	P ⁵	P ⁵	₽5
	Storage yards f	Storage yards for building materials, contractors' equipment and vehicles					Р	х	P
B. Manufacturing Use	es								
311	Food manufact	Food manufacturing					Р	×	Þ
31161 Animal slaughtering and processing		С	Р	Р	×	×			
			311811	Retail bakeries	Р	Р	Р	Р	P
312	Beverage and t	tobacco produ	ct manufacturing		Р	Р	P	Р	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)						IH	IR	BP	IL RILB Overlay
313	Textile mill	S			Р	Р	Р	х	P
314	Textile pro	duct mills			Р	Р	Р	x	P
315	Apparel ma	anufacturing			P ²	P ²	P ²	×	₽ 2
316	Leather an	d allied product man	llied product manufacturing						-i.k
	3161	Leather and hid	de tanning and f	inishing	х	Р	P	x	×
	3162	Footwear manu	ıfacturing		Р	Р	P	P	P
	3169	Other leather a	nd allied produc	t manufacturing	Р	Р	P	P	P
321	Wood prod	uct manufacturing							1
	3211	Sawmills and w	ood preservation	on	x	Р	Р	x	×
	3212	Veneer, plywoo	od, and enginee	red wood product	x	P	P	×	×
			321214	Truss manufacturing	Р	P	Р	×	Ð
	3219	Other wood pro	duct manufactu		Р	P	P	×	Þ
322	Paper man	Paper manufacturing					<u> </u>		1
	3221	Pulp, paper and paperboard mills				Р	Р	х	×
	3222	Converted paper product manufacturing			P	P	P	Р	P
323	Printing an				Р	P	P	P	P
324	Petroleum	and coal products ma	I products manufacturing		х	P	P	×	×
325	Chemical r	Chemical manufacturing					P	×	×
	3254	Pharmaceutica	P	P	P	×	Þ		
	3256	Soap, cleaning compound, and toilet preparation manufacturing				P	P	x	Þ
326	Plastics an	preparation manufacturing					P	×	Þ
327	Nonmetalli	Nonmetallic mineral product manufacturing							
	3271	Clay product ar	Clay product and refractory manufacturing					x	P
	3272	Glass and glas	s product manu	facturing	P	P	P	×	P
	3273	Cement and co	ncrete product	manufacturing	Р	P	P	×	P
-	-		327310	Cement	×	P	P	x	×
			327320	Ready-mix concrete manufacturing	x	P	P	x	×
	3274	Lime and gyps	um product mar		х	P	P	X	×
	3279	3279 Other nonmetallic mineral product				P	P	x	×
331	Primary me	manufacturing etal manufacturing			x	P	P	×	×
332			acturing						
- Andread		ricated metal product manufacturing 1 Forging and stamping P P P X						P	

2012 North	Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				IL	IН	IR	BP	IL-RILB Overlay
	3322	Cutlery and ha	ind tool manufact	turing	Р	P	P	Р	P
	3323	Architectural a manufacturing	nd structural met	als	P	Р	P	×	P
	3324	Boiler, tank, ar manufacturing	nd shipping conta	ainer	Р	Р	Р	×	Þ
	3325	Hardware mar	nufacturing		Р	Р	Р	Х	Þ
	3326	Spring and wir	e product manuf	acturing	P	Р	Р	х	P
	3327	Machine shop	8		Р	Р	Р	C	Þ
	3328	activities			P	P	Р	х	₽
			332813	Electroplating, plating, polishing, anodizing, and coloring	С	Р	Р	х	e
	3329	Other fabricate	ed metal product	manufacturing	Р	Р	Р	×	₽
333	Machinery m	anufacturing			Р	Р	Р	С	₽
334	Computer ar	Computer and electronic product manufacturing				Р	Р	Р	P
335	Electrical equipment, appliance, and component manufacturing				P	Р	Р	Р	Þ
336	Transportation	Transportation equipment manufacturing					Р	×	P
			336991	Motorcycle, bicycle, and parts manufacturing	Р	P	P	Р	p
337	Furniture and	d related product n	nanufacturing	•	Р	Р	Р	×	P
339	Miscellaneou	us manufacturing			Р	Р	Р	Р	Þ
C. Wholesale Trade	***								
423	Wholesale tr	ade, durable good	s (retail sales pro	hibited)	Р	Р	Р	Р	Þ
424	Wholesale tr	ade, nondurable g	oods (retail sales	prohibited)	Р	Р	Р	Р	Þ
425	Wholesale e	lectronic markets a	ind agents and b	rokers	Р	Р	Р	Р	Þ
D. Retail Trade									
	Retail sales	of products fabrica	ted on site		P ¹	P ¹	P ¹ .	P ¹	₽4
	Construction	and industrial equ	ipment sales		Р	Р	Р	х	Þ
	4411	Automotive de	alers		х	х	х	×	×
	4412	Other motor ve	ehicle dealers		х	х	х	х	×
	4413	Automotive pa	rts, accessories,	and tire stores	P ¹	P1	P ¹	P1	₽4
	4441	4441 Building material and supplies dealers					х	х	P
		44412	Paint and wallp	paper stores	P ¹	x	х	х	₽⁴
		44413	Hardware store	es	P ¹	х	х	×	₽⁴
445	Food and be	verage stores			P ¹	х	х	P ¹	₽ [‡]
	44512	Convenience s	stores		P1	P ¹	P1	P1	₽1

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)				1H	IR	BP	IL RILB Overlay ¹⁰
446	Health and pe	ersonal care stores	P ¹	х	х	P ¹	₽4
447	Gasoline stati	ons	С	С	С	С	c
448	Clothing and	Clothing and clothing accessories stores			x	P1	₽4
451	Sporting good	Sporting goods, hobby, book and music stores			×	P1	₽4
452	General merc	General merchandise stores			×	х	×
453	Miscellaneous	Miscellaneous store retailers			×	P ¹	. P ⁴
454	Nonstore reta	Nonstore retailers				Р	P
	45431	45431 Fuel dealers				х	c
Transportation and Wa	rehousing `		1		-		
482	Rail transport	Rail transportation				х	P
483	Water transpo	Water transportation			×	х	×
484	Truck transpo	Truck transportation			Р	Р	P
485	Transit and gr	Transit and ground passenger transportation		Р	Р	Р	P
486	Pipeline trans	portation	Р	Р	Р	Р	P
487	Scenic and sig	ghtseeing transportation	Р	Р	×	x	Þ
488	Support activi	ties for transportation	Р	Р	×	х	P
	4882	Support activities for rail transportation	Р	Р	Р	х	P
	4883	Support activities for water transportation	х	Р	Р	х	×
	4884	Support activities for road transportation	Р	×	х	х	P
	4885	Freight transportation arrangement	Р	Р	Р	Р	P
	4889	Other support activities for transportation	Р	Р	Р	Р	P
491	Postal service		P	Р	Р	Р	P
492	Couriers and	messengers	Р	Р	Р	Р	P
493	Warehousing	and storage	Р	P	P	P	<u>p</u>

2012 North A	IL	IH	IR	ВР	IL-RILB Overlay ¹⁰		
Information							
511	Publishing industries			Р	Р	Р	P
512	Motion picture and sound recording industries			Р	Р	Р	P
515	Broadcasting (except Internet)			Р	Р	Р	P
516	Internet publishing and broadcasting			Р	Р	Р	P
517	Telecommunications			Р	Р	Р	₽
	5172	5172 Wireless communications carriers				P/C ⁷	P/G ⁷
518	Internet service providers, web search portals, and data			Р	Р	Р	P

Page 13 of 27

2012 North An	Table 40.2 nerican Industr	IL	IH	IR	BP	IL-RILB Overlay ¹⁰		
	processing	services						
519	Other inform	nation service	S	Р	Р	Р	Р	P
52 Finance and insurance						х	Р	×
	5221	5221 Branch banks (including drive-up service)			P ¹	x	Р	P ₁
524	Insurance c	Insurance carriers and related activities					Р	P
3 Real estate and renta	I and leasing							
531	531 Offices of real estate agents and brokers					×	Р	₽
532	Rental and	leasing service	es	Р	х	×	Р	₽
	5324		al and industrial machinery and rental and leasing	Р	Р	Р	х	Þ
533	Lessors of nonfinancial intangible assets (except copyrighted works)				x	х	Р	×
54 Professional, Scientifi	c, and Technica	Services				114		
541	Professiona	l, scientific, ar	nd technical services	Р	Х	х	Р	Þ
		54135	Building inspection services	Р	×	×	Р	P
		54136	Geophysical surveying and mapping services	Р	х	×	Р	₽
		54137	Surveying and mapping (except geophysical services)	Р	х	х	Р	₽
		54138	Testing laboratories	Р	х	×	Р	Þ
	54194 Veterinary services				Р	x	Р	Þ
55 Management of comp	anies and enter	prises			-			
551	Managemer	Р	x	x	P	Þ		
56 Administrative and su	pport and waste	management	and remediation services					-\
561	Administrati	ve and suppo	rt services	Р	х	Х	Р	Þ
	5616	Investigation	Investigation and security services		х	х	Р	P
	5617	Services to	Services to buildings and dwellings		Х	×	Р	P
	5619	Other support services			х	х	P	Þ
562	562 Waste management and remediation services		C ₆	C ⁶	C _e	×	C ₆	
31 Educational services	<u>110</u>						,	
611	Educational	Educational services ^{44<u>10</u>}			С	х	С	e
	6111	1 Elementary and secondary schools ¹⁴ 10			С	х	С	×
	6112	Junior colle	ges ¹¹¹⁰	С	С	X.	С	c
	6113	Colleges a	nd universities ^{44<u>10</u>}	С	С	х	С	G
	6114	Business s	Business schools and computer and management training ¹⁴¹⁰			х	P	c

2012 North A	Table 40.: merican Indust	230.085-1. Use rial Classificat		AICS)	IL	IH	IR	BP	iL-RILB Overlay ¹⁰
	6115	Technical a	nd trade schoo	s	Р	Р	Р	Р	P
			611519	Truck driving schools	Р	Р	x	Р	P
	6116	Other school	ols and instructi	on	С	С	х	Р	c
			611692	Automobile driving schools	Р	С	х	Р	₽
	6117	Educationa	I support service	es ⁺⁺¹⁰	С	С	х	Р	c
2 Health care and soci	al assistance							-1	
621 Ambulatory health care services					Р	x	х	Р	Þ
	6215	Medical and	d diagnostic lab	oratories	Р	x	x	Р	Þ
	6216	Home healt	h care services		Р	×	x	Р	P
	6219	Other ambu	latory health ca	re services	Р	x	x	Р	Þ
		62191	Ambulance :	services	Р	Р	Р	Р	Ð
622	Hospitals				С	Х	х	Р	e
623	Nursing and residential care facilities				х	×	x	P	×
	6232		mental retardat substance abu		х	х	×	С	×
624	Social assi	Social assistance			Х	х	х	Р	×
	6244	Child day c	are services		P ¹	P ¹	P ¹	Р	₽ [‡]
1 Arts, entertainment,	and recreation				P ¹	х	х	Р	₽1
	7112	Spectator s	ports		С	х	х	С	c
		71391	Golf courses	and country	х	х	х	×	×
		71392	Skiing faciliti	es	х	x	X	x	×
		71393	Marinas		Р	х	×	х	Þ
		71394	Fitness and sports cente		P ¹	P ¹	P ¹	P ¹	₽⁴
		71399	All other am recreation in	usement and dustries	P ¹	X	х	P ¹	₽ [‡]
2 Accommodations an	d food services								_
721	Accommod	dation			х	Х	х	Р	×
722	Food servi	ces and drinkin	g places		P ¹	P ¹	P ¹	P ¹	₽⁴
	7223	Special foo	d services		Р	Р	Р	Р	Þ
1 Other services (exce	pt public admini	stration)							
811	Repair and	l maintenance			P ³	P ³	P ³	P ³	₽³
	8111	Automotive	repair and main	ntenance	P ³	P ³	P ³	С	₽³
	8113	Commercia equipment	l and industrial (except automo	machinery and tive and	P ³	P ³	P ³	С	₽³

2012 North A	IL	IH	IR	BP	IL-RILB Overlay ¹⁰			
		electronic	repair and maintenance)					
812	Personal a	Personal and laundry services			x	x	P ¹	₽1
		81221	Funeral homes and funeral services	х	Х	×	Р	×
		81222	Cemeteries and crematories	С	С	С	С	c
	8123	Dry cleanir	ng and laundry services	P ¹	×	х	P ¹	₽ŧ
		81233	Linen and uniform supply	Р	Р	х	Р	P
		81291	Pet care (except veterinary) services	P ¹	х	х	P ¹	₽⁴
813	Religious, organization	grant making, o	х	x	×	С	×	
92 Public Administration) 11 10			Р	х	х	Р	₽
	92214	Correction	al institutions ^{44<u>10</u>}	С	С	x	x	×
G. Other uses not listed	as NAICS code	s			-	1		1
Service stations for ve	ehicle fleets, incl	uding cardlock	facilities	Р	Р	Р	Р	P
2. Personal property sto	rage including o	utdoor RV and	boat storage	Р	x	×	x	P
3. Accessory uses								
a. Admini	istrative, educati	onal, and other	r related activities and facilities	P ²	P ²	P ²	P ²	₽²
b. Caretal integral p	b. Caretaker, security or manager residence when incorporated as an integral part of a permitted use					P ²	P ²	₽2
	c. Off-site hazardous waste treatment and storage facilities (subject to RCW 70.105.210)					P ²	P ²	₽2
								The second second
RCW 70.					1			
RCW 70.1				P ²	P ²	P ²	P ²	P ²
RCW 70. 4. Other Uses a. Parks, b. Existing accessory Replacen	trails and related g residential use y uses and structurent of such structurent of such structurent of the existing structurent of the existing structurent of such st	d uses ⁺¹¹⁰ es without any i tures normal to loctures requires	ncrease in density, including o a residential environment. s county approval prior to the is subject to the limits regarding	P ²	P ²	P ²	P ²	₽ ₽²
A. Other Uses a. Parks, b. Existing accessory Replacem removal of the replacem	trails and related g residential use y uses and struc- nent of such struc- of the existing struc- cement.	d uses ¹⁴¹⁰ s without any istures normal to ctures requires ructure(s) and	o a residential environment. s county approval prior to the	-	ļ.		<u> </u>	ļ.
A. Other Uses a. Parks, b. Existing accessory Replacem removal of the replace c. Legally d. Public to	trails and related g residential use y uses and struc nent of such struc f the existing strucement. y existing comme	d uses ^{+1,0} es without any istures normal to actures requires ructure(s) and ercial and industrupport of consupport of cons	o a residential environment. s county approval prior to the is subject to the limits regarding strial use structures struction projects and agency	P	P	P	P	Þ
RCW 70. I. Other Uses a. Parks, b. Existing accessory Replacem removal of the replace c. Legally d. Public to operations	trails and related gresidential use y uses and structurent of such structurent of the existing structurent. Y existing comment of the structurent of the existing comment.	d uses ¹⁴¹⁰ es without any istures normal to cutures requires ructure(s) and ercial and industrials and industrials for employe	o a residential environment. s county approval prior to the is subject to the limits regarding strial use structures struction projects and agency	P P	P	P	P	P
RCW 70. Description: a. Parks, b. Existing accessory Replacem removal of the replacem c. Legally d. Public operation: e. Electric	trails and related gresidential use y uses and structurent of such structurent of the existing structurent. Y existing commet facilities for the sis, including office to vehicle infrastructure.	d uses ¹⁴¹⁰ es without any istures normal to cutures requires ructure(s) and ercial and industrial and industrial support of conses for employed ucture	o a residential environment. s county approval prior to the is subject to the limits regarding strial use structures struction projects and agency	P P	P	P P	P P	ъ Б
RCW 70. 4. Other Uses a. Parks, b. Existing accessory Replacem removal of the replace c. Legally d. Public operations e. Electric f. Coffee a	trails and related gresidential use y uses and structurent of such structurent of the existing structurent. Y existing commet facilities for the sis, including office to vehicle infrastructure.	d uses ¹⁴¹⁰ es without any intures normal to cutures requires ructure(s) and ercial and industrial and industrial ercial ercia	o a residential environment. s county approval prior to the is subject to the limits regarding strial use structures struction projects and agency ses of the facility	P P P	P P P	P P P	P P P	ъ Б
RCW 70. 4. Other Uses a. Parks, b. Existing accessory Replacem removal of the replace c. Legally d. Public operations e. Electric f. Coffee a g. Agricult	trails and related gresidential use y uses and structure of such structure of the existing structure. Y existing commet facilities for the sis, including office wehicle infrastruand food stands	d uses ¹⁴¹⁰ is without any istures normal to tures requires ructure(s) and ercial and industrial and industria	o a residential environment. s county approval prior to the is subject to the limits regarding strial use structures struction projects and agency ses of the facility	P P P P	P P P	P P P P8	P P P P	ъ ₈ ъ ъ

¹ These uses shall be limited to a maximum of ten percent (10%) of the gross floor area of all buildings within the development site. These uses are intended to serve and support the needs of employees, clients, customers, vendors, and others having business at the industrial site, to allow limited retail sales of

products manufactured on site, to attract and retain a quality workforce, and to further other public objectives such as trip reduction.

Permitted only in association with a permitted use.

3 The repair and maintenance subsector does not include all establishments that do repair and maintenance. For example, a substantial amount of repair is done by establishments that also manufacture machinery, equipment and other goods. These establishments are included in Sector 31-33 Manufacturing Uses. Repair of transportation equipment is often provided by or based at transportation facilities, such as airports and seaports, and these activities are included in Sector 48-49 Transportation and Warehousing. Excluded from this subsector are establishments primarily engaged in rebuilding or remanufacturing machinery and equipment. These are classified in Sector 31-33, Manufacturing Uses. Also excluded are retail establishments that provide after-sale services and repair. These are classified in Sector 44-45,

Subject to the provisions of Section 40.250.022, Surface Mining Overlay District.

⁵ Businesses that are actively working on construction projects and not just coordinating with other contractors. Uses include the storage of materials for use on construction projects, trucks, and other equipment, and shall not be a purely office use. These uses shall not include professional offices such as engineers, planners or architects that support land development and subdivision projects.

⁶ Subject to the provisions of Section 40.260.200.

⁷ See Table 40.260.250-1.

- ⁸ Subject to the provisions of Section 40.260.055.
- 9 Subject to the provisions of Section 40.260.025.
- ¹⁰ Pursuant to Section 40.520.075(E), specific major industrial developments are required to be the subject of an open record public hearing held before the hearing examiner with notice published at least thirty (30) days before the hearing date and mailed to all property owners within one (1) mile of the site. 410 Once a property has been developed as a public facility, a docket is required to change the

comprehensive plan designation from the current zone to the Public Facilities zone. (Amended: Ord. 2013-07-08; Ord. 2014-01-08; Ord. 2014-05-07; Ord. 2014-11-02; Ord. 2016-04-03; Ord. 2016-06-12; Ord. 2018-01-09)

- D. Development Standards. Development standards for employment zoning districts are as follows:
 - 1. All districts.
 - a. New lots, structures and additions to structures subject to this section shall comply with the applicable standards for lots, building height, setbacks and landscaping in Table 40.230.085-2, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Subject	Zone								
	IL	IH IH	IR	ВР	IL-RILB Overlay				
Minimum area of new zoning district	None	None	None	5 acres ⁴	100				
Maximum area of new zoning district	None	None	None	None	None				
Minimum lot area	None	None	None	5 acres⁴	50				
Minimum lot width	None	None	None	None	None				
Maximum building 100 feet ²		100 feet ²	100 feet ^{2, 3}	100 feet ²	100 feet ²				
Minimum building setb	ack								
Front/street side	20 feet	20 feet	20 feet	20 feet	20 feet				
Side (interior)	0 feet	0 feet	0 feet	0/20 feet ⁵	0/100 feet ²				
Rear	0 feet	0 feet	0 feet	0/20 feet ⁵	0/100 feet ⁷				
Maximum lot coverage		0-1, the Stormwater a	with screening and buf and Erosion Control Ord						

Table 40.230.085-2. Lot Standards, Setbacks, Lot Coverage and Building Height Requirements									
	Zone								
Subject	IL	ІН	IR	ВР	IL-RILB Overlay				
Minimum site landscaped area ¹	10 percent	0 percent	0 percent	15 percent	10 percent				

- b. Site plan review pursuant to Section 40.520.040 is required for all new development and modifications to existing permitted development unless expressly exempted by this title.
- c. Freestanding commercial retail buildings are permitted with the exception of drive-through retail businesses. Freestanding commercial retail buildings shall not exceed ten thousand (10,000) square feet. Where commercial retail uses are approved, a note shall be placed on the final site plan indicating the cumulative amount of the commercial retail areas that have been approved and the residual amount that remains available for use.
- d. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
- e. Off-Street Parking and Loading. Off-street parking and loading shall be provided as required in Chapter 40.340.
- f. Landscaping. Landscaping and buffers shall be provided as required in Table 40.230.085-2 and Chapter 40.320.
- 2. Additional Development Standards for the Railroad Industrial District.
 - a. The perimeter around railroad industrial parks shall be landscaped to an L5 or L3 standard except along the rail line. In determining which standard applies, the responsible official will consider the potential impacts, such as noise and visual impacts to neighboring properties. Generally, greater impacts trigger the L5 standard and lesser impacts trigger the L3 standard.
 - b. The performance standards of Section 40.230.085(E) shall be met at the park perimeter.
 - c. No tracks are allowed in public roadways except at at-grade crossings.
 - d. At-grade crossings shall be minimized to the greatest extent practicable.
 - e. Applicants for development in this zoning district shall submit a rail use plan showing where they could build a spur track that will connect with the main line. A rail use plan does not apply if an applicant can show there is an existing track or spur. Development shall not preclude the extension of any spur track.
- 3. Additional Development Standards for the Business Park District.
 - a. Uses in Setbacks. No service road, spur track, hard stand, or outside storage area shall be permitted within required setbacks adjoining residential districts.
 - b. Setbacks. No minimum setback is required where side or rear lot lines abut a railroad right-ofway or spur track.
 - c. Fences. Fencing around the perimeter of the development and fencing abutting public or private streets shall be a combination of solid wall, wrought iron, or other similar treatment. Sections of fence or wall longer than fifty (50) feet shall be interspersed with trees or hedges at least every fifty (50) feet for a distance of at least five (5) feet to break up the appearance of the fence or wall. Fences or walls shall not block sight distance at intersections. The responsible official may approve and condition an alternative fence design that is compatible with existing, abutting fencing, landscaping, and land uses that still meets the intent of the development standards of the Business Park zoning district.

¹ Additional setbacks and/or landscape requirements may apply, particularly abutting residential uses or zones. See Sections 40.230.085(E) and 40.320.010.

² Excluding unique architectural features such as towers, cupolas and peaked roofs. No height limitation for accessory towers.

³ Building height is limited to sixty (60) feet for parcels on the perimeter of the district or on parcels adjacent to residential districts. Buildings on perimeter parcels may be up to one hundred (100) feet in height if the setback is increased to the building height.

⁴ New parcels smaller than five (5) acres are not permitted unless consistent with a site plan approval.

⁵ Twenty (20) feet when abutting residentially zoned property.

⁶ For buildings exceeding thirty-six (36) feet in height, the building setback shall be equal to the height of the building, up to a maximum setback of fifty (50) feet.

⁷ One hundred (100) feet required on perimeter of IL-RILB comprehensive plan designation and implementing zone. On interior lot lines, zero (0) feet applies. (Amended: Ord. 2014-01-08; Ord. 2016-04-03)

- d. Site Landscaping and Design Plan. In addition to site plan requirements, the following requirements shall apply:
 - (1) Blank walls are discouraged next to residential zones. If a blank wall is adjacent to residential zones, the applicant shall provide and maintain a vegetative buffer at least eleven (11) feet high that creates a varied appearance to the blank wall. Other features such as false or display windows, artwork, and varied building materials are acceptable.
 - (2) Parking areas adjacent to rights-of-way shall be physically separated from the rights-of-way by landscaping or other features to a height of three (3) feet. A combination of walls, berms and landscape materials is preferred. Sidewalks may be placed within this landscaping if the street is defined as a collector or arterial with a speed limit of thirty-five (35) mph or above, in order to separate the pedestrian from heavy or high speed traffic on adjacent roads. The creation of a perimeter feature shall not interfere with the implementation of low impact development stormwater management features on site.
 - (3) If a development is located within two hundred fifty (250) feet of an existing or proposed transit stop, the applicant shall work with the transit agency in locating a transit stop and shelter as close as possible to the main building entrance.
 - (4) Parking island locations may be designed to facilitate on-site truck maneuvering.
 - (5) Required setback areas adjacent to streets and abutting a residential district shall be continuously maintained in lawn or live groundcover. Allowed uses in these areas are bikeways, pedestrian paths and stormwater facilities.
 - (6) A minimum fifteen percent (15%) of the site shall be landscaped. Vegetated stormwater facilities and pedestrian plazas may be used to satisfy this requirement. To qualify as a pedestrian plaza, the plaza must:
 - (a) Have a minimum width and depth of ten (10) feet and a minimum size of six hundred fifty (650) square feet; and
 - (b) Have a minimum of eighty percent (80%) of the area paved in a decorative paver or textured, colored concrete. Asphalt is prohibited as a paver in pedestrian plazas.
 - (7) Structures should be clustered on site to maximize open space within the development.
- e. Pedestrian Access Plan. An on-site pedestrian circulation system must be provided which connects the street to the public entrances of the structure(s) on site.
 - (1) The circulation system shall be hard surfaced and be at least five (5) feet wide.
 - (2) Where the system crosses driveways, parking, and/or loading areas, the system must be clearly identifiable through the use of elevation changes, speed bumps, varied paving materials or other similar methods approved by the reviewing authority and in compliance with the Americans with Disabilities Act (ADA).
 - (3) The pedestrian circulation system and parking areas must be adequately lighted so that parking areas can be used safely when natural light is not present.
 - (4) The pedestrian system must connect the site to adjacent streets and transit stops. The pedestrian system must also connect on-site public open space or parks, commercial, office and institutional developments to adjacent like uses and developments for all buildings set back forty-five (45) feet or farther from the street lot line when existing development does not preclude such connection. Development patterns must not preclude eventual site-to-site connections, even if an adjoining site is not planned for development at the time of the applicant's development.
- f. Commercial Retail Bonus. Additional floor area beyond ten percent (10%) of the total may be devoted to commercial uses if the following conditions are met. Commercial and service bonuses are expressed as a percentage of total floor area of the development or building, up to a maximum of twenty percent (20%).
 - (1) All required parking is contained within the building or parking structure associated with the development: two and one-half percent (2.5%) bonus for each building served by the qualifying parking structure.
 - (2) The building is oriented such that access to a transit stop is available within one-half (1/2) mile: two and one-half percent (2.5%) bonus.
 - (3) Child care facilities are provided within the development: two and one-half percent (2.5%) bonus.
 - (4) Any six (6) of the following enhanced pedestrian spaces and amenities are provided: plazas, arcades, galleries, courtyards, outdoor cafes, widened sidewalks (more than six

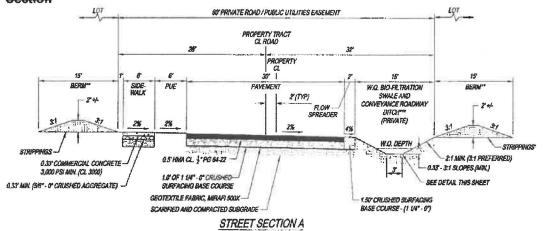
- (6) feet wide outside of public right-of-way), benches, shelters, street furniture, public art or kiosks: two and one-half percent (2.5%) bonus.
- 4. Additional Development Standards for the IL-RILB Overlay-District.
 - a. Use and Dimensional Standards.
 - (1) Permitted, accessory and conditional uses are permitted in accordance with Section 40.230.085(C).
 - (2) Floor area ratios: See Table 40.230.085-2. Determined by height, setbacks, and landscape standards.
 - (3) Maximum building heights: See Table 40.230.085-2.
 - (4) Maximum lot coverage (building and impermeable surface): See Table 40.230.085-2.

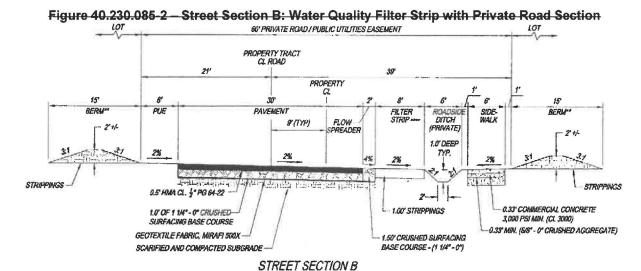
 Determined by setbacks, landscaping, and stormwater standards.
 - (5) Setbacks: See Table 40.230.085-2.
 - (6) Minimum spacing between buildings: Consistent with International Building Code at Chapter 14.01, Adoption of Building Safety Codes, and Chapter 14.05, Clark County Revisions to International Building Code.

b. Site Design.

- (1) Circulation/access to and within each lot and/or area shall be compatible with the RILB Master Concept Plan.
 - (a) Joint Access. Tenants may design and utilize joint accesses, where feasible, for adjacent sites within the RILB in order to minimize the total number of driveways.
 - (b) The responsible official shall review proposed joint accesses between parcels. If the responsible official finds that all other applicable access and circulation standards are met, he or she may approve the proposed joint access.
 - (c) Reciprocal Access Agreement. The applicant shall submit to Clark County a reciprocal access agreement or other legal covenant running with the land to formalize the joint access prior to commencement of construction. The agreement must be signed by all affected property owners or tenants, shall be notarized, and shall be recorded with the Clark County Auditor prior to construction.
- (2) Street Standards.
 - (a) Streets shall meet the provisions of Section 40.350.030.
 - (b) Private streets shall be designed and constructed to be compatible with the rural character of the RILB and surroundings by integrating low impact development, landscaping, and water quality treatment measures. Private roads shall be consistent with Figures 40.230.085-1 and 40.230.085-2 that provide two (2) options for road design addressing stormwater quality unless the responsible official requires the standard private road design or an alternative application of the county's stormwater manual that meet the intent of this development standard.

Figure 40.230.085-1 - Street Section A: Water Quality Bio-Filtration Swale with Private Road Section





- (3) Parking Requirements. Parking shall meet the requirements of Chapter 40.340, Parking, Loading and Circulation.
- (4) Nonmotorized Circulation and Handicapped Accessibility. The standards of Section 40.350.010, Pedestrian/Bicycle Circulation-Standards, shall be met with regard to nonmotorized circulation and handicapped accessibility.
- (5) Transportation demand management programs shall be implemented consistent with Chapter 5.50, Commute Reduction.
- (6) Transit-Oriented Site Planning. Site plans implemented consistent with the RILB Master Concept Plan shall identify the location of on-site sheltered bus steps (with current or planned service) or a sheltered bus step within one-quarter (1/4) mile of the site with adequate walkways, if approved by C-TRAN.
- (7) Signage Signage shall meet the requirements of Chapter 40.310, Signs.
- (8) Landscaping Requirements. Landscaping shall be consistent with standards contained in Chapter 40.320 and the following standards. In the case of conflict, the following standards shall apply.
 - (a) Opaque Screen. An opaque screen shall be installed in the one hundred (100) foot perimeter setback of the RILB. This screen is opaque from the ground to a height that is equal to or greater than the adjacent building roof and mechanical equipment of one hundred (100) foot depth. This screen may be composed of a combination of landscaped earth berm, planted vegetation, fencing or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be evaluated on the basis of the average mature height and density of foliate of the subjected species, or field observation of the existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of the intermittent visual obstructions should not contain any completely unobstructed openings more than ten (10) feet wide. The portion of intermittent visual obstructions may contain deciduous plants. Suggested planting patterns should be naturalized and use native plants suited to the area.
 - (b) Evergreen Trees. At least one (1) row of evergreen trees shall be planted, minimum eight (8) feet in height and ten (10) feet maximum separation at time of planting. Permitted evergreen tree species are those with the ability to develop a minimum branching width of eight (8) feet within five (5) years. Multiple tree species shall be integrated into the buffer design to promote long-term health and provide visual interest.
 - (c) Deciduous Trees. Projects shall incorporate deciduous trees (vine maples are a desirable example) into the buffer to add seasonal variety and interest. Deciduous trees shall have a caliper of at least one (1) inch at the time of planting.

- (d) Shrubs shall be planted at a rate of one (1) shrub per twenty (20) square feet of landscaped area. At least fifty percent (50%) of the shrubs shall be evergreen. At least twenty-five percent (25%) of the shrubs should be deciduous to provide seasonal interest. Shrubs shall be at least sixteen (16) inches tall at planting and have a mature height between three (3) and four (4) feet.
- (e) Ground cover shall be planted and spaced to result in total coverage of the required landscape area within three (3) years as follows:
 - (i) Four (4) inch pots at eighteen (18) inches on center.
 - (ii) One (1) gallon or greater sized containers at twenty-four (24) inches on center.
- (f) New landscaping materials shall consist of drought tolerant species that are native to the coastal region of the Pacific Northwest or noninvasive naturalized species that have adapted to the climatic conditions of the coastal region of the Pacific Northwest.
- (g) Maintenance. A two (2) year performance bond, irrevocable letter of credit, or assignment of cash deposit shall be posted.
- (9) Open Space. Demonstrate consistency with the coordinated open space, wetlands, stormwater and landscaping elements of the RILB Master Concept Plan.
- (10) Agriculture is allowed on site per the permitted uses of the IL-RILB overlay. Provision is made for compatibility with agricultural activities on abutting agricultural lands of long-term commercial significance via:
 - (a) Perimeter landscaped setbacks consistent with subsection (D)(4)(b)(8) of this section:
 - (b) Agricultural use allowances, including but not limited to smaller scale organic farming within on-site open space areas of the RILB Master Concept Plan; or
 - (c) Other site-specific measures as determined through State Environmental Policy Act review if there are possible significant adverse impacts.
- c. Environmental Quality.
 - (1) Air Quality. Emissions shall not exceed Southwest Clean Air Agency Regulations.
 - (2) Water Quality. Stormwater quantity and quality shall be managed consistent with Chapters 13.26A and 40.386. Implementing site plans shall document consistency with the regional stormwater concept included with the RILB Master Concept Plan.
 - (3) Development shall be consistent with critical areas regulations:
 - (a) Chapter 40.410, Critical Aquifer Recharge Areas (CARAs);
 - (b) Chapter 40.420, Flood Hazard Areas;
 - (c) Chapter 40.430, Geologic Hazard Areas;
 - (d) Chapter 40.440, Habitat Conservation; and
 - (e) Chapter 40.450, Wetland Protection.
- d. Infrastructure.
 - (1) Specific major industrial developments implementing the RILB Master Concept Plan shall assure that all new infrastructure is provided for by interlocal agreement between the county and the service provider or otherwise guaranteed by the service provider and the applicant and documented to the satisfaction of the responsible official.
 - (2) The applicant shall extend road and utility improvements to and within the rural industrial site consistent with the RILB Master Concept Plan and service provider requirements.
 - (a) The applicant shall be responsible for all costs of new infrastructure; provided, however, this requirement does not preclude use of government programs that fund portions of infrastructure to facilitate economic development and needed community facilities. A latecomer's agreement may be approved where an applicant installs improvements that will serve future phases or adjacent development. The applicant shall pay applicable impact fees or system development charges for system improvements supporting the development.
 - (b) Appropriate provisions for right-of-way dedication and right-of-way improvements adjacent to the specific major industrial developments shall be made, including street paving, and sidewalks, curb, gutter, and street lighting. Improvements shall be installed prior to issuance of a building permit for any development in the rural industrial development, unless an appropriate bond or instrument acceptable to the county is provided to guarantee installation of improvements.

- (c) Power and Water Supply. Proof of adequate and available water to serve each phase of the development as specified by Clark Public Utilities shall be provided.
- (d) Sewage Disposal. Proof of adequate sewage disposal to serve each phase of the development as specified by the Clark Regional Wastewater District shall be provided.
- (e) All utilities, including irrigation, domestic water and sewer, electrical distribution, telecommunication, and other necessary services, shall be installed prior to or in conjunction with construction of permitted buildings in the rural industrial development.
- (f) The internal water system shall include fire hydrants and fire flow pressure consistent with Fire District requirements.
- (g) Concurrency requirements shall be met as provided in Section 40.350.020, Transportation Concurrency Management System.
- (3) Urban governmental services may be provided to this major industrial development so long as such services are not connected to uses in nonurban areas unless such connections are consistent with state law and the Clark County comprehensive plan and have been approved by Clark County.
- (4) Consistent with existing local, state, and federal laws, water and natural gas pipelines and electric power lines and facilities and railroad tracks may cross nonurban areas to serve this specific major industrial development.
- (5) Applicants for development on the Ackerland properties shall submit a rail use plan showing where they could build a spur track that will connect with the main line. A rail use plan does not apply if an applicant can show there is an existing track or spur. Development shall not preclude the extension of any spur track.
- e. Protection of Nonurban Lands. The following measures assure the protection of such lands from urban growth:
 - (1) The rural industrial development is consistent with the uses authorized in RCW 36.70A.367 and this chapter.
 - (2) Urban governmental services shall not be extended to uses outside the boundaries of this specific rural industrial development (except where such services must extend through the rural or resource areas between this rural industrial development and another urban growth area) unless such extensions are consistent with state law and the Clark County comprehensive plan and have been approved by Clark County.
 - (3) No boundary change to this rural industrial development site shall be made without an amendment to the comprehensive plan land use map consistent with the requirements of RCW 36.70A.367 and the Clark County Code.

(Amended: Ord. 2015-11-24; Ord. 2016-04-03; Ord. 2018-01-09)

Section 6: Amendatory. Sec. 1 (Exhibit A) of Ord. 2003-11-01 and codified as CCC 40.520.070, and most recently amended by Sec. 1 of Ord. 2014-12-16

44 40.520.070

Master Planned Development

4546 A. Purpose.

The master planning standards in this section are intended to:

- 1. Promote coordinated and cohesive site planning and design of large, primarily light industrial and mixed use sites that will occur over an extended period of time;
- 2. Promote coordinated and cohesive site planning and design of large, heavy industrial sites that will occur over an extended period of time;
- 3. Provide a means of streamlining and consolidating development review processes. For large sites, intensive and integrated master planning review may occur earlier within the development process, lessening the scope of piecemeal review later as individual developments occur;

- Through consolidation of review processes, provide a level of predictability to project applicants, the county and the community at large regarding the nature and type of development which will occur in the future; and
- 5. Through flexibility of standards and consolidation of reviews, promote and facilitate quality development of larger sites in an integrated, cohesive manner providing for functional, design and other linkages between, and consistency among, a mix of individual uses and structures.

 (Amended: Ord. 2012-12-14)

B. Applicability.

1. Light Industrial (IL) Zones.

Any development equal to or greater than fifty (50) contiguous acres in size shall be eligible to apply for approval of a master plan by the reviewing authority. A minimum of seventy-five percent (75%) of the area proposed for master planning shall be held under common ownership at the time of application. A minimum of eighty-five percent (85%) of the area proposed for master planning shall be zoned light industrial (IL), or a change in zoning requested to this effect, at the time of application. The master plan shall consist of both a concept plan which shows the location, distribution and phasing of land uses and related facilities and a development plan as each phase of the plan is developed.

2. Mixed Use (MX) Zone.

Any development with proposed phasing of uses shall submit a master plan. A minimum of seventy-five percent (75%) of the area proposed for master planning shall be held under common ownership at the time of application. The master plan shall consist of both a concept plan which shows the location, distribution and phasing of land uses and related facilities and a development plan as each phase of the plan is developed.

3. Heavy Industrial (IH) Zone.

Any development equal to or greater than fifty (50) contiguous acres in size shall be eligible to apply for approval of a master plan by the reviewing authority. A minimum of seventy-five percent (75%) of the area proposed for master planning shall be held under common ownership at the time of application.

4. Rural Industrial Land Banks.

— Rural industrial land banks established pursuant to RCW 36.70A.365 or 36.70A.367 are required to have a master plan that meets the requirements of Sections 40.560.010(J) and 40.520.075.

(Amended: Ord. 2012-12-14: Ord. 2014-12-16)

- C. Approval Process.
 - Applications for a master plan shall be reviewed using a Type II-A process as described in Section 40.510.025, unless:
 - a. Ssubmitted with a subdivision, when it shall be reviewed using a Type III process; or
 - b. Submitted as part of a rural industrial land bank, when it shall be reviewed as a Type IV process.
 - 2. The master planning review is intended to provide a means of consolidating various reviews into a single master plan application and review, such that development subsequent to an approved master plan can be processed through site plan review. The master plan ordinance is not intended to integrate proposed large-scale zone or comprehensive plan changes to commercial designations, or to facilitate development to that effect.
 - Master plan review and subsequent site plan review shall serve to integrate the following review processes:
 - a. Conditional use review;
 - b. Mixed use review;
 - c. Zone changes, consistent with the procedural ordinance, necessary to meet the applicability requirement of this section;
 - d. Responsible official review;
 - e. Variance.
 - 4. Proposed comprehensive plan map changes increasing areas of commercial designations shall be processed separately under Section 40.560.010.
 - 5. Upon approval by the reviewing authority and timely implementation as described in Section 40.520.070(H), the master plan shall remain in force unless amended through Section 40.520.060, Post-Decision Review. All development in the master plan area shall thereafter comply with the master plan requirements and standards included or referenced therein.

1			****
2 3 4 5	3	This se 36.70 A	onal Criteria for Rural Major Industrial Map Changes. ection governs designations outside of UGAs for major industrial developments under RCW a.365. plication. The county shall process an application for a rural industrial development designation
6 7		thi	rsuant to RCW 36.70A.365 as a Type IV legislative action pursuant to Section 40.510.040 and s chapter.
8 9 10 11	2	se '	ral industrial designations require a minimum of one hundred (100) acres and a maximum of ven hundred (700) acres in size, and are designated as follows: Comprehensive Plan.
12 13 14		b.	 (1) Major industrial developments (light industrial). (2) Major industrial land banks (light industrial). Zoning. (1) Major industrial developments (IL).
15 16 17 18	3	B. Pro a. b.	(2) Major industrial land banks (IL). coess. Prior to formally proposing a designation under this section, the county shall: Undertake an inventory of available urban industrial land; Consult with affected city(ies) regarding a proposed designation;
19 20 21 22 23 24		c. d.	and
23 24 25 26 27	2		Complete a master plan for the development site as required pursuant to Section 40.520.075. proval Criteria. In addition to the other applicable designation criteria under this chapter, major industrial developments or major industrial land banks may only be approved upon a finding that the
28 29 30 31			requirement and criteria of RCW 36.70A.365, respectively, are met. Development Agreement. No designation under this section may be approved unless accompanied by a development agreement pursuant to RCW 36.70B.170 and Section 40.350.020 which at a minimum assures compliance with statutory requirements and criteria. jacent Nonurban Areas. A designation under this section does not permit urban growth in
32 33			acent nonurban areas.
34 35			d: Ord. 2004-09-02; Ord. 2007-09-13; Ord. 2008-12-15; Ord. 2012-12- 014-12-16; Ord. 2017-07-04; Ord. 2018-01-01; Ord. 2019-05-07)
36	Sec	tion 9	. Effective Date.
37 38			ance shall go into effect on November 22, 2019, ten (10) days after its adoption.
39	Sec	tion 1	0. Instructions to Clerk.
40 41	The		to the Council shall:
42 43 44		1.	Transmit a copy of this ordinance to the Washington State Department of Commerce within ten (10) days of its adoption pursuant to RCW 36.70A.106.
45 46 47		2.	Transmit a copy of the adopted ordinance to Code Publishing, Inc. forthwith to update the electronic version of the Clark County Code.
48 49 50		3.	Transmit a copy of the adopted ordinance to the Clark County Geographic Information Systems (Megen Britell and Jesse Manley).

Exhibit 1 - Proposed Plan Map Designations

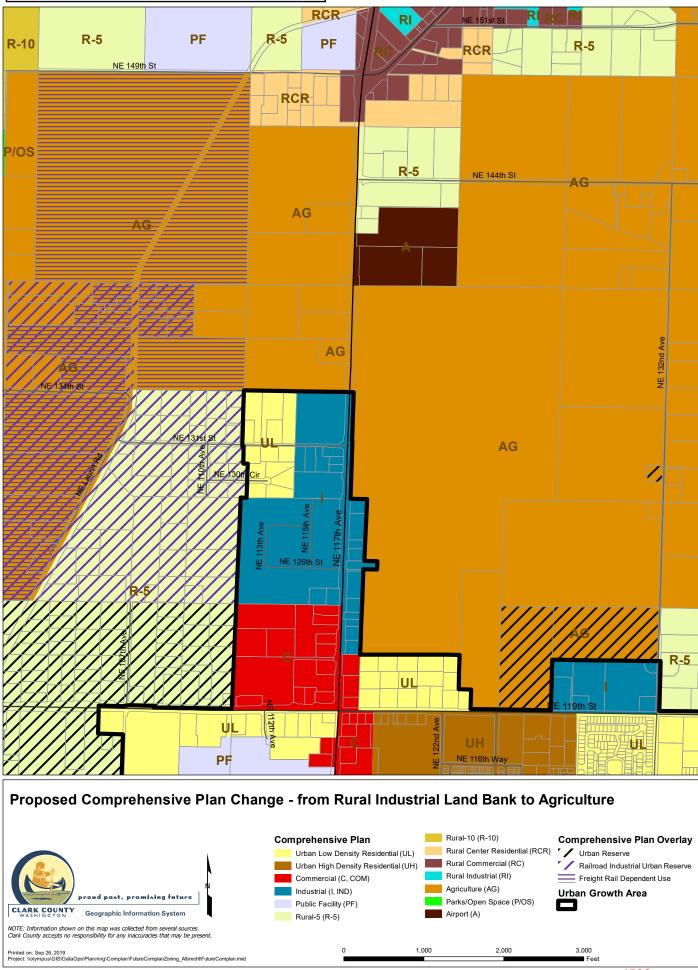


Exhibit 2 - Proposed Zoning Map

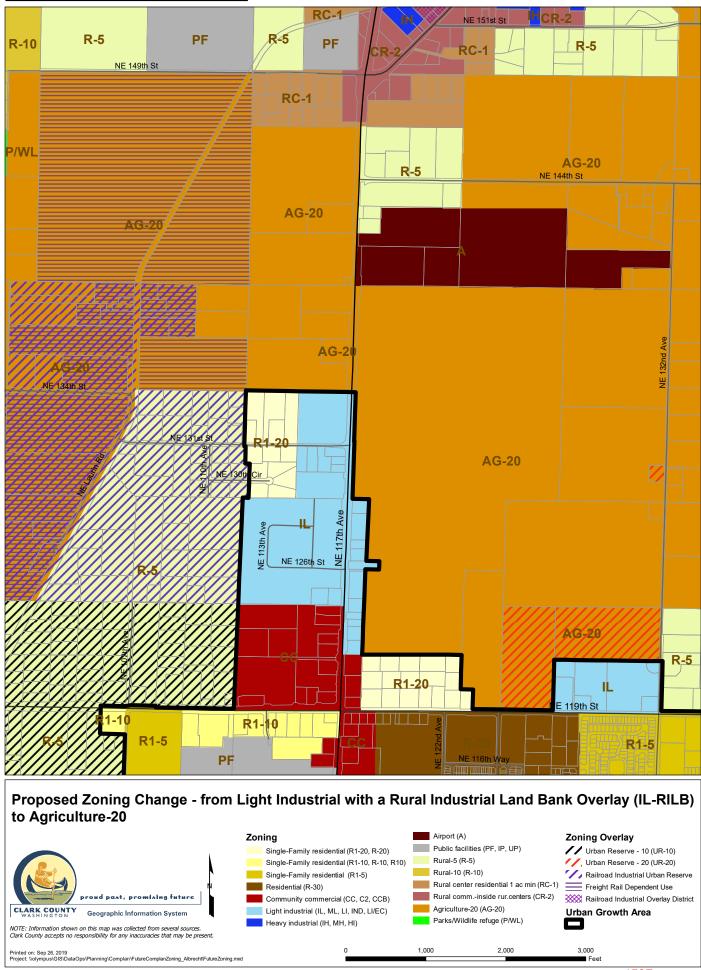


Exhibit 3 - Proposed Arterial Atlas Map

