

# Planning commission votes to correct comp plan issues

*County Council will be final say on decision to remand plan updates*

**BY RICK BANNAN**

*rick@thereflector.com*

The aftermath of a decision by the Washington State Growth Management Hearings Board in March continues to ripple through Clark County as the county's Planning Commission voted to remand six items of the county's 2016 Comprehensive Plan update.

The board voted 6-0 on six items determined by county staff as needing to be addressed given the GMHB decision, which saw the county in noncompliance or invalid on seven of 25 issues leveled by two separate groups of challengers.

The matters the county needed to deal with were all ones it was found in noncompliance with the state Growth Management Act by the GMHB. They included upzoning issues, namely those on forest and agricultural resource lands as well as rural-zoned lands.

That planned upzoning of the

rural lands in particular, making certain R-20 parcels now R-10 (The numbers designate an intended minimum lot size for parcels in that zoning), brought the most contention from members of the public, who spoke at a hearing conducted before the council vote.

Property owner Mike Coppedge took issue with the remand of the upzoning. He explained that he has an interested buyer of about 50 acres of his property whose goal was to build on 5-acre lots.

Coppedge was intending on rolling with the upzoning to R-10, then putting in a site-specific zone change request to meet that R-5 density. However, now with the remand, he feared the possibility of lawsuits due to the tie-up between a would-be developer and the apparent about-face of the county regarding zoning.

"It sounds like ... we were out of compliance with the GMA and that hurts us because if we don't get into compliance then we don't get loans and money from the state, etc., so sacrifice Mike Coppedge and his buyer because we goofed up, maybe?" Coppedge remarked.

Other issues the commission voted to remand included having three specific zoning designations

for rural lands, that of R-5, R-10 and R-20; eliminating a use list for the urban reserve overlay and requiring a comp plan change to update (while keeping the overlay itself), setting a maximum size for rural industrial land banks and taking 17 parcels out of Battle Ground's urban growth area.

The commission voted 6-0 on all of the matters, with commission chair Steve Morasch absent. There was an amendment to put the parcels removed from Battle Ground's growth area into an urban reserve overlay, which also passed though 4-2 as commissioners Bill Wright and Karl Johnson voted "no."

Though individuals who expected the upzoning to stick were understandably concerned with the remand, several testifiers voiced support of the commission's decision.

One testifier, Lucy Krantz, said that in her time at meetings leading up to the update approval the necessary decision the board faces was not a surprise.

"I could tell that the changes that were made and put through were not going to be GMA-compliant," Krantz said. "I'm sorry for the people mixed up in all of this, but I am very happy to see the county is doing

the right thing for GMA."

Noncompliance is less harsh than invalidity, as County Senior Deputy Prosecutor Christine Cook had previously explained that when a county's policy is found invalid it can prevent that county from getting state funding from the Public Works Trust Fund.

There was policy from the comp plan update deemed invalid by the GMHB — that of the county's expansion of the urban growth boundaries of the cities of Battle Ground, La Center and Ridgefield.

The county is appealing that decision, as well as the de-designation of ag land including more than 600 acres set to be part of a rural industrial land bank, a move that was found invalid by the board in September of last year.

The general feeling of commissioners regarding the necessary steps were that of being put in a difficult and not all-that voluntary decision and, at least for one member of the board, something warranting an apology.

"It was, in my words, messy," commissioner Johnson remarked about the update process. "It was fast. It was under great duress."

"I, in good conscious, have to

do this (vote) because if not, the ugliness that the hearings board can bring down on the county is not something as simple as a loan," Johnson said.

"I'm inclined to look at this and give an apology, for what it's worth," Johnson said. "It shouldn't happen this way, it should have happened the right way"

The decision of the planning commission, an appointed, volunteer advisory board, will now head to the County Councilors, the elected governing body. A tentative timeframe has the council's public hearing on the matter alongside its moratorium regarding resource land subdivision set for June 20.

Commissioner Wright commented that during the update process the commission did not recommend the increase of zoning densities, but it was added by the Board of County Councilors. His other comments centered around the conflict between his self-professed advocacy of property rights and the statewide power of the Growth Management act

"We felt at the time that there was a gun to our head, the GMA was a very powerful weapon, and to be making those changes was probably not advisable," Wright said.