

**From:** [Jackie LANE](#)  
**To:** [Susan Ellinger](#)  
**Subject:** Re: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments  
**Date:** Tuesday, April 4, 2023 5:08:21 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

Thanks!

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Sent:** Tuesday, April 4, 2023 4:56:52 PM  
**To:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Subject:** RE: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Hi Jackie –

Please find attached the staff report and the proposed change to the comprehensive plan. Please let me know if you have any questions or if you need any other materials. Thanks!



**Susan Ellinger**  
She/her/hers  
Planner III  
COMMUNITY PLANNING

564.397.4516



---

**From:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Sent:** Wednesday, March 22, 2023 11:15 AM  
**To:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Subject:** Re: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Thanks... that would be great  
Jackie

---

**From:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Sent:** Wednesday, March 22, 2023 11:11 AM  
**To:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Subject:** RE: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Hi Jackie -

This notice actually went out a little earlier than normal. The staff report and related materials will be available at least 15 days prior to the hearing date. I can send them to you once they are available if that would be helpful. Just

let me know. Thanks!



**Susan Ellinger**  
She/her/hers  
Planner III  
COMMUNITY PLANNING

564.397.4516



---

**From:** Sonja Wiser <[Sonja.Wiser@clark.wa.gov](mailto:Sonja.Wiser@clark.wa.gov)>  
**Sent:** Wednesday, March 22, 2023 10:51 AM  
**To:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Cc:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Subject:** RE: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Hi Jackie, I will let Susan address your questions. Thanks again !

---

**From:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Sent:** Wednesday, March 22, 2023 10:47 AM  
**To:** Sonja Wiser <[Sonja.Wiser@clark.wa.gov](mailto:Sonja.Wiser@clark.wa.gov)>  
**Cc:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Subject:** Re: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

I saw the DNS, but I am not finding the actual change to the comp plan policy? what am I missing thanks

---

**From:** Sonja Wiser <[Sonja.Wiser@clark.wa.gov](mailto:Sonja.Wiser@clark.wa.gov)>  
**Sent:** Wednesday, March 22, 2023 10:45 AM  
**To:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>  
**Cc:** Susan Ellinger <[Susan.Ellinger@clark.wa.gov](mailto:Susan.Ellinger@clark.wa.gov)>  
**Subject:** RE: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Good morning Jackie the actual DNS amendment is outlined on the documents sent in the email. I am attaching another copy . We will be posting further documentation on the website within the next week. If you have further questions, please contact Susan Ellinger, the lead planner for this project. Thank you for your questions

Phone: 564.397.4112

**Agency File Number: CPZ-2022-00015**

**Description of Proposal:**

A proposal to amend the Comprehensive Plan policies to clearly outline the process for Countywide Planning Policy amendments and to better implement RCW 36.70A.215(2)(c) and WAC 365-196-305(5).

**Proponent:** Clark County Community Planning Department

---

**From:** Jackie LANE <[jmlane@msn.com](mailto:jmlane@msn.com)>

**Sent:** Wednesday, March 22, 2023 10:40 AM

**To:** Sonja Wiser <[Sonja.Wiser@clark.wa.gov](mailto:Sonja.Wiser@clark.wa.gov)>

**Subject:** Re: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

**CAUTION:** This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

How can one comment if we can't find out what the actual amendment is? can we get a copy? I tried to search but the meeting does not have the doc yet.

---

**From:** [foccbod@googlegroups.com](mailto:foccbod@googlegroups.com) <[foccbod@googlegroups.com](mailto:foccbod@googlegroups.com)> on behalf of Sonja Wiser <[Sonja.Wiser@clark.wa.gov](mailto:Sonja.Wiser@clark.wa.gov)>

**Sent:** Wednesday, March 22, 2023 10:23 AM

**Subject:** FOCC: DNS for CPZ 2022-00015 Countywide Planning Policy Amendments

Enclosed is a link to the Determination of Non-Significance (DNS) for CPZ-2022-00015: A proposal to amend the Comprehensive Plan policies to clearly outline the process for Countywide Planning Policy amendments and to better implement RCW 36.70A.215(2)(c) and WAC 365-196-305(5).

Link: <https://clark.wa.gov/media/document/143661>

Comments are due by: **Wednesday, April 19, 2023**

Staff Contact: **Susan Ellinger, Planner III**

Email: [susan.ellinger@clark.wa.gov](mailto:susan.ellinger@clark.wa.gov)

564.397.4516

**Description of Proposal:**

A proposal to amend the Comprehensive Plan policies to clearly outline the process for Countywide Planning Policy amendments and to better implement RCW 36.70A.215(2)(c) and WAC 365-196-305(5).

**Proponent:** Clark County Community Planning Department

**Location of proposal, including street address, if any:** N/A

**Name, phone, email of applicant/proponent:**

Oliver Orijako, Community Planning Director

(564) 397-4112, [Oliver.Orijako@clark.wa.gov](mailto:Oliver.Orijako@clark.wa.gov)

**Please Note:** A Planning Commission hearing on this item has been scheduled for **Thursday, April 20, 2023 at 6:30 p.m.** More information can be viewed on the Planning Commission webpage link below:

<https://clark.wa.gov/community-planning/planning-commission-hearings-and-meeting-notes>

*Please Note: This webpage link will be updated as more information becomes available*

--

You received this message because you are subscribed to the Google Groups "Friends of Clark County BOD" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to

[foccbod+unsubscribe@googlegroups.com](mailto:foccbod+unsubscribe@googlegroups.com).

To view this discussion on the web visit

<https://groups.google.com/d/msgid/foccbod/SA1PR09MB9161465E1AA39D20DBD05BD3C8869%40SA1PR09MB9161.namprd09.prod.outlook.com>.



## Staff Report

TO: Clark County Planning Commission  
FROM: Oliver Orjiako, Director  
PREPARED BY: Susan Ellinger, Planner III  
DATE: April 20, 2023  
SUBJECT: CPZ-2022-00015 Countywide planning policy amendment procedures

---

### PROPOSED ACTION

Amend the comprehensive plan to clearly outline the process for countywide planning policy amendments and to better implement the Revised Code of Washington (RCW) 36.70A.215(2)(c) and the Washington Administrative Code (WAC) 365-196-305(5).

### BACKGROUND

The Growth Management Act (GMA) requires counties and cities to collaboratively develop countywide planning policies (CWPP) to govern the development of comprehensive plans. This requirement is found in RCW 36.70A.210, which also explains,

*“...a "countywide planning policy" is a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent...”*

In response to the requirements in state law, CWPP for Clark County were adopted in 1992 through a process involving all of the jurisdictions within Clark County. The existing CWPP are located throughout the Clark County Comprehensive Growth Management Plan 2015-2035 (comprehensive plan) within each of the elements such as Land Use, Housing, Rural Land, etc.

The existing CWPP do not clearly address RCW 36.70A.215(2)(c) and WAC 365-196-305(5), and therefore, staff is recommending the amendment included in Exhibit A to outline the process for countywide planning policy amendments and interpretations to more definitively meet these state statutes.

The proposal includes modification of CWPP 1.1.12 and the addition of a new policy 1.1.13. It outlines that any jurisdiction may initiate an amendment or request an interpretation to the

CWPP and delineates an application process for these actions. The process requires review through the staff-level Technical Advisory Committee (recommended to be called Technical Coordination Committee in the proposal), which includes representatives from the county, each municipality and tribal government and the Regional Transportation Council (RTC). The proposed process also requires review and adoption by the County Council and each jurisdiction.

## **SUMMARY OF PUBLIC INVOLVEMENT PROCESS**

A draft of the proposed amendments to the Comprehensive Growth Management Plan 2015-2035, were collaboratively reviewed through the Technical Advisory Committee on January 12, February 2 and March 2, 2023 under WAC 365-196-305. A draft of the proposed amendments was sent to the state Department of Commerce on March 14, 2023 under RCW 36.70A.106.

A Notice of Determination of Non-Significance under SEPA was published in The Columbian newspaper on April 3, 2023. A legal notice was published for the Planning Commission hearing on April 5, 2023. The Planning Commission held a work session on April 6, 2023.

Any public comments received 24 hours in advance are included in the Planning Commission hearing package.

## **APPLICABLE CRITERIA, EVALUATION AND FINDINGS**

### **CRITERIA FOR COMPREHENSIVE PLAN POLICY OR TEXT AMENDMENTS**

As outlined in CCC 40.560.010(K)(2) the county may approve a plan text or policy change only when the amendment complies and is consistent with all the applicable requirements of the GMA and WAC, and the comprehensive plan, including without limitation countywide planning policies (CWPP), the community framework plan, and the capital facilities plan.

### **Growth Management Act (GMA)**

#### RCW 36.70A.210, WAC 365-196-305 and RCW 36.70A.215

As indicated above, RCW 36.70A.210 establishes the requirement for counties planning under GMA to adopt countywide planning policies (CWPP). In meeting this statute, WAC 365-196-305 outlines both policies that are required to be addressed within countywide planning policies and additional policies that are recommended to be addressed. The existing CWPP address all of the policies that are required to be addressed but do not clearly address the recommended policies, as follows:

*(5) Recommended policies. County-wide planning policies should also include policies addressing the following:*

*(a) Procedures by which the county-wide planning policies will be reviewed and amended; and*

*(b) A process for resolving disputes regarding interpretation of county-wide planning policies or disputes regarding implementation of the county-wide planning policies.*

The proposal in Exhibit A includes language to rectify this issue by building on the process used previously to update the CWPPs when they were amended in the 2004, 2007 and 2016 periodic review processes. During these updates, jurisdiction staff brought concerns and questions regarding the CWPP to the staff-level Technical Advisory Committee (recommended to be called Technical Coordination Committee in the proposal). Following this staff coordination, CWPP modifications were reviewed through the county and city councils.

The new proposed process is more formalized and outlines that any jurisdiction may initiate an amendment or request an interpretation to the CWPP and specifies an application process for these actions. Adoption through the county council and each jurisdiction is also required.

The proposed amendment will also allow the comprehensive plan to more clearly meet RCW 36.70A.215 which in part requires the adoption of a review and evaluation program to ensure that different provisions within the GMA are met. The majority of the provisions in this RCW identify requirements that are addressed through the county's buildable lands report. Although, RCW 36.70A.215(2)(c), requires that the review and evaluation program shall, "*Provide for methods to resolve disputes among jurisdictions relating to the countywide planning policies required by this section...*". The proposed amendments outline how any jurisdiction can apply for an amendment to or interpretation of the CWPP, thereby providing a formal method to resolve disputes among jurisdictions.

*Finding: With the new proposed process in CWPP 1.1.12 and 1.1.13 included in Exhibit A, the process for any jurisdiction to apply for an amendment to or interpretation of the CWPP, and thus resolve any disputes among jurisdictions relating to the CWPP, will be clearly documented in the comprehensive plan. This meets the recommended policies in WAC 365-196-305 (5) and requirements in RCW 36.70A.215(2)(c).*

The amendment also supports RCW 36.70A.140 which requires early and continuous public participation in the development and amendment of comprehensive land use plans. The proposed process will provide opportunities for public input through the adoption processes of the county and city councils. It will also help prepare the county and its jurisdictions for the current and future periodic reviews of the comprehensive plan by providing a clear process for updating and interpreting the CWPP.

*Finding: By clearly outlining a process for amendments and interpretations of the CWPP, and including an application process that involves a public review and hearing process, the proposed amendments address the requirements in RCW 36.70A.140.*

#### RCW 36.70A.020 Planning goals.

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA includes fourteen overall goals. The goals are not listed in order of priority. Goals applicable to the proposed action include:

- Goal 11 – Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts. RCW 36.70A.020(11).

The new procedures outlined in Exhibit A more clearly document how to process amendments to and interpretations of the CWPP and contain procedures for public involvement, staff coordination and adoption by all of the jurisdictions within the county. These provisions will permit overall better coordination among jurisdictions thereby supporting GMA Goal 11.

*Finding: Based on the above discussion, the proposed amendment, which includes procedures for public involvement, staff coordination and adoption by all of the jurisdictions within the county, supports GMA Goal 11.*

#### Comprehensive Growth Management Plan 2015-2035 and countywide planning policies (CWPP)

The 20-year Comprehensive Growth Management Plan contains many policies that support collaboration and coordination between Clark County and its cities. The comprehensive plan describes the CWPP by stating, “*The following policies are to coordinate the efforts of Clark County and cities in designating land uses, densities and intensities to achieve the pattern described above in their respective Comprehensive Growth Management Plans.*” This collaborative process is mentioned in CWPP 1.1.1, 1.1.2, 1.1.12, 1.1.13, 1.1.14, and 1.1.19 through 1.1.22.

This type of coordination is supported through the proposed amendment with a requirement for all CWPP modifications to be reviewed by the staff Technical Coordinating Committee through a consensus-based process and through the adoption process of each jurisdiction.

*Finding: The proposed modifications and additions in Exhibit A include a collaborative procedure for future proposed amendments or interpretations of the CWPP that is similar to and promoted by the existing CWPP and other elements of the comprehensive plan.*

#### **NEXT STEPS**

The County Council will hold a work session on April 5 (and continued on April 12 if needed), 2023, and a public hearing on June 20, 2023 on the proposed countywide planning policy amendment procedures.

#### **RECOMMENDATION AND CONCLUSIONS**

Based on the information presented in this report, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to Clark County Council.

The following table lists the applicable criterion and summarizes the findings of the staff report for CPZ2022-00015. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.



<b>COMPLIANCE WITH APPLICABLE CRITERIA</b>		
Criterion for Policy/Text Amendments	Criteria Met?	
	Staff Report	Planning Commission Findings
Consistency with GMA	Yes	
Community Framework Plan	NA	
Countywide Planning Policies	Yes	
20-Year Comprehensive Plan	Yes	
Capital Facilities Plan	NA	
Recommendation:	Yes	

**ATTACHMENT(S)**

Exhibit A, countywide planning policies amendment proposal