From:	Rebecca Messinger
To:	Cnty 2025 Comp Plan
Subject:	FW: PROPOSED CLARK COUNTY CODE TITLE 40 AMENDMENT
Date:	Tuesday, October 6, 2026 9:25:37 AM
Attachments:	STATEMENT OF JUSTIFICATION_20260828_205618_0000.pdf PROPOSED CLARK COUNTY CODE TITLE 40 AMENDMENT_20260828_205304_0000.pdf image001.png

Hi Jeff,

I'm sorting through (or trying to) comp plan comments. I want to make sure I send you everything and I'm not sure this one made it to you.

So many comments…

Have a great day!

Rebecca Messinger
Clerk to the Council
COUNTY MANAGER'S OFFICE

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From: Jennifer Hutchman <jennhutchman@yahoo.com>
Sent: Friday, August 28, 2026 9:05 PM
To: Cnty Community Planning <CommunityPlanning@clark.wa.gov>
Cc: Matt Little <Matt.Little@clark.wa.gov>; Wil Fuentes <Wil.Fuentes@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>
Subject: PROPOSED CLARK COUNTY CODE TITLE 40 AMENDMENT

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Dear Clark County Community Planning and County Council,

Please accept this correspondence as a formal request for consideration of a countywide text amendment to Clark County Code Title 40 regarding equines, livestock, agricultural uses, and equestrian activities.

I respectfully request that this proposal be considered for inclusion in the 2027 Community Planning work program and Docket process.

Clark County Title 40 already recognizes agriculture as a permitted resource activity in applicable districts while separately classifying equestrian facilities under certain circumstances. The purpose of this proposal is to provide greater clarity and consistency by establishing that horses and other equines are livestock and that ordinary equine husbandry is an agricultural activity.

The proposal would establish that the number of horses maintained on a property, standing alone, should not convert an agricultural livestock use into a commercial equestrian facility.

It would also clarify that receiving compensation for ordinary agricultural equine activities, including boarding, breeding, training, conditioning, and care, should not automatically eliminate the agricultural classification of the underlying activity.

This proposal would not prevent Clark County from regulating legitimate land-use impacts. Commercial events, significant customer traffic, parking, public gatherings, environmental impacts, manure management, nuisance conditions, public safety, and animal welfare could continue to be regulated under applicable county codes.

The intent is to distinguish the agricultural care and management of livestock from genuinely commercial public-facing land uses.

Attached are:

1. Proposed Title 40 Equine, Livestock & Agricultural Use Amendment; and
2. One-Page Statement of Justification.

I respectfully request that Clark County Community Planning review this proposal and that the County Council consider placing this Title 40 text amendment on the appropriate work program for formal consideration.

Please confirm receipt of this request and advise me if additional information or documentation is required for docket consideration.

Thank you for your consideration.

Sincerely,

Jenn Hutchman

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

PROPOSED CLARK COUNTY CODE TITLE 40 AMENDMENT

Equine, Livestock & Agricultural Uses

SECTION 1 — EQUINE DEFINITION

Add the following definition to the applicable definitions section of Clark County Code Title 40:

Equine.

"Equine" means a horse, pony, donkey, mule, burro, miniature horse, miniature donkey, or other member or hybrid of the family Equidae.

SECTION 2 — LIVESTOCK DEFINITION

Amend the applicable definition of "livestock" to expressly provide:

Livestock.

"Livestock" includes cattle, equines, camelids, goats, sheep, swine, rabbits, poultry, and other animals traditionally raised, kept, or maintained as part of agricultural husbandry.

For purposes of this title, equines shall be considered livestock unless a provision expressly provides otherwise.

SECTION 3 — EQUINE HUSBANDRY

Add the following definition:

Equine Husbandry.

"Equine husbandry" means the keeping, feeding, watering, sheltering, grazing, breeding, foaling, exercising, conditioning, handling, training, transporting, and routine care and management of equines.

Equine husbandry constitutes an agricultural activity for purposes of this title.

SECTION 4 — AGRICULTURAL EQUINE USE

Add the following provision to the applicable agricultural standards:

Agricultural Equine Uses.

A. The keeping, raising, breeding, foaling, grazing, exercising, conditioning, handling, training, and routine care of equines constitutes livestock husbandry and an agricultural use.

B. The number of equines maintained upon a parcel shall not, standing alone, cause an agricultural equine use to be classified as a commercial equestrian facility or other commercial land use.

C. Receipt of compensation associated with boarding, breeding, training, conditioning, handling, or care of equines shall not, standing alone, cause the underlying use to lose its agricultural classification when the predominant use of the property remains equine or livestock husbandry.

D. Agricultural equine uses remain subject to generally applicable requirements concerning animal welfare, manure management, drainage, critical areas, environmental protection, nuisance conditions, building and fire codes, and public safety.

SECTION 5 — COMMERCIAL EQUESTRIAN FACILITY

Amend the definition or applicable standards for "equestrian facility" to distinguish agricultural equine husbandry from commercial public-facing activities.

Commercial Equestrian Facility.

A commercial equestrian facility is a use in which substantial public-facing or customer activity creates land-use impacts beyond those ordinarily associated with agricultural equine husbandry.

Relevant factors may include:

1. Regular and substantial customer or spectator traffic;

2. Public events or competitions;

3. Significant dedicated customer or spectator parking;

4. Event facilities or spectator facilities;

5. Regular public gatherings; and

6. Other comparable land-use impacts beyond those ordinarily associated with livestock husbandry.

The following shall not, individually or collectively, automatically establish a commercial equestrian facility:

1. The number of equines maintained on the property;

2. Breeding equines;

3. Boarding equines;

4. Training or conditioning equines;

5. Exercising equines;

6. Sale of equines;

7. Receipt of compensation for equine husbandry; or

8. Construction or use of barns, pastures, paddocks, shelters, riding areas, or other structures ordinarily associated with keeping and managing equines.

SECTION 6 — ACTUAL IMPACT STANDARD

The County may regulate agricultural equine uses when necessary to address demonstrated land-use impacts, including nuisance conditions, environmental impacts, traffic, parking, drainage, manure management, public safety, or animal welfare.

The existence of an agricultural equine use or the number of equines maintained on a

property shall not, without additional land-use impacts, constitute sufficient grounds to classify the property as a commercial equestrian facility.

SECTION 7 — CONSISTENCY WITH OTHER COUNTY CODE

Nothing in this section limits the County's authority to enforce applicable animal cruelty, neglect, dangerous animal, public health, building, fire, environmental, or nuisance regulations.

However, regulation under another title of the Clark County Code shall not, solely by virtue of that regulation, alter the agricultural land-use classification of equine husbandry established under Title 40.

LEGISLATIVE INTENT

The Clark County Council finds that:

1. Equines are livestock.

2. Equine husbandry is a form of animal husbandry and agriculture.

3. Agricultural activities may generate revenue without losing their agricultural character.

4. The number of livestock maintained on a property is not, by itself, an accurate measurement of commercial land-use intensity.

5. Land-use regulations should primarily address actual impacts associated with a use.

6. Legitimate commercial equestrian facilities may create impacts warranting additional land-use review.

7. Clear differentiation between agricultural equine husbandry and commercial public-facing equestrian facilities will improve consistency, predictability, and fairness in administration of Title 40.

The purpose of this amendment is therefore to protect legitimate agricultural equine activities while preserving Clark County's authority to regulate demonstrated land-use impacts.

STATEMENT OF JUSTIFICATION

Proposed Clark County Title 40 Equine, Livestock & Agricultural Use Amendment

PURPOSE

The purpose of this amendment is to establish consistent treatment of horses and other equines as livestock and to clarify that ordinary equine husbandry constitutes an agricultural activity under Clark County Code Title 40.

THE ISSUE

Title 40 recognizes agriculture as a resource activity while also separately regulating equestrian facilities.

This can create uncertainty over when keeping and working with horses ceases to be livestock husbandry and becomes a separate commercial land use.

The distinction should be based upon the actual use and impacts of the property—not simply the number of horses present or whether compensation is received.

HORSES ARE LIVESTOCK

Horses should receive the same fundamental agricultural recognition as cattle, sheep, goats, camelids, and other livestock.

Keeping, feeding, grazing, breeding, foaling, exercising, conditioning, handling, and training horses are activities directly associated with the care and husbandry of livestock.

These activities should therefore remain agricultural unless the predominant character of the property becomes a separate commercial, event, entertainment, or public-facing use.

AGRICULTURE CAN GENERATE INCOME

The receipt of compensation should not automatically transform an agricultural activity into a commercial land use.

Farmers sell crops.

Cattle producers sell livestock.

Livestock breeders sell animals.

Agricultural operators receive compensation for activities associated with their operations.

Equine agriculture should be treated consistently.

Receiving compensation for boarding, breeding, training, conditioning, or caring for horses should not, by itself, cause the underlying agricultural use to become a commercial equestrian facility.

REGULATE IMPACTS — NOT HORSE NUMBERS

The number of horses maintained on a property should not independently determine its

land-use classification.

Instead, Clark County should regulate identifiable impacts such as:

• Traffic and parking

• Large public events

• Environmental impacts and drainage

• Manure management

• Nuisance conditions

• Public safety

• Animal welfare

Ten responsibly maintained horses should not automatically create a commercial land use merely because there are ten horses.

COMMERCIAL EQUESTRIAN FACILITIES WOULD STILL BE REGULATED

This amendment would not eliminate the commercial equestrian facility classification.

Large riding schools, public event facilities, spectator venues, major competitions, and other operations producing significant customer traffic, parking, or public activity could continue to be regulated according to their actual land-use impacts.

The amendment would simply establish a clearer boundary between:

AGRICULTURAL EQUINE HUSBANDRY

and

COMMERCIAL PUBLIC-FACING EQUESTRIAN USES.

REQUESTED ACTION

Clark County is respectfully requested to amend Title 40 to:

• Expressly recognize equines as livestock.

• Expressly recognize equine husbandry as agriculture.

• Prohibit horse numbers alone from determining whether a property is a commercial equestrian facility.

• Prevent compensation for ordinary equine husbandry from automatically converting an agricultural use into a commercial use.

• Base commercial equestrian classifications primarily upon actual land-use impacts.

• Maintain county authority over nuisance, environmental, traffic, public-safety and animal-welfare concerns.

CONCLUSION

A horse is livestock.

The husbandry of livestock is agriculture.

Clark County Title 40 should clearly and consistently reflect both principles.