CLARK COUNTY RURAL INDUSTRIAL LAND BANK

Development Regulations

1 0 Introduction

2 0 Conceptual Master Plan 2

3 0 Rural Industrial Land Bank Regulatory Requirements 4

Summary of Amendments 6

40 230 085 Employment Districts (IL, IH, IR, BP) 6

40 520 075 Rural Industrial Development Master Plan 29

40 520 070 Master Planned Development 32

40 560 010 Plan Amendment Procedures 36

1.0 INTRODUCTION

In 1996, the Growth Management Act (GMA), RCW 36 70A, was amended to allow major industrial developments to be sited outside of urban growth areas (UGAs) RCW 36 70A 367 allows counties to establish up to two rural industrial land banks (RILBs) with the intent that they develop as industrial properties Key steps in the RILB process include the following

- Identifying locations suited to major industrial use,
- Identifying the maximum size of the bank area,
- Developing a programmatic environmental review, and
- Developing comprehensive plan amendments and development regulations for the bank and future specific major industrial developments

In 2014, Clark County received a docket application to establish an RILB on properties that straddle SR 503 north of the Vancouver UGA

- Ackerland property west of 117th Avenue, 223 72 acres
- Lagler property east of 117th Avenue, 378 71 acres

Exhibit 1 below shows these areas

Presently the zoning for both properties is Agriculture (AG-20) The requested zoning is Light Industrial (IL) The IL zone uses are listed in Clark County Code (CCC) Section 40 230 085 The proposed zoning of IL is consistent with CCC Section 40 520 075 B that specifies this zone when designating an RILB

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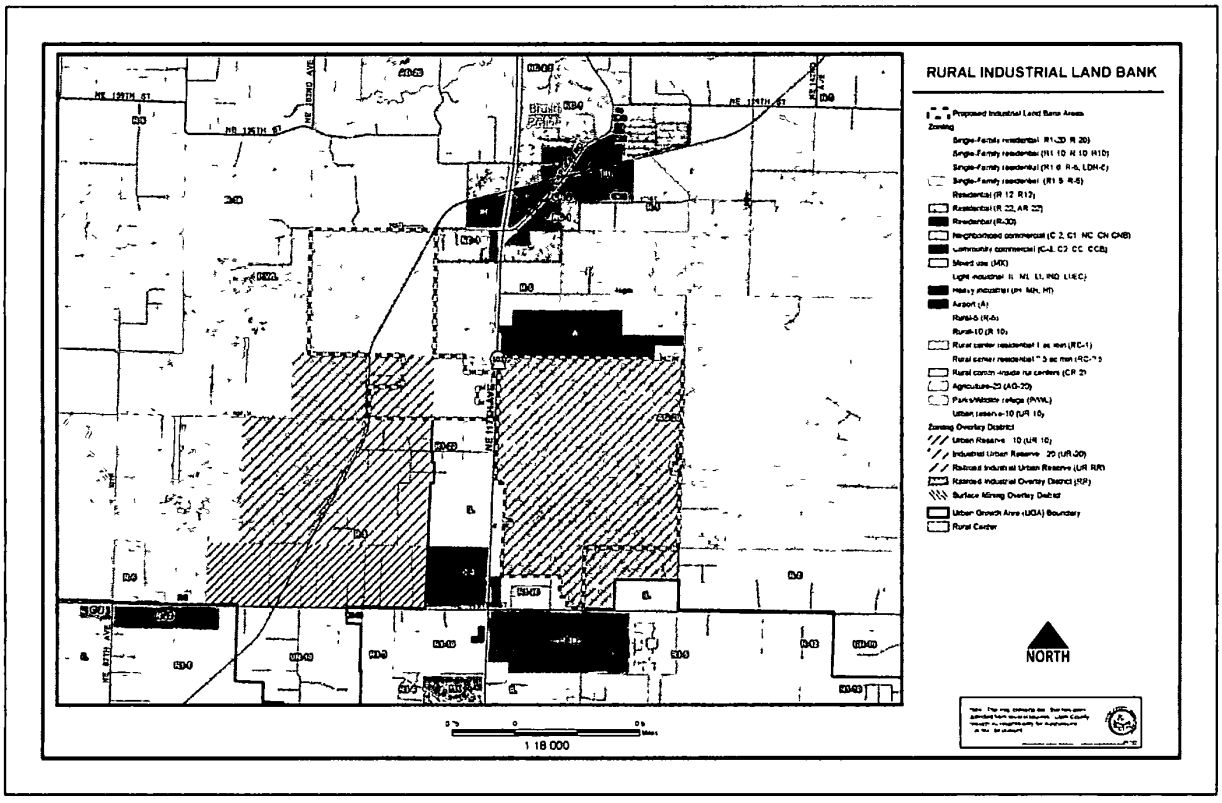
Exhibit 1. Ackerland and Lagler Properties



Source Clark County GIS August 2014

Consistent with RCW 36 70A 367 and CCC Section 40 520 075, this document

- Presents a conceptual master plan illustrating the feasibility of light industrial uses on the docket property, including developable areas and circulation This conceptual master plan has guided proposals for draft development regulations in this document
- Describes GMA requirements and County Code requirements for development regulations
- Provides draft development regulations that will guide future development consistent with the conceptual master plan

An appendix is also provided with example regulations in other jurisdictions

2.0 CONCEPTUAL MASTER PLAN

CCC 40 520 075 promotes the development of a master plan in part to assure coordinated and cohesive planning, and predictability to the community and applicants on the type and nature of the development The master plan is to be processed as part of the application for the land bank designation in the Comprehensive Plan

Steps in the development of a master plan to date include developing master plan goals and objectives, evaluating environmental conditions of the site, and sharing preliminary assessments and the concept plan with the public

Summary goals of the Clark County RILB conceptual master plan are compatibility, sustainability, flexibility, and consistency Objectives address coordination and cohesiveness, environmental protection, low impact development, adequate roadway and site infrastructure, rail access, and predictability See Exhibit 2

Exhibit 2. Master Plan Objectives

Rural Industrial Land Bank

Preliminary Guiding Principles

Master Plan Goals

A Develop a vision for the master plan that is compatible with the surrounding land uses and creates long term value for both the community and the industrial users

B Develop a master plan that promotes sustainable development by minimizing our environmental impacts, protecting the natural resources and reducing waste

C Anticipate changing market and industrial needs and maintain the flexibility required for a variety of light industrial uses

D Support the creation of a rural industrial land bank per the criteria set forth in the Growth Management Act (GMA), RCW 36 70A

Master Plan Objectives

1 Adhere to the requirements set forth in CCC 40 520 075 Create a coordinated and cohesive master plan that can be easily streamlined through the development review and approval process

2 Ensure the master plan respects and preserves critical areas functions and values, and develop a stormwater solution that mimics the natural hydrology of the site while developing buffers both internally and externally Incorporate low impact development strategies

3 Address and evaluate the site criteria for industrial lands against the existing conditions to ensure infrastructure requirements are met and to maximize the land value

4 Develop a roadway and site infrastructure backbone that allows for phased development based on the market needs

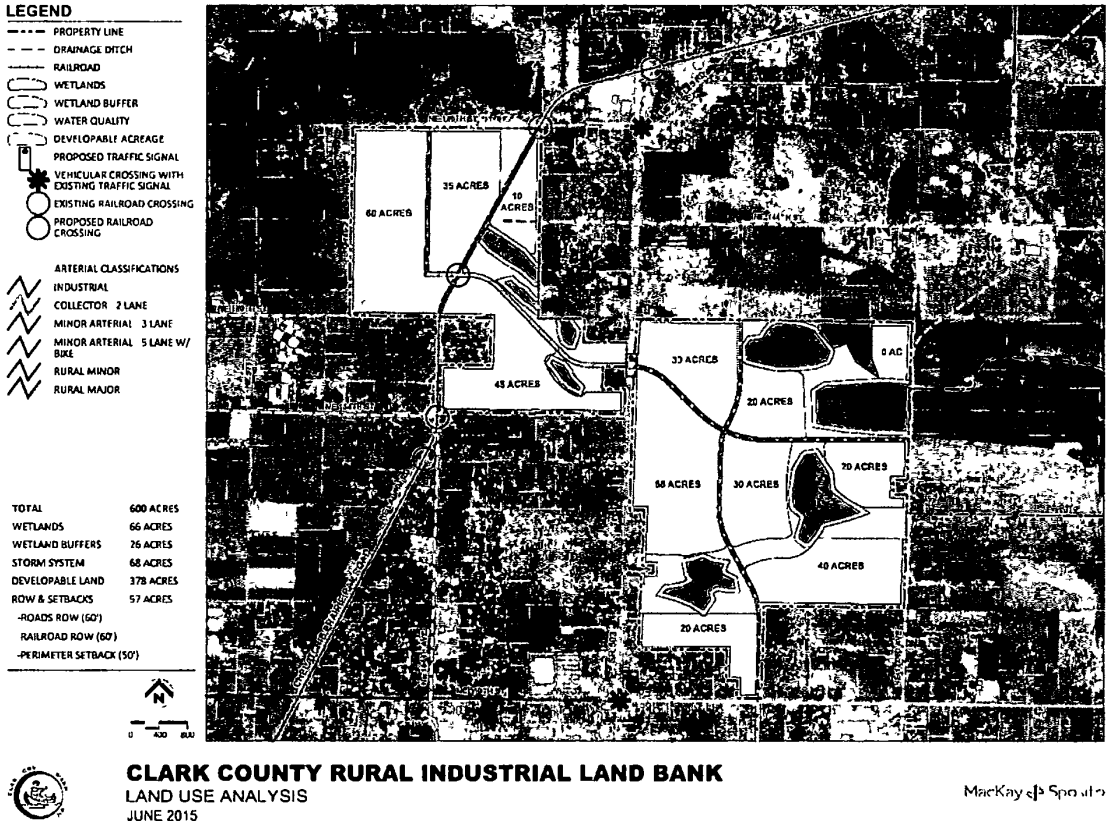
5 Coordinate infrastructure analysis and planning with public and private agencies so that their long term planning can anticipate the future light industrial development

6 Ensure that rail access and/or a loop is accommodated as part of the master plan

7 Promote a master plan that provides a level of predictability for future light industrial based developers and the County through the flexibility of standards and consolidated reviews

To implement the RILB conceptual master plan goals and objectives, and following a review of critical areas, traffic, utilities, and agricultural activities on the docket site, a draft conceptual master plan has been developed for the docket site This conceptual master plan was presented at a public meeting in April 2015 It is continuing to be evaluated and refined See Exhibit 3

Exhibit 3. Docket Site Conceptual Master Plan



Source MacKay Sposito 2015

The RILB docket application has been under review consistent with CCC 40 520 075 Rural Industrial Development Master Plan and CCC 40 560 010 Plan Amendment Procedures As a result a conceptual master plan has been formulated to consider the viability of the site to meet RILB requirements and to guide the formulation of regulations

It should be noted that alternative sites are under consideration per RILB requirements and are addressed under separate cover The draft development regulations are designed to implement the docket site conceptual master plan in Exhibit 3, but would also be applicable to other alternative sites

3.0 RURAL INDUSTRIAL LAND BANK REGULATORY REQUIREMENTS

GMA directs that as part of designating a RILB, a county must adopt development regulations that achieve certain criteria regarding land use compatibility, transportation, infrastructure, environmental protection, and service delivery

RCW 36 70A 367 (3) In concert with the designation of an industrial land bank area, a county shall also adopt development regulations for review and approval of specific major industrial developments through a master plan process The regulations governing the master plan process shall ensure, at a minimum, that

(a) Urban growth will not occur in adjacent nonurban areas,

(b) Development is consistent with the county's development regulations adopted for protection of critical areas,

(c) Required infrastructure is identified and provided concurrent with development Such infrastructure, however, may be phased in with development,

(d) Transit-oriented site planning and demand management programs are specifically addressed as part of the master plan approval,

(e) Provision is made for addressing environmental protection, including air and water quality, as part of the master plan approval,

(f) The master plan approval includes a requirement that interlocal agreements between the county and service providers, including cities and special purpose districts providing facilities or services to the approved master plan, be in place at the time of master plan approval,

(g) A major industrial development is used primarily by industrial and manufacturing businesses, and that the gross floor area of all commercial and service buildings or facilities locating within the major industrial development does not exceed ten percent of the total gross floor area of buildings or facilities in the development The intent of this provision for commercial or service use is to meet the needs of employees, clients, customers, vendors, and others having business at the industrial site, to attract and retain a quality workforce, and to further other public objectives, such as trip reduction These uses may not be promoted to attract additional clientele from the surrounding area Commercial and service businesses must be established concurrently with or subsequent to the industrial or manufacturing businesses,

(h) New infrastructure is provided for and/or applicable impact fees are paid to assure that adequate facilities are provided concurrently with the development Infrastructure may be achieved in phases as development proceeds,

(i) Buffers are provided between the major industrial development and adjacent rural areas,

(j) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands, and

(k) An open record public hearing is held before either the planning commission or hearing examiner with notice published at least thirty days before the hearing date and mailed to all property owners within one mile of the site

Clark County Code (CCC) Section 40 520 075 F indicates that development regulations can incorporate regulations "as is" from the county code or propose new development standards Development regulations are to address

a Permitted, accessory and conditional uses and uses permitted with administrative review,

b Floor area ratios for office, commercial and industrial development, where permitted,

c Maximum building heights,

d Maximum lot coverage (building and impermeable surface),

e Setbacks,

f Minimum spacing between buildings,

g Circulation/access to and within each lot and/or area,

h Landscaping requirements (minimum landscaped area),

i Open space,

j Parking requirements (location, design, amount),

k Street standards,

l Signage, and

m Handicapped accessibility

4.0 SUMMARY OF AMENDMENTS

This section proposes amendments that customize the IL zone standards to meet the requirements of RCW 36 70A.367 (3) and CCC 40 520 075 F The key changes are described below and presented in track changes in detail

- Land Uses For the most part IL zone uses are carried forward, but some are limited either due to potential incompatibilities with onsite industrial uses or abutting rural residential uses
- Perimeter Setback A 100-foot perimeter setback is proposed that is greater than the standard setback for the IL zone
- Landscaping A dense screen and berming is proposed within the 100-foot perimeter setback
- Street Standards and Stormwater Quality Private road standards are included to be more compatible with the concept of the regional stormwater and rural character of the industrial land bank

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

A Purpose The purpose of this section is to provide for a wide range of noncommercial economic development and employment opportunities that limit residential, institutional, commercial, office and other nonindustrial uses to those necessary for the convenience and support of such development and opportunities

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

1 Industrial (I) Districts

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

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 professional services, research, business, and corporate offices, and other similar compatible or supporting enterprises not oriented to the general public

c 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 county's rail line

Consultant Note Applicability is based on master plan objectives, GMA provisions for RILB, and current IL zone intent We propose an overlay on top of IL zoning to distinguish different uses and development standards

d Light Industrial – Rural Industrial Land Bank (RILB) Overlay The light industrial – rural industrial land bank district overlay 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 standards are intended to promotes sustainable development by minimizing environmental impacts, protecting natural resources, reducing waste, promoting compatibility with the surrounding land uses, avoiding urban growth in areas designated for long-term rural or resource-based activity, and creating long term value for both the community and the industrial users

2 Heavy Industrial District (IH) The heavy industrial district is intended to preserve, enhance and create areas containing industrial and manufacturing activities which are potentially incompatible with most other uses

C Uses The uses set out in Table 40 230 085-1 are examples of uses allowable in the Industrial and Business Park zoning districts

"P" – Uses allowed subject to approval of applicable permits

"C" – Conditional uses which may be permitted, subject to the approval of a conditional use permit as set forth in Section 40 520 030

"X" – Uses specifically prohibited

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 groups (four (4) digit), and
- 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

Table 40.230.085-1. Uses	IL	IH	IR	BP	IL-RILB

2012 North American Industrial Classification System (NAICS)						Overlay
A Resource Uses						
Consultant Note Agriculture allowed in all zones in county Other resource uses such as forestry and hunting unlikely, but maintaining allowance for all resource uses per use pattern in all other zones						
Docket application indicates support for agriculture in open space unused for industrial purposes						
11 Agriculture, Forestry, Fishing and Hunting						
111	Crop production	P	P	P	P	P
112	Animal production	P	P	P	P	P
113	Forestry and logging	P	P	P	P	P
114	Fishing, hunting and trapping	P	P	P	P	P
115	Support activities for agriculture and forestry	P	P	P	P	P
21 Mining						
211	Oil and gas extraction	X	C[4]	C[4]	X	X
212	Mining (except oil and gas)	X	C[4]	C[4]	X	X
2123	Nonmetallic mineral mining and quarrying	X	P[4]	P[4]	X	X
213	Support activities for mining	X	C[4]	C[4]	X	X
22 Utilities						
	Utilities					
221	*Consultant Note Power generation and sewage treatment plant would be large uses of land and limit ability to place other industrial uses on the site and are proposed as conditional uses*					
22111	Electric Power Generation	P	P	P	C	C
22112	Electric Power Transmission and Distribution	P	P	P	P	P
22121	Natural Gas Distribution	P	P	P	P	P
22131	Water Supply and Irrigation Systems	P	P	P	P	P
22132	Sewage Treatment Facilities	P	P	P	C	C

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
23 Construction					
236 Construction of Buildings	P[5]	P[5]	P[5]	P[5]	P[5]
237 Heavy and Civil Engineering Construction	P[5]	P[5]	P[5]	P[5]	P[5]
238 Specialty Trade Contractors	P[5]	P[5]	P[5]	P[5]	P[5]
Storage yards for building materials, contractors' equipment and vehicles	P	P	P	X	P
B Manufacturing Uses					
311 Food manufacturing	P	P	P	X	P
Animal slaughtering and processing					
31161 *Consultant Note Limit in RILB to improve compatibility with adjacent uses*	C	P	P	X	X
311811 Retail bakeries	P	P	P	P	P
312 Beverage and tobacco product manufacturing	P	P	P	P	P
313 Textile mills	P	P	P	X	P
314 Textile product mills	P	P	P	X	P
315 Apparel manufacturing	P[2]	P[2]	P[2]	X	P[2]
316 Leather and allied product manufacturing					
3161 Leather and hide tanning and finishing	X	P	P	X	X
3162 Footwear manufacturing	P	P	P	P	P
3169 Other leather and allied product manufacturing	P	P	P	P	P
321 Wood product manufacturing					
3211 Sawmills and wood preservation	X	P	P	X	X
3212 Veneer, plywood, and engineered wood product manufacturing	X	P	P	X	X

Table 40.230.085-1 Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
321214 Truss manufacturing	P	P	P	X	P
3219 Other wood product manufacturing	P	P	P	X	P
322 Paper manufacturing					
3221 Pulp, paper and paperboard mills	X	P	P	X	X
3222 Converted paper product manufacturing	P	P	P	P	P
323 Printing and related support activities	P	P	P	P	P
324 Petroleum and coal products manufacturing	X	P	P	X	X
325 Chemical manufacturing	X	P	P	X	X
3254 Pharmaceutical and medicine manufacturing	P	P	P	X	P
3256 Soap, cleaning compound, and toilet preparation manufacturing	P	P	P	X	P
326 Plastics and rubber products manufacturing	P	P	P	X	P
327 Nonmetallic mineral product manufacturing					
3271 Clay product and refractory manufacturing	P	P	P	X	P
3272 Glass and glass product manufacturing	P	P	P	X	P
3273 Cement and concrete product manufacturing	P	P	P	X	P
327310 Cement manufacturing	X	P	P	X	X
327320 Ready-mix concrete manufacturing	X	P	P	X	X
3274 Lime and gypsum product manufacturing	X	P	P	X	X
3279 Other nonmetallic mineral product manufacturing	X	P	P	X	X

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
331 Primary metal manufacturing	X	P	P	X	X
332 Fabricated metal product manufacturing					
3321 Forging and stamping	P	P	P	X	P
3322 Cutlery and hand tool manufacturing	P	P	P	P	P
3323 Architectural and structural metals manufacturing	P	P	P	X	P
3324 Boiler, tank, and shipping container manufacturing	P	P	P	X	P
3325 Hardware manufacturing	P	P	P	X	P
3326 Spring and wire product manufacturing	P	P	P	X	P
3327 Machine shops	P	P	P	C	P
3328 Coating, engraving, heat treating, and allied activities	P	P	P	X	P
332813 Electroplating, plating, polishing, anodizing, and coloring	C	P	P	X	C
3329 Other fabricated metal product manufacturing	P	P	P	X	P
333 Machinery manufacturing	P	P	P	C	P
334 Computer and electronic product manufacturing	P	P	P	P	P
335 Electrical equipment, appliance, and component manufacturing	P	P	P	P	P
336 Transportation equipment manufacturing	P	P	P	X	P
336991 Motorcycle, bicycle, and parts manufacturing	P	P	P	P	P
337 Furniture and related product manufacturing	P	P	P	X	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
339 Miscellaneous manufacturing	P	P	P	P	P
C Wholesale Trade					
423 Wholesale trade, durable goods (retail sales prohibited)	P	P	P	P	P
424 Wholesale trade, nondurable goods (retail sales prohibited)	P	P	P	P	P
425 Wholesale electronic markets and agents and brokers	P	P	P	P	P
D Retail Trade					
Retail sales of products fabricated on site	P[1]	P[1]	P[1]	P[1]	P[1]
Construction and industrial equipment sales	P	P	P	X	P
4411 Automotive dealers	X	X	X	X	X
4412 Other motor vehicle dealers	X	X	X	X	X
4413 Automotive parts, accessories, and tire stores	P[1]	P[1]	P[1]	P[1]	P[1]
4441 Building material and supplies dealers	P	X	X	X	P
44412 Paint and wallpaper stores	P[1]	X	X	X	P[1]
44413 Hardware stores	P[1]	X	X	X	P[1]
445 Food and Beverage Stores	P[1]	X	X	P[1]	P[1]
44512 Convenience stores	P[1]	P[1]	P[1]	P[1]	P[1]
446 Health and personal care stores	P[1]	X	X	P[1]	P[1]
447 Gasoline stations	C	C	C	C	C
448 Clothing and clothing accessories stores	P[1]	X	X	P[1]	P[1]
451 Sporting goods, hobby, book and music stores	P[1]	X	X	P[1]	P[1]
452 General merchandise stores	X	X	X	X	X
453 Miscellaneous store retailers	P[1]	X	X	P[1]	P[1]

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
454 Non-store retailers	P	X	X	P	P
Fuel dealers					
45431 *Consultant Note Limit similar to gas station, greater review process to assure compatibility with surrounding uses*	P	P	P	X	C
E. Transportation and warehousing					
482 Rail transportation	P	P	P	X	P
483 Water Transportation	X	P	X	X	X
484 Truck transportation	P	P	P	P	P
485 Transit and ground passenger transportation	P	P	P	P	P
486 Pipeline transportation	P	P	P	P	P
487 Scenic and sightseeing transportation	P	P	X	X	P
488 Support activities for transportation	P	P	X	X	P
4882 Support activities for rail transportation	P	P	P	X	P
4883 Support activities for water transportation	X	P	P	X	X
4884 Support activities for road transportation	P	X	X	X	P
4885 Freight transportation arrangement	P	P	P	P	P
4889 Other support activities for transportation	P	P	P	P	P
491 Postal Service	P	P	P	P	P
492 Couriers and messengers	P	P	P	P	P
493 Warehousing and storage	P	P	P	P	P
F Information					
511 Publishing industries	P	P	P	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
512 Motion picture and sound recording industries	P	P	P	P	P
515 Broadcasting (except Internet)	P	P	P	P	P
516 Internet publishing and broadcasting	P	P	P	P	P
517 Telecommunications	P	P	P	P	P
5172 Wireless communications carriers	P/C[7]	P/C[7]	P/C[7]	P/C[7]	P/C[7]
518 Internet service providers, web search portals, and data processing services	P	P	P	P	P
519 Other information services	P	P	P	P	P
52 Finance and insurance	X	X	X	P	X
5221 Branch banks (including drive-up service)	P[1]	P[1]	X	P	P[1]
524 Insurance carriers and related activities	P	X	X	P	P
53 Real estate and rental and leasing					
531 Offices of real estate agents and brokers	P	X	X	P	P
532 Rental and leasing services	P	X	X	P	P
5324 Commercial and industrial machinery and equipment rental and leasing	P	P	P	X	P
533 Lessors of nonfinancial intangible assets (except copyrighted works)	X	X	X	P	X
54 Professional, Scientific, and Technical Services					
541 Professional, scientific, and technical services	P	X	X	P	P
54135 Building Inspection services	P	X	X	P	P
54136 Geophysical surveying and mapping services	P	X	X	P	P
54137 Surveying and mapping (except geophysical services)	P	X	X	P	P
54138 Testing laboratories	P	X	X	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
54194 Veterinary services	P	P	X	P	P
55 Management of Companies and Enterprises					
551 Management of companies and enterprises	P	X	X	P	P
56 Administrative and Support and Waste Management and Remediation Services					
561 Administrative and support services	P	X	X	P	P
5616 Investigation and security services	P	X	X	P	P
5617 Services to buildings and dwellings	P	X	X	P	P
5619 Other support services	P	X	X	P	P
562 Waste management and remediation services	C[6]	C[6]	C[6]	X	C[6]
61 Educational services					
611 Educational services	C	C	X	C	C
Elementary and secondary schools					
6111 *Consultant Note Schools unlikely given location of nearby schools Would not be a use that fits the intent of RILB*	C	C	X	C	X
6112 Junior colleges	C	C	X	C	C
6113 Colleges and universities	C	C	X	C	C
6114 Business schools and computer and management training	C	C	X	P	C
6115 Technical and trade schools	P	P	P	P	P
611519 Truck driving schools	P	P	X	P	P
6116 Other schools and instruction	C	C	X	P	C
611692 Automobile driving schools	P	C	X	P	P
6117 Educational Support Services	C	C	X	P	C

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
62 Health Care and Social Assistance					
621 Ambulatory health care services	P	X	X	P	P
6215 Medical and diagnostic laboratories	P	X	X	P	P
6216 Home health care services	P	X	X	P	P
6219 Other ambulatory health care services	P	X	X	P	P
62191 Ambulance Services	P	P	P	P	P
622 Hospitals	C	X	X	P	C
623 Nursing and residential care facilities	X	X	X	P	X
6232 Residential mental retardation, mental health, and substance abuse facilities	X	X	X	C	X
624 Social assistance	X	X	X	P	X
6244 Child day care services	P[1]	P[1]	P[1]	P	P[1]
71 Arts, entertainment, and recreation	P[1]	X	X	P	P[1]
7112 Spectator sports	C	X	X	C	C
71391 Golf courses and country clubs	X	X	X	X	X
71392 Skiing facilities	X	X	X	X	X
71393 Marinas	P	X	X	X	P
71394 Fitness and recreational sports centers	P[1]	P[1]	P[1]	P[1]	P[1]
71399 All other amusement and recreation industries	P[1]	X	X	P[1]	P[1]
72 Accommodations and food services					
721 Accommodation	X	X	X	P	X
722 Food services and drinking places	P[1]	P[1]	P[1]	P[1]	P[1]
7223 Special food services	P	P	P	P	P

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
81 Other Services (Except Public Administration)					
811 Repair and maintenance	P[3]	P[3]	P[3]	P[3]	P[3]
8111 Automotive repair and maintenance	P[3]	P[3]	P[3]	C	P[3]
8113 Commercial and industrial machinery and equipment (except automotive and electronic repair and maintenance)	P[3]	P[3]	P[3]	C	P[3]
812 Personal and laundry services	P[1]	X	X	P[1]	P[1]
81221 Funeral homes and funeral services	X	X	X	P	X
81222 Cemeteries and crematories	C	C	C	C	C
8123 Dry cleaning and laundry services	P[1]	X	X	P[1]	P[1]
81233 Linen and uniform supply	P	P	X	P	P
81291 Pet care (except veterinary) services	P[1]	X	X	P[1]	P[1]
813 Religious, grant making, civic, professional, and similar organizations	X	X	X	C	X
92 Public Administration	P	X	X	P	P
Correctional institutions					
92214 *Consultant Note Maintain focus on private employment opportunities*	C	C	X	X	X
G Other uses not listed as NAICS codes					
1 Service stations for vehicle fleets, including cardlock facilities	P	P	P	P	P
2 Personal property storage including outdoor RV and boat storage	P	X	X	X	P
3 Accessory uses					
a Administrative, educational, and other related activities and facilities	P[2]	P[2]	P[2]	P[2]	P[2]

Table 40.230.085-1. Uses 2012 North American Industrial Classification System (NAICS)	IL	IH	IR	BP	IL-RILB Overlay
b Caretaker, security or manager residence when incorporated as an integral part of a permitted use	P[2]	P[2]	P[2]	P[2]	P[2]
c Off-site hazardous waste treatment and storage facilities (subject to RCW 70 105 210)	P[2]	P[2]	P[2]	P[2]	P[2]
4 Other Uses					
a Parks, trails and related uses	P[2]	P[2]	P[2]	P[2]	P[2]
b Existing residential uses without any increase in density, including accessory uses and structures normal to a residential environment Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to the limits regarding the replacement	P	P	P	P	P
c Legally existing commercial and industrial use structures	P	P	P	P	P
d Public facilities for the support of construction projects and agency operations, including offices for employees of the facility	P	P	P	P	P
e Electric vehicle infrastructure	P	P	P	P	P
f Coffee and food stands two hundred (200) square feet or less	P[8]	P[8]	P[8]	P[8]	P[8]
g Agricultural stands and markets	P[9]	P[9]	P[9]	P[9]	P[9]
h Medical marijuana collective gardens	X	X	X	X	X
i Marijuana-related facilities	X	X	X	X	X

Consultant Note Table Note 1 already addresses RCW 36 70A 367, which says

(3)(g) A major industrial development is used primarily by industrial and manufacturing businesses, and that the gross floor area of all commercial and service buildings or facilities locating within the major industrial development does not exceed ten percent of the total gross floor area of buildings or facilities in the development The intent of this provision for commercial or service use is to meet the needs of employees, clients, customers, vendors, and others having business at the industrial site, to attract and retain a quality workforce, and to further other public objectives, such as trip reduction These uses may not be promoted to attract additional clientele from the surrounding area Commercial and service businesses must be established concurrently with or subsequent to the industrial or manufacturing businesses,

[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*

[2] *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, Retail trade*

[4] *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*

(Amended Ord 2013-07-08, Ord 2014-01-08, Ord 2014-05-07, Ord 2014-11-02)

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)

Table 40.230.085-2. Lot Standards, Setbacks, Lot Coverage and Building Height Requirements

Subject	Zone				
	IL	IH	IR	BP	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 acres[4]	50
Minimum lot width	None	None	None	None	None
Maximum building height[6]	100 feet[2]	100 feet[2]	100 feet[2, 3]	100 feet[2]	100 feet[2]
Minimum building setback					

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[7]
Rear	0 feet	0 feet	0 feet	0/20 feet[5]	0/100 feet[7]
Maximum lot coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 40 320, Table 40 320 010-1, the Stormwater and Erosion Control Ordinance (Chapter 40 385), and all other applicable standards				
Minimum site landscaped area[1]	10 percent	0 percent	0 percent	15 percent	10 percent

[1] Additional setbacks and/or landscape requirements may apply, particularly abutting residential uses or zones See Sections 40 230 085(E) and (F) and40 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

7 100 feet required on perimeter of RILB comprehensive plan designation and implementing zone On interior lot lines 0 feet applies

Consultant note 100 foot perimeter setback with landscaping has been "built into" the preliminary conceptual master plan

(Amended Ord 2014-01-08)

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-of-way or spur track

c Fences Fencing is permitted outside of a boundary line where it is necessary to protect property of the industry or the business concerned No sight-obscuring fence shall be constructed abutting a major arterial or other public right-of-way in excess of four (4) feet in height within the perimeter setbacks Any chain link or other wire fencing must be screened with green growing plant materials or contain slats

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

(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 treatment 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

(8) When security fencing is required it shall be a combination of solid wall, wrought iron, dense hedges or other similar treatment Long expanses of fences or

walls 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 wall

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 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

Consultant Note Addresses requirements of CCC 40 520 075 and RCW 36 70A 367

4 Additional Development Standards for the IL-RILB District

a Use and Dimensional Standards

(1) Permitted, accessory and conditional uses and uses permitted with administrative review See CCC 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 CCC 14 01 Adoption of Building Safety Codes and CCC 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

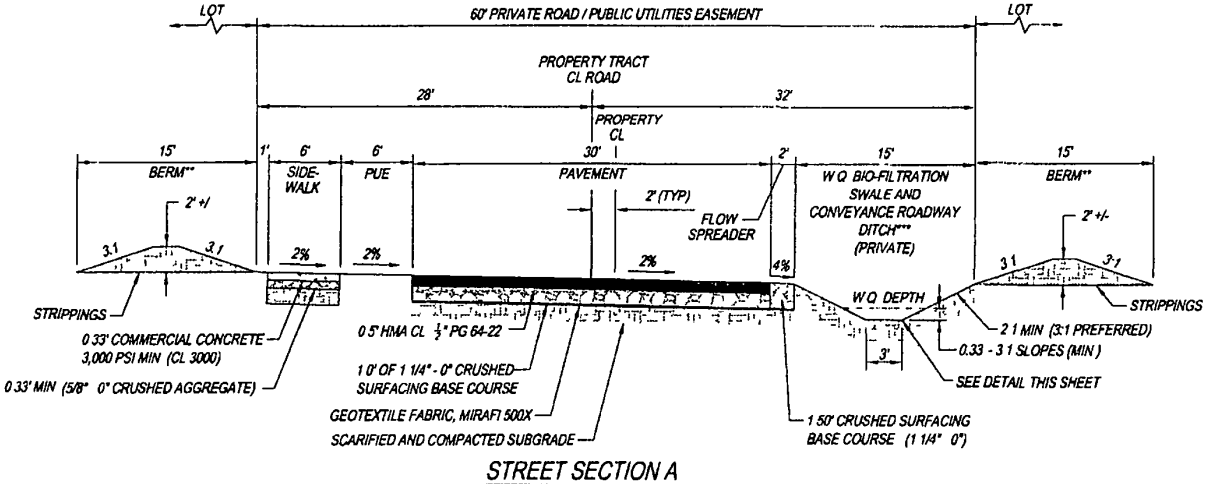
(2) Street Standards

(a) Streets shall meet the provisions of CCC 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 4 230 085-A and B that provide two 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

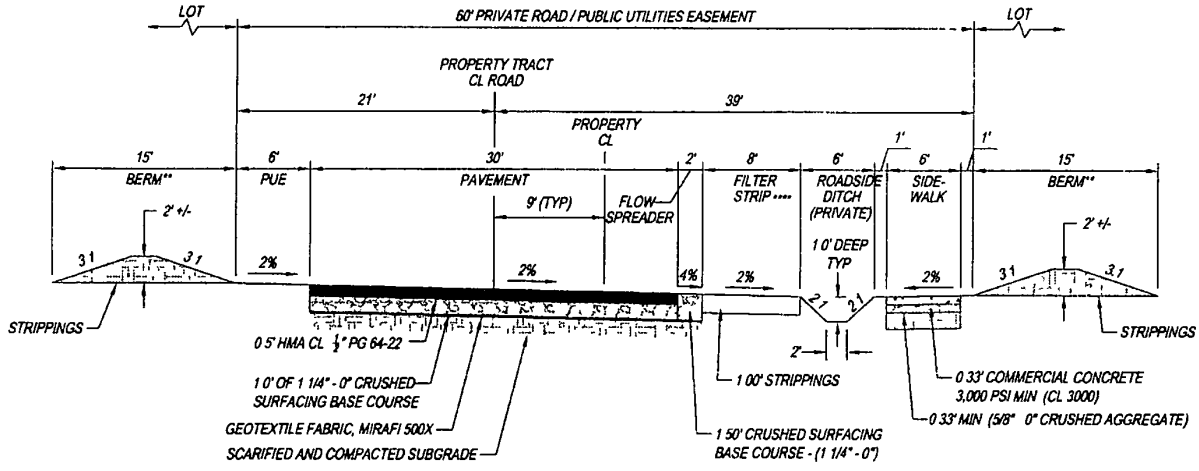
Consultant Note The benefit of this type of road design is that it is more rural in nature and would be more compatible with the rural nature of an industrial park This type of road section also addresses the concept of a regional storm solution The storm drainage from the private roads would be captured and conveyed to detention areas as depicted in the concept plan Basically the storm system would look and feel more like a natural system

Figure 4.230.085-A. Street Section A:
Water Quality Bio-Filtration Swale with Private Road Section



STREET SECTION A

Figure 4.230.085-B. Street Section B: Water Quality Filter Strip with Private Road Section



STREET SECTION B

(3) Parking Requirements See CCC 40 340 Parking, Loading and Circulation

(4) Non-motorized Circulation and Handicapped Accessibility Provide consistency with CCC 40 350 010 Pedestrian/Bicycle Circulation Standards

(5) Transportation demand management programs shall be implemented consistent with CCC Chapter 5 50 Commute Reduction

Consultant Note Standard (6) – Similar to language allowed to reduce traffic impact fees in MXD districts, see Table 40 230 020-2 Incentives Route 7 goes along SR 503 http //www c-tran com/images/Maps/C-TRAN_System_Map_for_Web_2015-05_Printable pdf

(6) Transit-oriented site planning Site plans implemented consistent with the RILB Master Concept Plan shall identify the location of on-site sheltered bus-stops (with current or planned service) or a sheltered bus stop within 1/4-mile of site with adequate walkways if approved by C-TRAN

(7) Signage See CCC 40 310 Signs

(8) Landscaping requirements Landscaping shall be consistent with standards contained in CCC Chapter 40 320 and the following standards In the case of conflict, the following standards shall control

(a) Opaque Screen An opaque screen shall be installed in the 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 100' 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 on 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 10' 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 row of evergreen trees shall be planted, minimum eight feet in height and 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 feet within five 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 inch at the time of planting

(d) Shrubs shall be planted at a rate of one shrub per 20 square feet of landscaped area At least 50 percent of the shrubs shall be evergreen At least 25 percent of the shrubs should be deciduous to provide seasonal interest Shrubs shall be at least 16 inches tall at planting and have a mature height between three and four feet

(e) Ground cover shall be planted and spaced to result in total coverage of the required landscape area within three years as follows:

(i) Four inch pots at 18 inches on center

(ii) One-gallon or greater sized containers at 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-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 onsite 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 perimeter landscaped setbacks consistent with subsection (8) of this section, agricultural use allowances within onsite open space areas of the RILB Master Concept Plan, or 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 CCC Chapters 13 26A and 40 385 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

(e) Chapter 40 450 Wetland Protection

D Infrastructure

(1) Site plans implementing the RILB Master Concept Plan shall assure that all new infrastructure is provided for, directly or by interlocal agreement, 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 master planned industrial development 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 Shall demonstrate adequate and available water to serve each phase of the development as specified by Clark Public Utilities

(d) Sewage Disposal Shall demonstrate adequate sewage disposal to serve each phase of the development as specified by the Clark Regional Wastewater District

(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 CCC 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

e/f Protection of Non-Urban Lands The following measures assure the protection of such lands from urban growth

(a) The rural industrial development is consistent with the uses authorized in RCW 36 70A 367

(b) 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

(c) 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

E Performance Standards No land or structure shall be used or occupied within employment districts unless there is continuing compliance with the following minimum performance standards

1 Maximum permissible noise levels shall be as determined by Chapter 173-60 WAC, as amended, and applicable provisions of Subtitle 40 3

2 Venting Standards The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be directed away from residential uses within fifty (50) feet of the vent

3 Major Odor Sources

a When an application is made for a use which is determined to be a major odor source, the applicant shall demonstrate that

(1) The odor abatement for the project shall comply with the best available control technology for odor control, and

(2) The emissions will not exceed SWCAA General Regulations

b Uses which involve the following odor-emitting processes or activities shall be considered major odor sources

(1) Lithographic, rotogravure or flexographic printing,

(2) Film burning,

(3) Fiberglassing,

(4) Selling of gasoline and/or storage of gasoline in tanks larger than two hundred sixty (260) gallons,

(5) Handling of heated tars and asphalts,

(6) Incinerating (commercial),

(7) Metal plating,

(8) Tire buffing,

(9) Vapor degreasing,

(10) Wire reclamation,

(11) Use of boilers (greater than one hundred six (106) British Thermal Units per hour, ten thousand (10,000) pounds steam per hour, or thirty (30) boiler horsepower),

(12) Other uses creating similar odor impacts,

(13) Uses which employ the following processes shall be considered major odor sources, except when the entire activity is conducted as part of a retail sales and service use

(a) Cooking of grains,

(b) Smoking of food or food products,

(c) Fish or fishmeal processing,

(d) Coffee or nut roasting,

(e) Deep-fat frying,

(f) Dry cleaning,

(g) Animal food processing,

(h) Other uses creating odors offensive to a person of ordinary sensitivity at any point along a boundary line of the property on which a use or structure is located

4 Light and Glare Standards

a Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building

b Exterior lighting shall be shielded and directed away from lots in adjacent uses

c Interior lighting in parking structures shall be shielded, to minimize nighttime glare affecting lots in adjacent uses

d When nonconforming exterior lighting is replaced, new lighting shall conform to the requirements of this section

e Glare diagrams which clearly identify potential adverse glare impacts on any residential zone and on arterials shall be required when

(1) Any structure is proposed to have facades of reflective coated glass or other highly reflective material, and/or a new structure or expansion of an existing structure greater than sixty-five (65) feet in height is proposed to have more than thirty percent (30%) of the facades comprised of clear or tinted glass,

(2) The facade(s) surfaced or comprised of such materials either

(a) Are oriented towards and are less than two hundred (200) feet from any residential zone, and/or

(b) Are oriented towards and are less than four hundred (400) feet from a major arterial with more than fifteen thousand (15,000) vehicle trips per day

f When glare diagrams are required, the responsible official may require modification of the plans to mitigate adverse impacts, using methods including but not limited to the following

(1) Minimizing the percentage of exterior facade that is composed of glass,

(2) Using exterior glass of low reflectance,

(3) Tilting glass areas to prevent glare which could affect arterials, pedestrians or surrounding structures,

(4) Alternating glass and nonglass materials on the exterior facade, and

(5) Changing the orientation of the structure

5 Outdoor Storage Standards.

a All storage areas (including but not limited to areas used to store raw materials, finished and partially finished products and wastes) shall be screened from public rights-of-way to the L3 standard

b Outdoor storage is prohibited

(1) In floodways,

(2) On slopes greater than fifteen percent (15%),

(3) In parking stalls required by Chapter 40 340,

(4) In areas where outdoor storage or display causes traffic or pedestrian circulation problems as determined by the responsible official or where a minimum five (5) foot wide walkway does not remain clear and free of obstructions,

(5) If any materials would likely attract animals, birds or vermin, and

(6) In fire lanes

c The applicant shall demonstrate that both outdoor storage and the screening for outdoor storage are in the appropriate locations on the site to minimize impacts, given the operational practices of the facility

6 Vibration Site generated ground vibrations shall not be perceptible by a person of ordinary sensitivity without instruments, at any point of any boundary line of the property Vibrations from temporary construction activities and vehicles that leave the property (such as trucks, trains, airplanes and helicopters) are excluded

7 Electromagnetic Interference Electric fields and magnetic fields shall not be created that adversely affect the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted This section does not apply to telecommunication facilities which are regulated by the Federal Communications Commission under the Federal Telecommunication Act of 1996 or its successor

40.520.075 Rural Industrial Development Master Plan

A Purpose

The master planning standards in this section are intended to

1 Promote coordinated and cohesive site planning and design of rural industrial development sites that will develop over an extended period of time,

2 Provide a means of streamlining and consolidating development review processes, lessening the scope of piecemeal review as individual developments occur,

3 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

4 Through flexibility of standards and consolidation of reviews, promote and facilitate quality development in an integrated, cohesive manner providing for functional, design and other linkages between, and consistency among, a mix of individual uses and structures

B Applicability

This chapter applies to rural industrial sites and land banks established pursuant to RCW 36 70A 365 or 36 70A 367 and Section 40 560 010(J) Such sites are to be a minimum of one hundred (100) acres in size and zoned light industrial (IL) with a IL-RILB Overlay

C Approval Process

1 A master plan prepared for a rural industrial site or land bank will be processed as part of the application for the land bank pursuant to Section40 560 010(J)

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

3 Master plan review and subsequent site plan review shall serve to integrate the following review processes

a Conditional use review;

b Responsible official review, and

c Variance

4 Upon approval by the reviewing authority, 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 Provisions of this subsection may be implemented through this section, incorporating Sections 501 through 506 of Chapter 347, Laws of 1995

5 All post-decision reviews of master plans are Type I reviews

D Approval Criteria

1 In approving the master plan, site plans subsequent to master plan approval, or amendments to the master plan, the review authority shall make a finding that the following approval criteria are met

a General goals

(1) Achievement of the goals and objectives of the community framework plan and the comprehensive plan,

(2) Enhancement of economic vitality, particularly opportunities for high wage employment,

(3) Efficient provisions and use of public facilities and services,

(4) Plan sufficient infrastructure to meet concurrency needs, and

(5) Goals provided in the purpose statements of the applicable zoning district

b Specific conditions

(1) The master plan contains adequate provisions for ensuring that the original visions and goals as stated in the master plan will be implemented,

(2) The site of the proposed master plan is adequate in size and shape to accommodate the proposed uses and all yards, spaces, walls and fences, parking, loading, landscaping, and other features as required by this title, and to ensure that said use will have no significant detrimental impacts on neighboring land uses and the surrounding area,

(3) The site for the proposed uses relates to streets and highways that are or will be adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses,

(4) Adequate public utilities are or will be available to serve the proposed project,

(5) The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development,

(6) The proposed master plan facilitates quality development in an integrated manner which provides for a functional and design interrelation of uses and/or structures,

(7) The master plan meets all submittal requirements of this section, and material submitted provides sufficient detail to enable review for compliance,

(8) All areas of the master plan site to be developed with commercial uses shall be so delineated on the master plan Commercially delineated areas proposed within industrially zoned areas of the master plan site shall account for no more than ten percent (10%) of the total area

2 The review authority may impose conditions as necessary to satisfy the requirements of this section

3 The applicant may choose one (1) of two (2) options for environmental review

a Environmental review for build-out of the master plan Projects included in the environmental review of the master plan shall not require additional environmental review, or

b Environmental review of the conceptual master plan followed by project-specific environmental review to be completed at the time of individual project development This option includes situations where the conceptual SEPA review for the master plan is completed concurrently with project-specific SEPA review on a first phase The scope of a narrower review of project proposals may be based on relevant similarities, such as common timing, impacts, implementation or subject matter (per WAC 197-11-060(3))

E Site Plan Review Process Under an Approved Master Plan

Development proposals submitted pursuant to an approved master plan shall be reviewed under Section 40 520 040, subject to a demonstration of consistency with the approved master plan and applicable conditions of master plan approval Such development proposals do not require a public hearing on a project-specific basis so long as the original master plan is followed The review authority may impose conditions of approval for such site plan proposal as necessary to ensure compliance with master plan approval criteria or conditions

F Development Standards, Covenants, and Guidelines

1 The applicant has two (2) options in establishing development standards to control development in the master plan area

a Incorporate the development standards as adopted by the ordinance codified in this section, or

b Propose new development standards (which may incorporate some of the standards in this section) Development standards that differ from the existing land use code requirements will be reviewed as part of master plan review

2 Development standards ~~shall address~~ See CCC 40 230 085 D.

~~a Permitted, accessory and conditional uses and uses permitted with administrative review,~~

~~b Floor area ratios for office, commercial and industrial development, where permitted,~~

~~c Maximum building heights,~~

~~d Maximum lot coverage (building and impermeable surface),~~

~~e Setbacks,~~

~~f Minimum spacing between buildings,~~

~~g Circulation/access to and within each lot and/or area,~~

~~h Landscaping requirements (minimum landscaped area),~~

~~i Open space,~~

~~j Parking requirements (location, design, amount),~~

~~k Street standards,~~

~~l Signage, and~~

~~m Handicapped accessibility~~

3 Covenants, Conditions and Restrictions Notwithstanding any other provision in this section, the review authority may enter into developer agreements pursuant to RCW 36 70B 170 through 36 70B 210 The board may also declare the master plan a planned action pursuant to RCW43.21C 031

a Other site development restrictions, such as easements and covenants, not covered by the development standards or applicable ordinances may be incorporated into the master plan, in a section stipulating covenants, conditions and restrictions that run with the land,

b Where separate ownership of lots within the master plan area may occur, to ensure consistency in development and protect the character of the development, the owners may be required, or may desire, to confer responsibility for maintaining common open space, communal recreational areas and facilities, private roads and landscaping to one (1) of the following

(1) An association of owners that shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the common open space that is acceptable to the Prosecuting Attorney Automatic membership in the association upon purchase of property and association fees shall be contained in covenants that run with the land The

association must have the power to levy assessments Nonpayment of association fees can become a lien on the property, or

(2) Dedication to a public agency that agrees to maintain the common open space and any buildings, structures or other improvements which have been placed on it

4 Other conditions which may be addressed in this section of the master plan document are agreements and assurances on the part of the applicant and on the part of the county with respect to future development Other general provisions may be included in the final master plan effective date, duration, cooperation and implementation, intent and remedies, periodic review, dispute resolution, assignment, relationship of parties, hold harmless, notices, severability and termination, time of essence, waiver, successors and assigns, governing state law, constructive notice and acceptance, processing fees

5 The owner may choose to establish architectural design guidelines to promote consistency throughout the development Administering the guidelines shall be the responsibility of the owner of the site or the association of owners The guidelines may consist of, for example, roof pitches, building materials, window treatments, paving materials, and building articulation, etc

6 The comprehensive plan map shall be amended to add the suffix "-mp" to the site at the time of approval of master plans approved under this chapter

40.520.070 Master Planned Development

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,

4 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

1 Applications for a master plan shall be reviewed using a Type II-A process as described in Section 40 510 025, unless

a Submitted 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

3 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 Section40 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 Provisions of this subsection may be implemented through this section, incorporating Sections 501 through 506 of Chapter 347, Laws of 1995

6 All post-decision reviews of master plans in MH zones are Type I reviews Development sites within the master planned area may be reconfigured under post-decision review as necessary to attract uses as defined in Section 40 520 070(B)(3)

(Amended Ord 2010-08-06, Ord 2014-12-16)

D Approval Criteria

In approving the master plan, site plans subsequent to master plan approval, or amendments to the master plan, the review authority shall make a finding that the following approval criteria are met

1 All of the following general goals are met

a Achievement of the goals and objectives of the community framework plan and the comprehensive plan,

b Enhancement of economic vitality, particularly opportunities for high wage employment,

c Efficient provisions and use of public facilities and services,

d Measures to reduce the number of automobile trips generated and to encourage alternative modes of transportation, and

e Goals provided in the purpose statements of the applicable zoning district

2 All of the following conditions exist

a The master plan contains adequate provisions for ensuring that the original visions and goals as stated in the master plan will be implemented,

b The site of the proposed master plan is adequate in size and shape to accommodate the proposed uses and all yards, spaces, walls and fences, parking, loading, landscaping, and other features as required by this title, and to ensure that said use will have no significant detrimental impacts on neighboring land uses and the surrounding area,

c The site for the proposed uses relates to streets and highways that are or will be adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses,

d Adequate public utilities are or will be available to serve the proposed project,

e The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development,

f The proposed master plan facilitates quality development in an integrated manner which provides for a functional and design interrelation of uses and/or structures,

g The master plan meets all submittal requirements of this section, and material submitted provides sufficient detail to enable review for compliance,

h All areas of the master plan site to be developed with commercial uses shall be so delineated on the master plan

(1) Light industrial (IL) zone Commercially delineated areas proposed within industrially zoned areas of the master plan site shall account for no more than ten percent (10%) of the total area

(2) Mixed use (MX) zone Uses shall conform to the requirements of Section 40 230 020

(3) Heavy industrial (IH) zone Commercially delineated areas proposed within industrially zoned areas of the master plan site shall account for no more than ten percent (10%) of the total building square footage

3 The review authority may impose conditions as necessary to satisfy the requirements of this section

4 The applicant may choose one (1) of two (2) options for environmental review

a Environmental review for buildout of the master plan Projects included in the environmental review of the master plan shall not require additional environmental review, or

b Environmental review of the conceptual master plan followed by project-specific environmental review to be completed at the time of individual project development This

option includes situations where the conceptual SEPA review for the master plan is completed concurrently with project-specific SEPA review on a first phase The scope of a narrower review of project proposals may be based on relevant similarities, such as common timing, impacts, implementation or subject matter (per WAC 197-11-060(3))

(Amended Ord 2012-12-14)

E Site Plan Review Process Under an Approved Master Plan

Development proposals submitted pursuant to an approved master plan shall be reviewed under Section 40 520 040, subject to a demonstration of consistency with the approved master plan and applicable conditions of master plan approval Such development proposals do not require a public hearing on a project-specific basis so long as the original master plan is followed The review authority may impose conditions of approval for such site plan proposal as necessary to ensure compliance with master plan approval criteria or conditions

F Development Standards, Covenants and Guidelines

1 Mixed use (MX) zoned lands shall comply with Section 40 230 020

2 Light industrial (IL) and heavy industrial (IH) zoned lands The applicant has two (2) options in establishing development standards to control development in the master plan area

a Incorporate the development standards as adopted by the ordinance codified in this section, or

b Propose new development standards (which may incorporate some of the standards in this section) Development standards that differ from the existing land use code requirements will be reviewed as part of master plan review

c Development standards shall address

(1) Permitted, accessory and conditional uses and uses permitted with administrative review,

(2) Floor area ratios for office, commercial and industrial development, where permitted,

(3) Maximum building heights,

(4) Maximum lot coverage (building and impermeable surface),

(5) Setbacks;

(6) Minimum spacing between buildings,

(7) Circulation/access to and within each lot and/or area,

(8) Landscaping requirements (minimum landscaped area),

(9) Open space,

(10) Parking requirements (location, design, amount),

(11) Street standards,

(12) Signage, and

(13) Handicapped accessibility

(Amended Ord 2012-12-14)

3 Covenants, Conditions and Restrictions Notwithstanding any other provision in this section, the review authority may enter into developer agreements pursuant to RCW 36 70B 170 through 36 70B 210 The board may also declare the master plan a planned action pursuant to RCW43 21C 031

a Other site development restrictions, such as easements and covenants, not covered by the development standards or applicable ordinances may be incorporated into the master plan, in a section stipulating covenants, conditions and restrictions that run with the land,

b Where separate ownership of lots within the master plan area may occur, to ensure consistency in development and protect the character of the development, the owners may be required, or may desire, to confer responsibility for maintaining common open space, communal recreational areas and facilities, private roads and landscaping to one (1) of the following

(1) An association of owners that shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the common open space that is acceptable to the Prosecuting Attorney Automatic membership in the association upon purchase of property and association fees shall be contained in covenants that run with the land The association must have the power to levy assessments Nonpayment of association fees can become a lien on the property, or

(2) Dedication to a public agency that agrees to maintain the common open space and any buildings, structures or other improvements which have been placed on it

4 Other conditions which may be addressed in this section of the master plan document are agreements and assurances on the part of the applicant and on the part of the county with respect to future development Other general provisions may be included in the final master plan effective date, duration, cooperation and implementation, intent and remedies, periodic review, dispute resolution, assignment, relationship of parties, hold harmless, notices, severability and termination, time of essence, waiver, successors and assigns, governing state law, constructive notice and acceptance, processing fees

5 The owner may choose to establish architectural design guidelines to promote consistency throughout the development Administering the guidelines shall be the responsibility of the owner of the site or the association of owners The guidelines may consist of, for example, roof pitches, building materials, window treatments, paving materials, and building articulation, etc

6 The comprehensive plan map shall be amended to add the suffix "-mp" to the site at the time of annual review for all approved master plans approved in the previous calendar year

G Final Master Plan Review

The final master plan shall be submitted in conjunction with the final construction/site plan application, as required under Section 40 520 040(F)

H Master Plan Approval Timelines

The master plan approval timelines shall be those established under Section 40 500 010(B)

(Note Section 40 520 060, Post-Decision Procedures, addresses the process for subsequent changes to a master plan, and Section 40 510 020(H) addresses appeals)

(Amended Ord 2006-04-18, Ord 2011-03-09)

40.560.010 Plan Amendment Procedures

A Purpose

The purpose of this section is to provide guidance as to how the comprehensive plan will be updated and amended over time Amendments to the comprehensive plan may involve changes in the written text or policies of the plan, or in the map designations adopted as part of the plan, Arterial Atlas, or to supporting documents, including capital facilities plans This section states the specific procedures and review criteria necessary to process comprehensive plan amendments Plan amendments will be reviewed in accordance with the state Growth Management Act (GMA), the countywide planning policies, the community framework plan, the goals and policies of the comprehensive plan, local city comprehensive plans, applicable capital facilities plans, official population growth forecasts and key growth indicators

(Amended Ord 2007-09-13)

B Overall Method of Review

Proposed plan amendments that are submitted for review shall be subject to the applicable criteria of this section The review shall be processed by Type IV procedures in Section 40 510 040 Applications for plan map amendments are generally processed in conjunction with concurrent rezone requests Zoning map amendments must be to a zone corresponding to the requested comprehensive plan map designation Concurrent zoning map amendments must meet all the approval criteria of this chapter and zone changes consistent with the comprehensive plan map shall be considered subject to the approval criteria of Section 40 560 020

(Amended· Ord 2007-09-13)

C Applicability

The criteria and requirements of this section shall apply to all applications or proposals for changes to the comprehensive plan text, policies, map designations, zoning map or supporting documents For the purposes of establishing review procedures, criteria and timelines, amendments shall be distinguished as follows

1 Countywide comprehensive plan map changes involving urban growth area (UGA) boundary changes and rural lands uses on a rotational basis,

2 Comprehensive plan map changes not involving a change to UGA boundaries,

3 Comprehensive plan policy or text changes,

4 Arterial Atlas amendments,

5 Changes to other plan documents (such as capital facilities), and

6 Out-of-cycle amendments limited to the following

a Emergency,

b The initial adoption of a subarea plan, only to a plan that does not modify the comprehensive plan policies and designations applicable to the subarea,

c The adoption or amendment of a shoreline master program,

d To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or from a court of competent jurisdiction, and

e Siting of major industrial developments and/or master planned locations outside UGA boundaries consistent with the requirements of state statute,

f The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption of the county budget

Item (1) above may only occur consistent with RCW 36 70A 130 Items (3), (4), (5) and (6) above may only be initiated by the county Item (2) above may be initiated by either the county or a property owner

(Amended Ord 2004-09-02, Ord 2007-09-13)

D Plan Map Changes – Procedure

1 Applications for all plan amendments shall be considered legislative actions, subject to Type IV procedures of Section 40 510 040

2 Site-specific plan map amendments (annual reviews) requested by private parties shall be considered legislative actions, subject to Type IV procedures of Section 40 510 040

3 Submittal Requirements and Timelines of the Annual Review. All applications for site-specific plan map amendments not involving a change to UGA boundaries requested by parties other than the county shall be submitted as follows

a Between October 1st and November 30th, applicants shall submit a pre-application form containing all of the following information

(1) The pre-application fee, as specified in county fee ordinance,

(2) Application form signed by the owner(s) of record,

(3) Description of request,

(4) GIS packet,

(5) Related or previous permit activity, and

(6) A statement on how the plan/zone change request is consistent with all of the applicable policies and criteria in the comprehensive plan and this chapter

b Between October 15th and December 31st, county staff and applicants shall complete pre-application meetings

c Between January 1st and January 31st, applicants shall submit an application form containing all of the following, including the information required by Section 40 510 030(C)(3)

(1) The applicable comprehensive plan and rezone application fees,

(2) SEPA checklist and applicable fee,

(3) Copy of deed, real estate contract or earnest money agreement,

(4) A full analysis of how the plan/zone change request is consistent with the applicable policies and criteria in the comprehensive plan and this chapter,

(5) A market analysis and a transportation analysis, and

(6) Any additional information the applicant believes is necessary to justify the amendment

d Between February 1st and April 1st, initial county staff review shall include the following

(1) Distribution of applications requesting an amendment to an urban growth area boundary or seeking to amend a designation within an urban boundary to the affected city,

(2) Completion of county SEPA official determination,

(3) Circulation and publication of SEPA determinations to applicant, affected jurisdiction(s), neighborhood associations and agencies, and

(4) Preparation of a single staff report and recommendation based on an assessment of cumulative impacts of plan change requests, and any other plan changes initiated by the county

e The above process and timeline is intended as a guideline Actual processing time may depend upon the number of applications and activity level at the time of formal applications

f If the applicant has not supplied the required information by March 15th, the responsible official shall inform the applicant in writing that no further consideration will be given to the request for this annual review cycle

g Following completion of Sections 40 560 010(D)(3)(a) through (D)(3)(e), county staff shall schedule public hearings before the planning commission Following the completion of the planning commission public hearings, county staff shall schedule public hearings before the board and forward to the board the planning commission recommendations

h After the public hearing by the board, the board will adopt a single resolution disposing of all cases

i Burden of Proof The burden of proving consistency with the criteria for plan amendments shall be upon the proponent

4 Annual review applications will not be accepted for properties within an urban growth boundary which are in the process of being annexed

(Amended Ord 2007-09-13, Ord 2007-11-13)

E Governmental Coordination

1 The county will coordinate with each city and town, the annual review processes Annual reviews shall be established to occur within each jurisdiction at least once a year

2 These coordinated annual reviews shall be subject to the criteria of this chapter and that of the applicable jurisdiction and include the following

a Each urban area annual review, including applications initiated by a city, shall assess the cumulative impacts of all potential or requested changes to the comprehensive plan map and policies throughout the specific urban areas as well as, to the countywide plan,

b Proposals that would result in urban development outside of an adopted urban boundary shall not be permitted unless the boundary is amended, and

c Cities, special districts and the county shall cooperate to preserve and protect natural resources, agricultural lands, open space and recreational lands within and near the urban areas

3 Individual annual review applications may be submitted once a year to the applicable jurisdiction based on a schedule adopted by that jurisdiction. To the extent possible, the same schedule should be adopted by the county and each city/town for each urban area to facilitate mutual review and assessment of the applicable criteria. The following procedure is recommended for consideration of plan amendments or updates

a After November 30th, distribute copies of pre-application forms submitted by applicant to affected city and agencies,

b Between October 15th and December 31st, complete pre-application meetings with county staff, applicants and affected city and agencies in attendance,

c Between January 1st and February 28th, distribute fully complete applications with any additional information to affected jurisdictions to facilitate their review process,

d In coordinating with the county, the cities shall submit written recommendation or additional information to the county,

e The county shall circulate initial review including SEPA determination and other pertinent information to the affected city and agencies, and

f The county will schedule public hearings before planning commission followed by public hearings before the board

(Amended Ord 2007-09-13)

F Comprehensive Plan Map Changes – General

All plan map changes shall be accomplished through the following

1 Changes approved by the county as a result of a comprehensive periodic review of the plan to be initiated by Clark County at minimum seven (7) year intervals,

2 Changes approved by the county in response to county, or property owner request not more than once per calendar year,

3 Out of cycle amendments initiated and approved by the county at any time,

4 Applications for map changes and urban growth area boundary amendments shall be consistent with the comprehensive plan matrix table or accompanied by concurrent rezone applications,

5 A county-initiated proposal for siting major industrial facilities and/or master planned locations consistent with RCW 36 70A 365 and 36 70A 367, and processed if accompanied by a current property owner-submitted rezone application,

6 The county shall assess the cumulative impacts of all plan map changes against the comprehensive plan, plan text, map and relevant implementing measures Monitoring benchmarks may be used to assess impacts

(Amended Ord 2004-09-02, Ord 2007-09-13)

G Criteria for All Map Changes

Map changes may only be approved if all of the following are met

1 The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act and requirements, the countywide planning policies, the community framework plan, comprehensive plan, city comprehensive plans, applicable capital facilities plans and official population growth forecasts, and

2 The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan, and

3 The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity, and

4 The plan map amendment either (a) responds to a substantial change in conditions applicable to the area within which the subject property lies, (b) better implements applicable comprehensive plan policies than the current map designation, or (c) corrects an obvious mapping error, and

5 Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation Such services may include water, sewage, storm drainage, transportation, fire protection and schools Adequacy of services applies only to the specific change site

(Amended Ord 2007-09-13)

H Additional Criteria for Commercial Map Changes

Amendments to the plan map for designation of additional commercial land or for changing the zoning from one commercial district to another shall meet the following additional requirements

1 A market analysis using the weighted block group centroid retrieval method shall be submitted which verifies the need for the new commercial area or center, and

2 A land use analysis of available commercially designated and zoned land in the market area of the proposed site shall be submitted which demonstrates that the existing commercial land is inadequate The most recent vacant lands model must be used for the land use analysis

(Amended Ord 2008-12-15)

I Additional Criteria for Rural Map Changes

1 Amendments to the plan map for (a) changing a natural resource land designation to either a smaller lot size natural resource land designation or to a rural designation, or (b) creating or expanding a rural center, shall demonstrate that the following criteria have been met

a The requested change shall not impact the character of the area to the extent that further plan map amendments will be warranted in future annual reviews, and

b The site does not meet the criteria for the existing resource plan designation, and

c The amendment shall meet the locational criteria for the requested designation

2 a The creation of, expansion of, or change of land use within a rural center shall be considered and evaluated by the county through the annual review process under Chapter 40 560

b Before the county considers establishing a new rural center, the proponent(s) shall submit to the county a petition signed by at least sixty percent (60%) of the property owners of the land within the boundaries of the proposed new rural center

(Amended Ord 2007-09-13, Ord 2008-12-15)

J Additional Criteria for Rural Major Industrial Map Changes

This section governs designations outside of UGAs for major industrial developments under RCW 36 70A 365 and major industrial land banks under RCW 36 70A 367

1 Application Rural industrial development sites pursuant to RCW 36 70A 365 or 36 70A 367 require a comprehensive plan and zone change, and shall be processed as a Type IV process pursuant to Section 40 510 040 and this chapter

2 Rural industrial designations shall require a minimum of one hundred (100) acres and shall be designated as follows·

a Comprehensive Plan

(1) Major industrial developments (light industrial)

(2) Major industrial land banks (light industrial)

b Zoning

(1) Major industrial developments (IL)

(2) Major industrial land banks (IL)

3 Process Prior to formally proposing a designation under this section, the county shall

a Undertake an inventory of available urban industrial land,

b Consult with affected city(ies) regarding a proposed designation,

c Make a preliminary assessment that the applicable statutory criteria are met and that the proposed location is superior to other potential rural sites,

d Negotiate an appropriate or statutorily required interlocal agreement with affected city(ies), and

e Complete a master plan for the development site as required pursuant to Section 40 520 075

4 Approval Criteria

a 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 requirement and criteria of RCW 36.70A 365 or 36.70A 367, respectively, are met

b Concomitant Rezone Agreement No designation under this section shall be approved unless accompanied by a concomitant rezone agreement (or development agreement) which at a minimum assures compliance with statutory requirements and criteria, including the limitations on nonindustrial uses in RCW 36 70A 367(2)(k) for a major industrial land bank

5 Adjacent Non-Urban Areas A designation under this section shall not permit urban growth in adjacent non-urban areas

(Amended Ord 2004-09-02, Ord 2007-09-13, Ord 2008-12-15, Ord. 2012-12-14, Ord 2014-12-16)

K Rezones/Zone Changes Rezone applications considered with a plan map amendment request shall be reviewed consistent with the plan matrix table and according to the procedures and timing specifications for plan map amendment specified in this section and shall comply with Section 40 560 020and Chapter 40.510. Rezone applications proposing a change from urban holding to an urban zoning district that is consistent with the comprehensive plan map designation shall be processed through a Type IV process initiated by the county and consistent with the procedures and criteria identified in the special implementation procedures section in Chapter 13 of the comprehensive plan See also Section 40 560 020(G)

(Amended Ord 2007-09-13, Ord 2008-06-02, Ord 2008-12-15)

L Mixed Use Designation Zone Change Requests

The purpose of this section is to establish the requirements and procedures for the review and approval of rezone application(s) under the comprehensive plan mixed use designation It is also intended that this section be utilized to implement pertinent county policies relating to mixed use development in a manner compatible with the comprehensive plan policies

1 Action Required

a Applications for zone changes shall be reviewed through a Type III procedure in the same manner and with the same public notice procedure as is required for any other change of zoning

b If a contiguous land area is proposed to be added to an existing mixed use designation, the application shall be subject to the plan change procedural ordinance and applicable criteria

2 Criteria Before an area designated mixed use (MX) on the comprehensive plan is rezoned, the applicant shall demonstrate that

a The request is consistent with the plan policies and locational criteria and the purpose statement of the requested zoning district,

b Requested zone change is consistent with the plan designation to zoning matrix table,

c The uses to be permitted and the development standard to be applied in the proposed district will promote the goals of the comprehensive plan and other applicable policies adopted by the county, particularly the mixed use policies in Chapters 1, 2, 5, 9 and 10 of the comprehensive plan,

d The proposed rezone and development would be integrated in a manner that provides opportunities to combine residential, commercial or other uses within individual structures, or within adjacent structures or adjacent properties,

e The proposed zone is the most appropriate, taking into consideration the purposes of each zone, the zoning pattern of surrounding land and the policies and intent of the mixed use plan designation,

f The requested zone change shall meet the standards for the MX zoning district, and

g Public services are demonstrated to be capable of supporting the uses allowed by the zone, or will be capable by the time development is complete

(Amended Ord 2004-09-02, Ord 2007-09-13, Ord 2008-12-15)

M Additional Required Criteria Specific to Urban Growth Area (UGA) Boundary Map Changes

1 The county shall adopt countywide growth targets and regional sub-allocations, and map corresponding UGA boundaries and designations as follows

a Adopt countywide twenty (20) year target population and employment levels consistent with official State of Washington Office of Financial Management population growth forecasts ranges, and

b Officially sub-allocate the adopted countywide population and employment targets to urban growth areas associated with each incorporated municipality in the county, and to the remaining rural area, and

c Adopt urban growth area boundaries and comprehensive plan land use designations which are consistent in their sizes and designations with the official sub-allocation for each UGA and the rural area

2 To allow for a comprehensive review and assessment of cumulative impacts, all UGA boundary review proposals shall be initiated by the county as part of a periodic review and update of the plan

3 Any expansion to the UGA shall be accompanied by a demonstration that necessary urban services can and will be provided within ten (10) years' time Such a demonstration shall include a need analysis estimating what urban services will be required, both in the expansion area and elsewhere in the county, and estimates as to when such services will be needed Written documentation shall be provided from service providers indicating when, how, at what cost, and from which funding sources service will be provided

4 The extent of a UGA boundary expansion shall be that necessary to provide a minimum ten (10) and a maximum twenty (20) year supply of vacant and buildable lands within the UGA The calculation of supply shall be based on population growth projections within the UGA, where such projections are consistent with adopted countywide growth targets and regional

sub-allocations If necessary, the county may adjust countywide growth targets and regional sub-allocations, provided, that they are consistent with official OFM forecasts

5 In evaluating potential changes to a particular UGA boundary, the county shall consider countywide implications for other UGAs and their sub-allocations

6 The amendment shall address the assumptions, trends, key indicators and performance measures established in the land use element, Chapter 1, of the comprehensive plan

7 The amendment does not include lands that are designated as natural resource (agricultural, forest, mineral resource) unless such lands are also designated with an urban reserve or industrial urban reserve overlay

8 The amendment only indicates lands within the urban reserve area

9 The following shall not apply to Sections 40 560 010(M)(1) through (10)

a Correction of technical mapping errors involving small area or few properties,

b. An order from a court of competent jurisdiction or as a result of a Growth Management Hearings Board remand

10 The county shall exercise its best efforts to coordinate UGA boundary change proposals with the affected city(ies), including the preparation of joint staff recommendations where possible Unless waived by the affected city(ies), such city(ies) shall be given at least sixty (60) days' notice of the proposal prior to a county hearing thereon

(Amended Ord 2006-09-13, Ord 2007-09-13, Ord 2008-12-15)

N Comprehensive Plan Policy or Text Changes

1 Action Required Plan policy or text changes shall be accomplished through the changes initiated and approved by the county These changes may occur as part of the periodic review update to occur consistent with RCW 36 70A 130, or as part of annual changes to the plan once per calendar year, or as part of emergency amendments which may be brought forward at any time, subject to applicable provision of this chapter

2 Required Criteria Plan text or policy changes may be approved only when all of the following are met

a The amendment shall meet all the requirements of and be consistent with the Growth Management Act and other requirements, the countywide planning policies, the community framework plan, the comprehensive plan, local comprehensive plans, applicable capital facilities plans and official population growth forecasts

b The amendment, when applicable, shall address the assumptions, trends, key indicators and performance measures established in the land use element, Chapter 1, of the comprehensive plan

c The county shall assess the cumulative impacts of all plan policy or text changes against the comprehensive plan, plan text, map and relevant implementing measures

(Amended Ord 2007-09-13, Ord 2008-12-15)

O Arterial Atlas Amendments

1 Action Required Arterial Atlas amendments shall be accomplished through the changes initiated and approved by the county These changes may occur as part of the periodic review update to occur consistent with RCW 36 70A 130, or as part of annual changes to the plan once per calendar year, or as part of emergency amendments which may be brought forward at any time, subject to applicable provisions of this chapter

2 Required Criteria Arterial Atlas amendments may be approved only when all of the following are met

a There is a need for the proposed change,

b The proposed change is compliant with the Growth Management Act,

c The proposed change is consistent with the adopted comprehensive plan, including the land use plan and the rest of the Arterial Atlas,

d The proposed change is consistent with applicable interlocal agreements, and

e The proposed change does not conflict with the adopted Metropolitan Transportation Plan

(Amended Ord 2007-09-13, Ord 2008-12-15)

P Other Plan Amendment Categories

1 Capital facilities plan and updates shall be reviewed at a minimum every four (4) years in Type IV public hearings conducted by the planning commission and board for those facilities subject to county jurisdiction School capital facility plan and updates shall be reviewed at minimum two (2) year intervals

2 The Clark County parks, recreation and open space plan shall be reviewed annually by the Clark County parks advisory board and the board Any amendments thereto which necessitate changes to the comprehensive plan shall be reviewed in public hearings by the planning commission and the board

3 In updating capital facilities plans, policies and procedures, the county must determine that these updates are consistent with applicable policies and implementation measures of the comprehensive plan, and in conformance with the purposes and intent of the applicable interjurisdictional agreements

(Amended Ord 2007-09-13, Ord 2008-12-15, Ord 2010-12-12)

Q Out-of-Cycle Amendments

1 Revisions to the comprehensive plan may be considered more frequently than once per year under the following circumstances

a Emergency in which a delay in action would result in a significant public harm,

b The initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea,

c The adoption or amendment of a shoreline master program,

d To resolve an appeal of a comprehensive plan filed with a Growth Management Hearings Board or from a court of competent jurisdiction, and

e Siting of major industrial developments and/or master planned locations outside UGAs consistent with the requirements of RCW 36 70A 365 and36 70A 367

2 Plan amendments reviewed under these conditions shall be considered legislative actions, subject to Type IV procedures of Section 40 510 040

3 All amendments shall be considered subject to the review criteria established in this chapter

(Amended Ord 2004-09-02, Ord 2007-09-13, Ord 2008-12-15)

R Siting of State and Regional Public Facilities of a Countywide or Statewide Nature

Plan amendments to implement the policies of the comprehensive plan regarding proposals for siting essential public facilities such as airports, state educational facilities and other institutions necessary to support community development may be considered as follows

1 Government facilities may be established as provided in other land use districts through the procedures specified in the applicable district without plan amendment

2 Application for siting of public facilities may be approved if criteria, as noted herein, are met

a The county shall in cooperation with other jurisdictions ensure that siting of regional facilities is consistent with all elements of the adopted county comprehensive plan, local city plan and other supporting documents,

b The proposed project complies with all applicable provisions of the comprehensive plan, including countywide planning policies,

c The proposal for siting of a public facility contains interjurisdictional analysis and financial analysis to determine financial impact and applicable intergovernmental agreement,

d Needed infrastructure is provided for,

e Provision is made to mitigate adverse impacts on adjacent land uses,

f The plan for the public facilities development is consistent with the county's development regulations established for protection of critical areas, and

g Development agreements or regulations are established to ensure that urban growth will not occur if located adjacent to non-urban areas

(Amended Ord 2007-09-13, Ord 2008-12-15)

S Additional Criteria for Surface Mining Overlay Changes

1 Designation of additional areas with the surface mining overlay shall only occur if

a The designation criteria in the comprehensive plan have been met,

b The quantity and characteristics of the resource including the size of the deposit, the depth of overburden, the distance to market, and the cost of transport and resource availability in the region suggest that mining is economically viable, and

c At least sixty percent (60%) of the area within one thousand (1,000) feet of the proposed mineral resource land is characterized by parcels of five (5) acres or larger

2 Removal of the surface mining overlay shall only occur if one (1) of the following conditions is met

a The mineral resources have been depleted,

b There is evidence that the mining of the mineral resource is not economically feasible based on the factors listed in Section 40 560 010(S)(1)(b),

c Environmental or access constraints make it impractical to mine the resource, or

d The area has been brought into an urban growth boundary or adjacent land uses or developments are incompatible with mineral extraction

(Added Ord. 2014-12-06)

T Cumulative Impact

In reviewing all prospective comprehensive plan changes, the county shall analyze and assess the following to the extent possible

1 The cumulative impacts of all plan map changes on the overall adopted plan, plan map and relevant implementing measures, and adopted environmental policies,

2 The cumulative land use environmental impacts of all applications on the applicable local geographic area and adopted capital facilities plans, and

3 Where adverse impacts are identified, the county may require mitigation Conditions which assure that identified impacts are adequately mitigated may be proposed by the applicant and, if determined to be adequate, imposed by the county as a part of the approval action

(Amended Ord 2007-09-13, Ord 2008-12-15, Ord 2014-12-06)

U Fees

Application fees for all comprehensive plan and zone changes shall be considered as follows

1 Filing fees for all plan amendments and zone changes shall be considered subject to the provisions of Chapter 6 110A

2 If multiple similar applications are received in a year, fees set in Section 40 570 100(B) may be adjusted downward by the responsible official to reflect actual cost

(Amended Ord 2004-09-02, Ord 2007-09-13, Ord 2008-12-15, Ord 2014-12-06)

APPENDIX: EXAMPLE REGULATIONS – OTHER COUNTIES

Exhibit 4. Example Code Provisions

Location	Urban growth will not occur in adjacent nonurban areas	Provision is made to mitigate adverse impacts on designated resource lands	In
Lewis County Float Glass Manufacturing Facility (RCW 36 70A 365) LCC 17 21 Transalta (RCW 36 70A 368) LCC 17 20B	**17 21 050, Buffers from nonurban areas** To further protect adjacent nonurban lands, the master plan approved under Chapter 17 20 LCC for this major industrial development shall include the buffers and setbacks included in the Application, as amended, including the stipulation that the south boundary of the master plan will be north of Olequa Creek and that the area of Olequa Creek and the associated wetlands be protected by a covenant or easement prohibiting all development therein Except for the electrical substation, no buildings shall be permitted in the setbacks or buffers Berms, walls, the rail spur, roads and utilities may be placed in the buffers and setbacks **LCC 17 21 070, Protection of Nonurban Lands** (1) By operation of state law, the site of any major industrial development approved under this title becomes an unincorporated urban growth area, but surrounding lands will remain designated rural and those surrounding lands may potentially be designated in part as resource lands The following measures assure the protection of such lands from urban growth (a) This specific major industrial development is consistent with the uses authorized in RCW 36 70A 365 (b) No new water facility or wastewater facility shall be extended to uses outside the boundaries of this specific major industrial development (except where such services must extend through the rural or resource areas between this major industrial development and another urban growth area) unless such extensions are consistent with state law and the Lewis County comprehensive plan and have been approved by Lewis County (c) No boundary change to this major industrial development site shall be made without an amendment to the comprehensive plan land use map consistent with the requirements of RCW 36 70A 365 and Chapter 17 20 LCC **17 20B 050 Criteria for approval** (3) The master plan shall identify buffers to separate the master planned industrial development from incompatible but lawful rural areas, if any,	**17 21 080 Mitigation of adverse impacts on resource lands** This specific major industrial development has no adverse impact on any adjacent or nearby resource lands	**17 21 030 Provision fo** The Chapter 17 20 LCC new infrastructure is p condition from the exa responsible for all cost this requirement does that fund portions of in development and need accept the applicant's county road improvem documents prepared fc governmental services development so long a nonurban areas unless law and the Lewis Cour approved by Lewis Cou federal laws, water anc lines and facilities, and serve this specific majo **17 20B 050 Criteria for** facilities developed for available outside of the planned industrial deve development will not e boundaries of the appr
Whatcom County Cherry Point (RCW 36 70A 365) Part is zoned as Heavy Impact	**Light Impact Industrial District 20 66 550 Buffer area** 551 When a parcel situated within this district adjoins an Urban Residential, Urban Residential Medium Density, Urban Residential-Mixed, Rural or Residential Rural District, or county or state roads designated as or proposed for improvements to principal arterial status, setbacks shall be increased to 50 feet A minimum of 25 feet shall be landscaped consistent with the requirements of WCC 20 80 345 552 If any part of said buffer area is separated from, or sold to any contiguous or	There are no designated resource lands that abut	No unique standards –

Location	Urban growth will not occur in adjacent nonurban areas	Provision is made to mitigate adverse impacts on designated resource lands	In
Grant County Not Designated Yet (Inventory Completed, Policies and Code Developed)	**23 12 240 Master Planned Industrial Development Standards** (h) Development Standards The following development standards shall apply (11) Perimeter Site-screening and Landscaping The perimeter of a master planned industrial development shall be site-screened with a six-foot high, view-obscuring fence and shall include at a minimum a ten (10) foot wide landscape strip adjacent to the fence and within the development consisting of a combination of shrubs, trees and ground cover, (14) Open space and landscaped areas shall be provided A landscaping plan shall be prepared consistent with requirements of and incorporating the development standards of GCC §23 12 160 A visual buffer shall be established along the perimeter, appropriate to the project, if required by the Administrative Official,		**23 12 240 Master Plan** Development Standard shall apply (3) Water Quality Shall 23 12 080 (4) Water Supply Shall to serve each phase of 23 12 050 (5) Sewage Disposal Sh to serve each phase of 23 12 060 (6) Stormwater Drainag by development shall b requirements and stan be prepared as specifie County, (7) Roads, streets, and shall met the requirem §23 12 110, § 23 12 12 (8) MPI parking shall be way (10) Utilities All utilitie sewer, electrical distrib installed prior to or in c buildings in the master internal water system s direction of the Fire Ma Fire Department or Fire
Jefferson County Not Designated Yet (Policies and Code Developed)	**18 15 630 Urban growth in adjacent nonurban areas** Chapter 36 70A RCW requires that development regulations are established to ensure that urban growth will not occur in nonurban areas adjacent to major industrial developments Jefferson County rural land use districts are characterized by rural densities (i e , one dwelling unit per five or more acres for rural residential and less dense for resource lands) In order to ensure that these controls remain effective, it should be noted that proximity to a major industrial development urban growth area or development or extension of infrastructure shall not provide a basis for a Comprehensive Plan amendment to change the land use district for property adjacent to a major industrial development to a land use district with greater development density or more intensive uses **18 15 610 Approval criteria** (6) Buffers are provided between the major industrial development and adjacent nonurban areas and managed according to an approved	**18.15 610 Approval criteria** (9) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands via interior lot lines buffers per subsection (3) of this section and other case- or site-specific measures as determined through State Environmental Policy Act review,	No unique standards –