

Rural Lands
Task Force
Recommendations
March 2010



The Board of Clark County Commissioners (Board) convened the Rural Lands Task Force (RLTF) after the completion of the 2007 Comprehensive Plan update. The purpose of the task force was to focus on a variety of issues affecting rural Clark County.

The task force in a first round of meetings (2008) developed a set of vision statements for rural areas and a definition of 'rural character' based on the Growth Management Act.

Three members from the Agriculture Preservation Advisory Committee were added to the task force, and a second round of meetings began in June 2009. The Board developed a set of rural 'principles and values' to guide the task force, and gave the group the following items to consider:

- Rural center economic development opportunities
- Maintenance of farming and forestry operations
- Rural economic development opportunities
- Rural areas that are next to develop (future urban reserve areas)
- Rural areas where natural landscapes dominate over the built environment.

The task force has met 17 times and has made a number of recommendations. The recommendations are presented in this report.

June 16, 2009

Increase residential densities in rural centers, where appropriate, to protect lands outside of rural centers and to balance GMA goals.

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Graduating lot sizes radiating from rural centers.

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GOAL: Maintain the character of the designated Rural Centers within the surrounding rural area that is appropriate in character and scale in the rural environment.

3.2 Policies

3.2.1 Rural Centers designated on the Comprehensive Plan Land Use Map are distinct areas of smaller lot patterns with residential development, small-scale business that provides convenience shopping and services to nearby rural residents, have access to arterial roadways, and are surrounded by ~~protected~~ rural landscapes of generally open land used for agriculture, forestry, large lot residential, recreational and environmental protection purposes. The Rural Centers identified on the Comprehensive Plan map are: Amboy, Brush Prairie, Chelatchie Prairie, Dollars Corner, Fargher Lake, Hockinson, and Meadow Glade.

3.2.2 Rural Centers should serve the following purposes:

- provide a focus for the surrounding rural area that is appropriate in character and scale in the rural environment;
- provide appropriate commercial and industrial lands for job growth opportunity and developments to serve adjoining rural areas and for tax base to support schools districts;
- provide services to tourists and other visitors recreating in the area; and,
- provide an opportunity to develop facilities that can function as a community center in those areas where an incorporated town no longer serves that role for the surrounding area.

3.2.3 Designation criteria for Rural Centers include identification of pre-existing small lot development patterns, natural features as boundaries, and access to arterials.

3.2.4 Rural commercial development should support the needs of rural residents and natural resources activities, ~~rather than urban area uses.~~

3.2.5 Schools and related facilities are strongly encouraged to locate within the urban growth areas. Schools may be located in the urban reserve areas (URA) or rural areas where necessary to serve population growth within and outside of the urban growth boundary (for specific schools policies see Chapter 10).

3.2.6 If schools serving predominantly rural populations cannot be located in UGAs or within ¼-mile of a UGA, preference shall be to locate the schools in Rural Centers and as a last resort, rural areas.

~~3.2.6 Schools and related facilities are strongly encouraged to locate within the urban growth areas. Schools may be located in the urban reserve areas (URA) or rural areas where necessary to serve population growth within and outside of the urban growth boundary (for specific schools policies see Chapter 10).~~

3.2.7 Encourage resource based industrial development to locate within Rural Centers, consistent with rural character and levels of service.

3.2.8 Encourage uses, such as rural commercial, post offices, veterinary clinics, day care, emergency services, small medical practices and schools that provide employment, shopping services and housing opportunities within Rural Centers. The scale should be compatible with surrounding roads and utilities, which reinforce the rural character and distinct sense of community.

3.2.9 Rural Centers shall have a density of between one unit per acre and one unit per five acres based on the historical lot pattern in the area. In no case shall density exceed one unit per acre.

3.2.10 Commercial activities in rural areas should be located in Rural Centers. Commercial uses supporting resource uses, such as packing, first stage processing and processing which provides value added to resource products may occur in resource areas.

3.2.11 A new Rural Center or a boundary expansion of an existing Rural Center shall be considered and evaluated by the county through the annual review under CCC 40.560 and pursuant to RCW36.70A.070 (5)(d).

3.2.12 Before the county considers a new Rural Center the proponent(s) shall submit to the county a petition signed by at least 60 percent of the property owners of the land within the boundaries of the proposed new Rural Center.

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Adopt the proposed code language (proposed Section 40.250.060) to implement the Rural Center-Mixed Use Overlay.

June 30, 2009

Concentrate 25% of acreage in rural center to a half-acre minimum zone with the possibility of quarter-acre minimum zone as septic technology allows.

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Remainder of zoning in rural centers to be between 1 and 2.5 acres no greater than 2.5 acres.

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Amend use table (Table 40.210.030-1) to include an RC-0.5 zone.

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Create an advisory board from rural centers to make recommendations on the use table and land use issues unique to rural centers.

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Rural centers may contain designated mixed use areas in appropriate locations. These areas shall be identified with a mixed use overlay until such time as implementing regulations are adopted by the county. The regulations shall consider the unique circumstances of the specific rural center and may be different for each of the rural

centers that contain mixed use designations. Regulations should involve limitations on density and contain design guidelines in order to maintain the rural character of these areas. Densities shall be limited to no more than 2 dwelling units per acre and no more than 2 dwelling units per structure.

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Apply the mixed use overlay district in other rural centers but only along major roads.

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Designate light industrial where appropriate to buffer resource land from rural center residential for economic development opportunities.

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Allow mixed use on commercial parcels in rural centers.

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Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
1. Residential Uses. Residential uses are only permitted in commercial zones when integrated with the predominant use of the site as commercial and occupying less than fifty percent (50%) of the floor area of the project. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal. For the purposes of subsections (1)(a) and (1)(b) of this table, "commercial uses" are those uses listed in items (2), (3), (4), (7), (8), (9), (11), (12), (14), (15) and (17) of this table.							
a. Medium density (Integrated multifamily/commercial or mixed use structure not to exceed 22 residential units per acre.)	X	X	P	P	P	P	40.260.150
b. High density (Integrated multifamily/commercial or mixed use structure not to exceed 43 residential units per acre.)	X	X	C	P	P	P	40.260.150
c. Existing residences without any increase in density	P	P	P	P	P	P	
d. Home business – Type I	P	P	P	X	X	X	40.260.100
e. Home business – Type II	R/A	R/A	R/A	X	X	X	40.260.100
f. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A ¹	<u>P</u> R/A ⁴	R/A	R/A	R/A	R/A	40.260.050
g. Bed and breakfast establishments (3 or more guest bedrooms)	C ¹	<u>R/A¹</u> C	C	C	C	C	40.260.050
h. Temporary dwellings	P	P	P	X	X	X	40.260.210
i. One (1) single-family residence in conjunction with a use permitted outright or by conditional use	P	P	P	X	X	X	
2. Retail Sales – Food.							

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
a. Markets in excess of 25,000 square feet gross floor area	X	X	C	P	P	P	
b. Markets – 5,000 to 25,000 square feet of gross floor area	C ¹	P	P	P	P	P	
c. Markets – < 5,000 square feet of gross floor area	P	P	P	P	P	P	
d. Bakery – primarily retail outlet (> 10,000 square feet of gross floor area)	X	$\frac{R/A}{X}$	X	X	P	P	
e. Bakery – primarily retail outlet (< 10,000 square feet of gross floor area)	P	P	P	P	P	P	
3. Retail Sales – General.							
a. General retailer (over 200,000 square feet gross floor area)	X	X	X	C	C	P	
b. General retailer (100,000 – 200,000 square feet)	X	X	X	C	P	P	
c. General retailer (25,000 – 100,000 square feet gross floor area)	X	X	X	P	P	P	
d. General retailer (under 25,000 square feet gross floor area)	X	P	C	P	P	P	
e. Single purpose/specialty retailers (less than 10,000 square feet gross floor area)	P	P	P	P	P	P	
f. Single purpose/specialty retailers (10,000 – 25,000 square feet gross floor area)	X	$\frac{R/A^1}{C^4}$	X	P	P	P	
g. Single purpose/specialty retailers (greater than 25,000 square feet gross floor area)	X	X	X	C	P	P	
h. Yard and garden supplies, including nurseries	P	P	X	P	P	P	
4. Retail Sales – Restaurants, Drinking Places.							
a. Restaurants, with associated drinking places, alcoholic beverages	C ¹	P	C	P	P	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	C ¹	C ¹	C	C	P	P	
5. Retail Sales and Services – Automotive and Related.							

Table 40.230.010-1. Uses

	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
a. Motor vehicle dealers, new and used, including auto, truck trailer, boat, recreational vehicles and equipment	X	C ¹	X	X	P	P	
b. Quick vehicle servicing	X	C ¹	X	C	P	P	
c. Filling station	C ¹	C ¹	C	C	C	P	
d. Motorcycles	X	C ¹	X	C	P	P	
e. Manufactured home sales	X	X	X	X	X	P	
f. Car washes	X	C ¹	X	C	P	P	
g. Vehicle rental or repair including auto, truck trailer, boat, and recreational vehicles							
(1) Located entirely within an enclosed building	C ¹	C ¹	X	X	P	P	
(2) Including outside storage or repair	X	C ¹	X	X	C	P	
h. Commercial off-street parking facilities	X	X	X	P	P	P	
i. Vehicle towing and storage services	X	C ¹	X	X	C	P	
j. Transportation terminals							
(1) Freight	X	C ¹	X	C	C	P	
(2) People	P	P	P	P	P	P	
6. Retail Sales – Building Material and Farm Equipment.							
a. Lumber and other building materials stores and yards, with only incidental cutting and planing of products sold	C ¹	$\frac{R/A^1}{G^4}$	X	X	X	P	
b. Heating and plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)	X	$\frac{R/A^1}{G^4}$	X	C	P	P	
c. Hardware, home repair and supply stores (over 100,000 square feet gross floor area)	X	X	X	X	P	P	
d. Hardware, home repair and supply stores (25,000 to 100,000 square feet gross floor area)	X	X	X	C	P	P	
e. Hardware, home repair and supply stores (under 25,000 square feet gross floor area)	X	P	C	P	P	P	
f. Farm equipment and implement dealer	P	P	X	X	X	P	
g. Hay, grain, and feed stores	P	P	X	X	P	P	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
7. Retail Sales – Products (Finished product retailers with primary fabrication or assembly on-site. Within an entirely enclosed building.)							
a. Uses of < 5,000 square feet gross floor area	C ¹	$\frac{P}{G^1}$	X	P	P	P	
b. Uses of 5,000 – 25,000 square feet gross floor area	X	$\frac{R/A^1}{G^1}$	X	R/A	P	P	
c. Uses of 25,000 square feet gross floor area or greater	X	$\frac{C^1}{X}$	X	X	P	P	
8. Services – Personal.							
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	C ¹	P	P	P	P	P	
b. Barber and beauty shops	P	P	P	P	P	P	
c. Clothing rental establishments	X	$\frac{P}{X}$	X	P	P	P	
d. Mortuaries	C ¹	C ¹	X	X	C	P	
9. Services – General.							
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (< 2,500 square feet)	P	P	P	P	P	P	
b. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (> 2,500 square feet)	X	$\frac{R/A}{X}$	X	P	P	P	
c. Office equipment and home appliance rental, service and repair agencies	X	C ¹	X	X	P	P	
d. Printing, publishing and lithographic shops	X	C ¹	X	X	P	P	
e. Services to buildings (including dwellings), cleaning and exterminating	X	$\frac{C}{X}$	X	C	C	P	
f. Moving and storage	X	$\frac{C}{X}$	X	X	X	P	
g. Mini-storage warehouse	X	$\frac{C}{X}$	X	X	P	P	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
i. Accessory caretaker, security or manager residence when incorporated as an integral part of the mini-storage warehouse	X	$\frac{C}{X}$	X	X	P	P	
h. Auction barns	C ¹	$\frac{R/A^1}{G^4}$	X	X	X	P	
i. Branch banks	C ¹	P	P	P	P	P	
j. Event facilities (< 10,000 square feet)	X	P	P	P	P	P	
k. Event facilities (10,000 to 50,000 square feet)	X	$\frac{C^1}{X}$	X	P	P	P	
l. Event facilities (> 50,000 square feet)	X	X	X	X	C	C	
m. RV storage	X	X	X	X	P	P	
10. Services – Lodging Places.							
a. Hotels/motels	X	$\frac{C}{X}$	X	C	C	P	
b. Recreational vehicle parks and campgrounds	X	$\frac{R/A}{G^4}$	X	X	X	P	
11. Services – Medical and Health.							
a. Hospitals	X	X	X	X	X	C	
b. Outpatient clinics	X	C ¹	C	P	P	P	
c. Medical laboratories	X	X	X	C	P	P	
d. Sanitaria, convalescent and rest homes	X	$\frac{C}{X}$	X	X	X	C	
e. Orthopedic equipment and supplies, rental, sales and services	X	X	X	P	P	P	
f. Animal hospitals and veterinary clinics							
(1) Outside animal activities	C ¹	$\frac{R/A^1}{G^4}$	X	X	C	C	
(2) Inside animal activities only	C ¹	$\frac{R/A^1}{G^4}$	C	P	P	P	
g. Ambulance services	P	P	P	P	P	P	
h. Residential care homes	C ¹	$\frac{R/A^1}{G^4}$	C	C	C	C	
i. Residential and congregate care facilities	X	$\frac{C}{X}$	X	C	C	C	
j. Opiate substitution treatment facilities	X	X	R/A	R/A	R/A	R/A	40.260.165
12. Services – Professional Office.							
a. Professional offices (< 10,000 square feet gross floor area)	C ¹	P	X	P	P	P	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
b. Professional offices (> 10,000 square feet gross floor area)	X	C ¹	X	C	P	P	
c. Artists/photographic studios	C ¹	<u>P</u> <u>G</u> ⁺	P	P	P	X	
13. Services – Amusement.							
a. Amusement centers	X	<u>C¹</u> <u>X</u>	X	X	C	C	
b. Bowling alleys, billiard and pool parlors, and video arcades	X	<u>C¹</u> <u>X</u>	X	C	P	P	
c. Skating rinks, ice and/or roller	X	<u>C¹</u> <u>X</u>	X	X	P	P	
d. Indoor paintball facilities	X	<u>C¹</u> <u>X</u>	X	X	P	P	
e. Outdoor paintball facilities	X	<u>C¹</u> <u>X</u>	X	X	C	C	
f. Theaters, indoor	X	<u>C¹</u> <u>X</u>	X	C	C	P	
g. Drive-in theaters, stadium and arena facilities	X	<u>C¹</u> <u>X</u>	X	X	X	C	
h. Athletic, health and racket clubs (< 5,000 square feet of gross floor area)	P	P	P	P	P	P	
i. Athletic, health and racket clubs (< 10,000 and > 5,000 square feet of gross floor area)	X	<u>P</u> <u>X</u>	C	C	P	P	
j. Athletic, health and racket clubs (> 10,000 square feet of gross floor area)	X	<u>C¹</u> <u>X</u>	X	C	P	P	
k. Circuses, carnivals, or amusement rides	R/A ¹	R/A ¹	R/A	R/A	R/A	R/A	
14. Services – Educational.							
a. Nursery schools, preschools	C	<u>R/A</u> <u>G</u>	C	C	P	P	40.260.160
b. Day care facilities consistent with Chapter 388-73 WAC	P	P	P	P	P	P	40.260.160
c. Libraries (< 2,500 square feet gross floor area)	P	P	P	P	P	P	
d. Libraries (> 2,500 square feet gross floor area)	X	<u>P</u> <u>G</u>	X	C	P	P	
e. Vocational schools	X	<u>R/A</u> <u>X</u>	X	C	P	P	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
f. Automobile driving schools (< 5,000 square feet)	P	P	P	P	P	P	
g. Artistic studios and schools including but not limited to dance, music and martial arts (< 5,000 square feet)	P	P	P	P	P	P	
h. Artistic studios and schools including but not limited to dance, music and martial arts (> 5,000 square feet)	X	<u>R/A</u> X	X	P	P	P	
i. Public parks, parkways, recreation facilities, trails and related facilities	P	P	P	P	P	P	
j. Public/private educational institutions	C ¹	C ¹	C	C	C	C	
k. Outdoor team sports fields	P	X	X	X	X	X	
15. Services – Membership Organizations.							
a. Business, professional and religious (not including churches)	X	<u>P</u> X	X	P	P	P	
b. Civic, social, fraternal, charitable, labor and political (< 5,000 square feet)	P	P	X	P	P	P	
c. Civic, social, fraternal, charitable, labor and political (> 5,000 square feet)	C ¹	C ¹	X	P	P	P	
d. Churches	C ¹	C ¹	C	P	P	P	
16. Distribution Facilities. (In conjunction with a permitted use, all activities, except vehicle storage, located entirely within an enclosed building)							
a. Distribution facilities of less than 25,000 square feet gross floor area	X	<u>C</u> X	X	X	P	P	
b. Distribution facilities of between 50,000 and 25,000 square feet gross floor area	X	<u>C</u> X	X	X	X	P	
17. Public Services and Facilities.							
a. Buildings entirely dedicated to public services, such as city hall, police and fire substations	C ¹	C ¹	C	C	C	C	
b. Sewer, water and utility transmission lines	P	P	P	P	P	P	40.260.240
c. Wireless communications facilities	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	40.260.250
d. Zoos, museums, historic and cultural exhibits and the like	C ¹	<u>P^{1,7}</u> G⁴	X	C	C	C	
e. U.S. Post Offices	P	P	P	P	P	P	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	GC	Special Standards
f. Public transit facilities including park and ride facilities	P	P	P	P	P	P	
18. Resource Activities.							
a. Agriculture	P	P	P	P	P	P	40.260.040
b. Silviculture	P	P	P	P	P	P	40.260.080
19. Accessory Uses and Activities.							
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210).	P	P	P	P	P	P	
b. Drive-through, drive-in or drive-up facilities	P	R/A ¹	X	R/A	R/A	P	
c. Open Air Activities							
(1) Open air display of plants and produce in conjunction with a permitted use ²	P	P	P	P	P	P	
(2) Open air storage of materials ³	X	<u>C</u> X	X	X	X	P	
(3) Open air work activities such as restaurants, portable walk-up vendors such as espresso carts, flower stands and food stands, plant nurseries and other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title ⁴	P	P	P	P	P	P	
(4) Open air storage of company vehicles, such as cars and light duty trucks, in conjunction with a permitted use ⁵	X	<u>C</u> X	X	X	X	P	
20. Other Uses.							
a. Temporary uses	P	P	P	P	P	P	40.260.220
b. Private use heliports	X	X	X	C	C	C	40.260.170
c. Solid waste handling and disposal sites	C ¹	C ¹	C	C	C	C	40.260.200

¹ In addition to the requirements of Sections 40.520.020 or 40.520.030, the applicant shall submit detailed information that permits the review authority to make findings that:

- a. The proposed use will support the natural resource activities and/or the needs of the rural community;

- b. *The proposed use is limited in size to serve primarily the surrounding rural community and does not require or create the need for urban levels of service for water, sewer and transportation; and*
- c. *The proposed use is primarily for convenience and service needs necessary to support natural resource activities and/or the rural community and will not cause adverse impacts on surrounding natural resource activities.*

² *These areas must be identified and approved on the site plan.*

³ *Such areas must be located behind buildings or to the rear of the site and away from street frontages and fully screened with landscaping to the L-4 standard.*

⁴ *These uses are permitted to occupy up to ten percent (10%) of the total floor area of the development or building. Open air sale of vehicles and manufactured homes are not subject to this requirement, where permitted. This is not intended to prohibit temporary outside sales of a limited duration (less than two (2) weeks total per year) when in conjunction with a permitted use.*

⁵ *Vehicle storage areas shall be located behind buildings or to the rear of the site. Landscaping standards in excess of site plan review standards may be required in order to properly screen adjoining residential lands.*

⁶ *See Table 40.260.250-1.*

⁷ Zoo's are not allowed in CR-2

July 14, 2009

Create a Rural Center Advisory Board/Council to address ongoing rural center issues, with members from each of the rural centers.

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Amend use table (Table 40.210.030-1) to include an RC-0.5 zone with the proposed use allowances and development standards below:

Table 40.210.030-1. Uses				
	<u>RC- 0.5</u>	RC-1	RC-2.5	Special Standards
1. Residential.				
a. Single-family dwellings and accessory buildings	<u>P</u>	P	P	40.260.010
b. Family day care centers	<u>P</u>	P	P	40.260.160
c. Home business – Type I	<u>P</u>	P	P	40.260.100
d. Home business – Type II	<u>R/A</u>	R/A	R/A	40.260.100

Table 40.210.030-1. Uses				
	<u>RC- 0.5</u>	RC-1	RC-2.5	Special Standards
e. Bed and breakfast establishments (up to 2 guest bedrooms)	<u>P</u>	<u>P</u> R/A	<u>P</u> R/A	40.260.050
f. Bed and breakfast establishments (3 or more guest bedrooms)	<u>P</u>	<u>P</u> C	<u>P</u> C	40.260.050
g. Country inns of historic significance	<u>R/A</u>	<u>R/A</u> C	<u>R/A</u> C	
h. Garage sales	<u>P</u>	P	P	40.260.090
i. Residential care homes	<u>R/A</u>	<u>R/A</u> C	<u>R/A</u> C	40.260.180
j. Temporary dwellings	<u>P</u>	P	P	40.260.210
2. Services, Business.				
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials	<u>R/A</u>	<u>P</u> R/A	<u>P</u> R/A	
b. Roadside stands not exceeding two hundred (200) square feet in area	<u>P</u> ¹	P ¹	P ¹	
c. Veterinary clinics	<u>C</u>	C	C	
d. Kennels	<u>C</u>	C	C	40.260.040
3. Services, Amusement.				
a. Publicly owned recreational facilities, services, parks and playgrounds	<u>P</u>	P	P	
b. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park, paintball facilities, or gun club	<u>C</u>	C	C	
c. Golf courses		C	C	
d. Riding stables	<u>C</u>	C	C	
e. Outdoor public entertainments, amusements and assemblies	<u>C</u>	R/A	R/A	Chapter 5.32
4. Services, Membership Organization.				
a. Churches	<u>C</u>	C	C	
5. Services, Educational.				
a. Public or private schools, but not including business, dancing or technical schools	<u>C</u>	C	C	40.260.160
6. Public Service and Facilities.				
a. Ambulance dispatch facilities	<u>C</u>	C	C	40.260.030
b. Government facilities	<u>C</u> ²	C ²	C ²	

Table 40.210.030-1. Uses				
	<u>RC- 0.5</u>	RC-1	RC-2.5	Special Standards
7. Resource Activities.				
a. Agricultural and forestry, including any accessory buildings and activities	<u>P</u>	P	P	40.260.080
b. Silviculture	<u>P</u>	P	P	40.260.080
8. Other.				
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	<u>P</u>	P	P	40.260.240
b. Solid waste handling and disposal sites	<u>C</u>	C	C	40.260.200
c. Wireless communications facilities	<u>P/C³</u>	P/C ³	P/C ³	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematoria is within two hundred (200) feet of a lot in a residential district	<u>X</u>	<u>X</u> <u>C</u>	<u>X</u> <u>C</u>	
e. Temporary uses	<u>P</u>	P	P	40.260.220

¹ Exclusively for the sale of agricultural products locally grown, and set back a minimum twenty (20) feet from the abutting right-of-way or property line.

² Government facilities necessary to serve the area outside urban growth boundaries, including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

³ See Table 40.260.250-1.

(Amended: Ord. 2003-12-15; Ord. 2005-04-12; Ord. 2007-06-05)

D. Development Standards.

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Table 40.210.030-2 and 40.210.030-3, subject to the provisions of Chapter 40.200 and Sections 40.350.030 and 40.550.020.

Table 40.210.030-2. Lot Requirements			
Zoning District	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
RC-2.5	2.5 ¹	100 ²	140
RC-1	1.0 ¹	100 ²	140
<u>RC-0.5</u>	<u>0.5¹</u>	<u>100²</u>	<u>100</u>

¹ Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines and telecommunication facilities may be permitted on newly approved lots of less than the minimum parcel size.

² Unless a greater width shall be required by the Clark County fire code.

Table 40.210.030-3. Setbacks, Lot Coverage and Building Height						
Zoning District	Minimum Setbacks ⁴				Maximum Lot Coverage	Maximum Building Height (feet)
	Front ⁵ (feet)	Side		Rear (feet)		
		Street ⁵ (feet)	Interior (feet)			
RC-2.5	25	25	10, 25 ¹ 50	10, 25 ² 50 ²	N/A	35 ³
RC-1	25	25	10, 25 ¹ 50 ¹	10, 25 ² 50 ²	N/A	35 ³
<u>RC-.5</u>	<u>25</u>	<u>25</u>	<u>10, 25¹</u>	<u>10, 25²</u>	<u>N/A</u>	<u>35³</u>

¹ Side Setbacks. Minimum side setback on each side of the residential dwelling and incidental buildings shall be ten (10) feet, and ~~twenty-five~~ twenty-five ~~forty~~ forty (25 40) feet for accessory buildings used for agricultural purposes. Side setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of fifty (50) feet for all structures.

² Rear Setbacks. Minimum rear setback shall be ~~twenty-five~~ twenty-five ~~forty~~ forty (25 40) feet when abutting property zoned for natural resource or surface mining uses.

³ For all structures.

⁴ Setbacks for nonconforming lots shall be those as set forth for conforming lots except in cases where the standard setbacks will result in the buildable area of the lot being reduced to less than ten thousand (10,000) square feet. In these cases setbacks may be reduced to achieve a building envelope of at least ten thousand (10,000) square feet, however in no case may they be reduced to less than twenty (20) feet for the front setback and five (5) feet for the side and rear setbacks.

⁵ *Setbacks in rural centers are measured from right-of-way, and not from public sidewalk easements; provided, that setbacks to garage and carport entrances shall maintain a minimum eighteen (18) foot setback from sidewalk easements.*

2. Previous Land Divisions.

The remainder lot of a previously approved agriculture or forest district “cluster” land division or the remainder lot of a reconfigured land division may be further divided only if the total number of lots in the previously approved “cluster” land division is below the density permitted in the existing zone. An example is a previously approved “cluster” short plat of three (3) one (1) acre and one (1) seventeen (17) acre remainder which is now zoned for five (5) acre lots. The original parcel was twenty (20) acres, divided by the current two and one-half (2.5) acre minimum lot size equals eight (8) lots. Since four (4) lots were already created, the remainder parcel can be further divided into not more than four (4) additional lots.

3. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.

4. Off-Street Parking. Off-street parking shall be provided as required in Chapter 40.340.

July 28, 2009

Chapter 9.26 RIGHT TO FARM/LOG

9.26.010 POLICY AND PURPOSE.

It is the policy and purpose of this chapter to protect and encourage good agricultural and forest activities ~~which were established prior to the surrounding nonagricultural and nonforestry activities~~ by presuming these activities to be reasonable unless it is demonstrated that these activities have a substantial adverse effect on the public health and safety. The purpose of this chapter is to reduce the circumstances under which agricultural and forest activities may be considered nuisances where nonagricultural and nonforestry land uses extend into agricultural and forest areas and to establish notification procedures for property owners or purchasers of the potential impacts associated with living in agricultural and forest areas.

9.26.020 DEFINITIONS.

“Agricultural activity/forest activity” means agricultural activities as defined by RCW 7.48.310 (including horses and mules, their breeding, grazing and recreational use) or forest activities as defined by RCW 76.09.020 on property which is currently located within a resource district under Section 40.210.010 and/or classified as current use for farm or forest uses under Chapter 84.34 RCW.

9.26.030 RIGHT TO FARM/LOG.

Agricultural activities and forest practices are presumed reasonable and not a nuisance. Agricultural activities and forest activities ~~established prior to surrounding non-agricultural and non-forestry activities~~, shall not be found to constitute a nuisance unless the activity has a substantial adverse effect on the public health and safety. ~~PROVIDING this section shall not apply to changes in the nature of agricultural uses (e.g., from field crops to dairying) in the urban areas.~~

August 11, 2009

Require all current use-agriculture to submit a farm plan that shows the intent to farm. The plan has to show how a minimum of \$100/acre will be made in three of the subsequent five years. An audit of IRS Schedule F's will be made by the county every five years.

Review current use taxation policy for consistency on a per acre basis for parcels under 5 acres.

###

(From the APAC Report):

2. Barrier - The high cost of land

The dramatic rise in land value during the past two decades has caused problems for many farmers in Clark County. Today, most new farmers cannot afford to acquire good farmland. Existing farmers cannot acquire additional land to expand operations.

- a. Use existing publicly owned land, or have the county acquire farmland, to create a lease-back program for farmers.
- b. Review the cluster development ordinance to examine its potential for landowners to keep land in agricultural use.
- c. Develop a transfer of development rights program to encourage landowners to keep land in agricultural use.
- d. ~~Purchase rights to develop farmlands for nonagricultural uses. Place easements on the lands to ensure they are available for agriculture.~~
- e. Put priority on funding a purchase of development rights program for agriculturally productive land in Clark County.
- f. ~~Develop a farm-link program matching retiring farmers with current farmers or new farmers to keep land in agricultural production.~~

3. Barrier - High production costs and low return for farm products

Farmers describe a variety of economic, regulatory, and social factors that have reduced the profitability of farms during the last several decades. The reasons may vary from one type of farmer to the next, but dairy, vegetable, berry, and livestock farmers agree that it has become difficult to make a living as a farmer in Clark County.

- a. Expand existing tax incentive programs to provide further benefit to farmers. *(covered in the earlier recommendation re the current use program)*
- b. ~~Assist farmers in securing health insurance through the state of Washington.~~
- c. ~~Establish a revolving loan fund, primarily financed by farmers, to finance start-up and new investments in agricultural operations.~~
- d. ~~Develop a county-sponsored cost-sharing program to help farmers meet environmental regulatory requirements. (talked about, but no recommendation made)~~
- e. ~~Explore agricultural cooperatives to help farmers share or reduce production costs and expand markets.~~

6. Barrier - Regulatory requirements

The combination of environmental, health, zoning and building regulations that apply to agricultural production, processing and distribution are costly and may discourage efficient farming practices.

- a. Review building ~~and health~~ codes for regulatory reform opportunities related to agricultural structures, ~~feed preparation~~ and processing. *(mentioned specifically was the uneven setback requirements between Rural lands and resource lands)*
- b. Allow greater flexibility to farmers regarding development standards and commercial uses on farm land to support direct marketing of ~~local~~ agricultural products.
- ~~c. Actively support transfer of water rights to agricultural producers.~~
- d. Align county code with state requirements regarding housing for farm workers. *(the request was to look into the state statute with regard to farm worker housing)*

7. Barrier - Population growth and conflicts with farmers

As housing and commercial development spreads into the rural areas, many homes are now close to local farms. Complaints about farm smells, noise, dust, traffic, or conflicts between domestic and farm animals are commonplace. It can also take a significant amount of time, and possibly money, to defend against the most aggressive complaints.

- a. ~~Revise the county's right to farm/forest ordinance to clearly designate agriculture and forest production as preferred uses in rural zones.~~ Expand existing requirements to disclose to prospective neighbors that agricultural and forestry activities will occur on adjacent properties.
- b. Institute a buffer zoning policy to minimize land use conflicts brought about by urban uses encroaching into areas of agricultural production. *(this needs further discussion)*

August 25, 2009

Allow clustering on agricultural land to provide an economic opportunity and to preserve open space and agricultural land. Allow two one-or two-acre lots plus a buildable remainder parcel. Consider a bonus lot as an incentive to keeping the land in agricultural production. The remainder parcel in a cluster development shall not be subject to the open space taxation penalty and may remain in current use.

###

Equitable and consistent setbacks are needed on Rural and resource lands.

September 8, 2009

Have the remainder lot be designated for ag, forest, open space, or parkland into perpetuity (so that it couldn't be further subdivided if brought into an urban growth area).

###

GOAL: To protect maintain and enhance productive agricultural lands, and ~~minimize incompatibilities with adjacent uses.~~

September 22, 2009

3.4.1: Encourage cluster development where the zoning allows the division of property in or near Agriculture areas.

###

3.4.1: Encourage small scale agriculture wherever it occurs by providing regulatory framework and public resources to facilitate the production and sale of agriculture products.

###

3.4.2 Minimum parcel size should be adequate to allow reasonable ~~and economic~~ agricultural use.

###

3.4.5 Commercial agricultural land considered desirable for acquisition for public recreational, scenic and park purposes shall first be evaluated for its agricultural potential ~~impact on a viable industry~~.

###

3.4.6 The county should establish or expand special purpose taxing districts and local improvement districts in lands designated in the plan for agricultural use only when the services or facilities provided by the special purpose district or local improvement district, through taxes, assessments, rates or charges, directly benefit agriculture ~~these lands~~.

###

3.4.9 Public services and utilities within and adjacent to designated agricultural areas ~~should be designed to prevent~~ shall not result in negative impacts on agriculture and allow for continued resource activity.

###

~~3.4.12 Within the Agriculture land designation, one principal dwelling unit per 20 acres shall be allowed with the provision for an additional temporary dwelling.~~

###

~~3.4.13 Within the Agriculture/Wildlife category, one principal dwelling unit per 160 acres shall be allowed.~~

###

GOAL: To maintain and enhance the conservation of productive forestlands and discourage incompatible uses associated with forestry activities.

###

3.3.6 Commercial forestland, considered desirable for acquisition for public recreational, scenic and park purposes, shall consider the viability of the land for timber production ~~its impact on a viable forest industry~~ including but not limited to forest management practices on adjacent lands, buffering and transportation of forestry products.

###

~~3.3.16 Within the Forest Tier I category, only one principal dwelling unit per 80 acres shall be allowed with the provision for an additional temporary dwelling.~~

###

~~3.3.17 Within the Forest Tier II category, one principal dwelling unit per 40 acres shall be allowed with the provision for an additional temporary dwelling.~~

October 13, 2009

Provide incentives for owners of five-acre parcels to plant and manage forest land. One option is to use the provisions of the current use taxation open space provisions, requiring a forest management plan.

###

Review water resources on adjacent parcels before allowing surface mining.

###

Update the inventory of mineral resources. Apply the surface mining overlay to active sites and potential mineral resource locations, and remove the overlay where it isn't warranted.

###

GOAL: To protect and ensure appropriate use of gravel and mineral resources of the county, and minimize conflict between surface mining and surrounding land uses.

3.5 Policies

- 3.5.1 Support the conservation of mineral lands for productive economic use by identifying and designating lands of long-term commercial significance, consistent with the 20-year planning horizon mandated by growth management.
- 3.5.2 Capital improvement plans should take into consideration maintaining and upgrading public roads adequate to accommodate transport of mineral commodities.
- 3.5.3 In identifying and designating commercial mineral lands, the following factors should be taken into consideration: geological, environmental and economic factors; existing and surrounding land uses; parcel size; and public service levels that are conducive to long-term production of mineral resources.
- 3.5.5 Encourage recycling of concrete, aggregate and other materials.
- 3.5.6 ~~Require~~ Encourage restoration of mineral extraction sites, as the site is mined, consistent with requirements identified in RCW 78.44.
- 3.5.7 Land shall not be used for any activity other than surface mining or uses compatible with mining until the gravel or mineral resource is commercially depleted, reasons for not mining the site are clearly demonstrated, or the site has been reclaimed.
- 3.5.8 Surface mining other than Columbia River dredging shall not occur within 100-year floodplain.
- 3.5.9 Mineral extraction operations shall be conducted in a manner, which will minimize the adverse effects on water quality and quantity, fish and wildlife, adjacent activities and the scenic qualities of the shorelines. Any adverse impacts shall be mitigated.
- 3.5.10 Land use activities adjacent to mineral lands should be located and designed to minimize conflicts with mineral activities on such lands.

- 3.5.11 Designated mineral operations of long-term commercial significance are not exempt from the normal environmental review process of the county or state agencies.
- 3.5.12 Establish standards and programs whereby residents of rural lands adjacent to designated resource lands are informed that they are locating in a natural resource area and that will be subject to normal and accepted mining practices that comply with federal, state and local regulations.
- 3.5.13 Prior to removal of the surface mining designation, the landowner needs to show that the extraction of the mineral resource is not commercially feasible.
- 3.5.14 The county shall allow continued mining at existing active sites.
- 3.5.15 Potential aggregate sites or expansion shall not be designated within rural zoning categories without a surface mining overlay.
- 3.5.16 Designation to alternative land uses at the time of reclamation shall take into consideration surrounding land uses and other policies of this 20-Year Plan.
- ~~3.5.17 Future land use designations for those areas designated Mineral Lands (Fisher Quarry and Section 30/31) should be made consistent with city land use and at the time of annexation.~~
- ~~3.5.18 Some level of processing should be associated with mineral extraction.~~
- 3.5.1749 Future sites designated with a surface mining overlay shall be assessed on a case by case basis, based on the commercial or industrial value of the resource, and the relative quality and quantity of the resource as well as the following conditions:
- the resource should be of a quality that allows it to be used for construction materials or meet applicable quality specifications for the intended use(s);
 - the resource should be of a quantity sufficient to economically justify development based upon the characteristics of the aggregate, life of the resource site, cost of extraction, accessibility, opportunity, type of transportation and the location of high demand areas; and,
 - designation of these mineral resource lands should follow the "Criteria for Designating Mineral Resources," as outlined in the Designation Criteria component of the Rural and Natural Resource Element.
- ~~3.5.20 Clark County's Shoreline Master Program shall be reevaluated for consistency with the Growth Management legislation and Clark County's 20-Year Comprehensive Growth Management Plan. Any areas of inconsistency shall be reviewed and resolved with either modification of the Shoreline Master Program or Comprehensive Plan policies, which ever is more appropriate.~~

October 27, 2009

Provide incentives for owners of five-acre parcels to plant and manage forest land. One option is to use the provisions of the current use taxation open space provisions, requiring a forest management plan. This would apply only to existing five-acre parcels, not those created in the future.

###

Allow clustering on forest land to provide an economic opportunity and to preserve open space and forest land. Allow two one-or two-acre lots plus a buildable remainder parcel. Consider a bonus lot as an incentive to keeping the land in forest production.

###

Create a rural resource reserve overlay, that will not change zoning, on lands in rural areas and between cities based on natural barriers and buffers and taking into account viable soils for agriculture and forestry. Such lands would initially be designated outside of urban growth areas, south of the East Fork, and west of China Ditch.

December 8, 2009

Rural/Resource Reserve possibilities for designation criteria:

- 1) Ag lands
- 2) Lands being farmed that aren't ag-zoned
- 3) Productive soils
- 4) Public/Legacy lands
- 5) Critical areas
- 6) Greenways/natural features/buffers between UGAs

Where rural/resource reserve might be applied: Start with the area west of 182nd Avenue and south of the East Fork.

Relationship of rural/resource reserve to urban growth boundaries (UGBs): outside UGBs

Relationship of rural/resource reserve to urban reserve (UR) lands: could be adjacent to UR lands; use rural/resource reserve lands to 'horse trade' for other lands needed for UGA expansion.

Timing: Designate for 21 years (the equivalent of three comprehensive plan cycles)

Other considerations: Create buffers between UGAs; use in conjunction with resource land cluster provisions; maintain underlying zoning

###

The county should simplify the permit process, and help small businesses with permit costs by allowing the businesses to finance permit fees through a lien process (in essence, developer agreements for small businesses).

January 12, 2010

Requirements for kennels:

- Five-acre minimum parcel size
- Permitted use on 20 acres or more
- Review and approval (Type II) process on less than 20 acres
- 125-foot setback
- Address noise issues

###

Requirements for stables:

- Permitted use on 10 acres or more
- Review and approval (Type II) process on less than 10 acres
- 20-foot setback for buildings
- Address noise, private road, parking issues

January 26, 2010

Recommendations for private bridges:

- Fire chiefs should notify property owners that private bridges have to be certified by an inspector and weight limits posted, or else the fire department won't respond. A copy of the certification will be sent to the fire district.
- Bridges will be re-inspected at a time interval recommended by the inspector.
- The county should encourage creation of a road improvement district (RID) or land improvement district (LID) to finance the cost of bridge upgrading and to spread the cost to property owners over several years.

###

The following list comprises impacts for any use that should be limited or mitigated:

- Noise
- Traffic
- Dust
- Parking
- Smell

February 9, 2010

- Support county efforts to get Ecology to complete the rulemaking allowing the transfer of water rights between ag users.
- Conduct an inventory of ag water rights in the county.
- Explore ways to replenish/restore ag water rights that are taken because of low flows, when lowland supplies are brought on line.

###

Consider designating additional industrial land in the Brush Prairie rural center or a small block adjacent to the rural center.

###

Develop a timber harvesting plan for the Camp Bonneville property.

###

Emphasize ways to minimize parks maintenance costs (for example, removing or not planting grass that requires mowing).

February 23, 2010

The task force supports the concept of a biomass plant in the Chelatchie Prairie rural center.

###

The task force supports an ordinance for small wind energy systems that meets rural needs.

###

With regard to Title 40:

- Have different standards in rural and urban areas.
- Make a concerted effort in the Title 40 review to eliminate what doesn't apply to rural areas and keep what contributes to the preservation of rural character.
- Review the rural subdivision ordinance for ways to streamline it and lower costs.

###

Siting of Critical Public Facilities:

- Expand the Dollars Corner rural center to the east (south of 219th Street) to include 120 acres that be an educational and workforce training center.
- Rural centers should be allowed to expand to site critical public facilities, such as community colleges, workforce training centers, railroad industrial facilities and other economic development facilities.

March 9, 2010

Allow road side stands up to 2,500 square feet.

Consider creative economic opportunities in rural centers, including incubators and ventures.