

Clark County Ordinance Report

As Reported by Community Planning Department
On: December 16, 2014

Title: An ordinance amending CCC Title 40 with an update to the county's shoreline master program (SMP).

Brief Description: The ordinance (Ord. 2014-12-10) adds Carty Lake to the list of lakes subject to the county's SMP (Section 40.460.210(C)).

Brief History:

PC Hearings: July 17, 2014

BOCC Hearings: August 19 and November 18, 2014

DEPARTMENT REPORT

Staff: Oliver Orjiako, ext. 4112; Gary Albrecht, ext. 4318

Legal Counsel: Chris Cook, ext. 4775

Background:

The county's shoreline master program (SMP) was updated in 2012. In the course of implementing the SMP, it was discovered that Carty Lake near Ridgefield was not on the list of lakes subject to shoreline jurisdiction. Carty Lake is 42 acres in size; lakes greater than 20 acres in size are subject to the SMP. To address this (and two other issues), a limited amendment to the Clark County SMP was proposed. The amendment was done pursuant to WAC 173-26-201, the process to prepare or amend shoreline master programs.

Summary of Ordinance: The ordinance (Ord. 2014-12-10) adds Carty Lake to the list of lakes subject to the county's SMP.

Appropriation: None.

Fiscal Note: None.

Committee/Task Force Created: None.

Effective Date: The amendment will go into effect at 12:01 a.m. on January 1, 2015.

APPROVED = DEC. 16, 2014

SR 294-14



ORDINANCE NO. 2014-12-10

An ordinance amending Clark County Code (CCC) Section 40.460.210 (C).

WHEREAS, Shoreline Management is the 14th goal of the Growth Management Act (GMA); and

WHEREAS, the Board of County Commissioners adopted Clark County's Shoreline Master Program (SMP) on July 24, 2012, Ordinance No. 2012-07-16; and

WHEREAS, the Washington Department of Ecology approved Clark County's SMP, which took effect on September 12, 2012; and

WHEREAS, the Board of County Commissioners adopted limited amendments to Clark County's Shoreline Master Program on August 19, 2014, Ordinance No. 2014-08-10; and

WHEREAS, the Shoreline Master Program policies and regulations are in Chapter 13 of the Clark County Comprehensive Growth Management Plan and Chapter 40.460 CCC, respectively; and

WHEREAS, the Board finds that the implementation of the 2012 SMP has suggested that a limited amendment pursuant to WAC 173-20 and RCW 90.58 improves consistency with the goals and policies of the Shoreline Management Act; and

WHEREAS, the Planning Commission held a duly advertised hearing on August 7, 2014 and voted 4-1 to forward the recommended approval of the proposed limited amendment to the 2014 SMP; and

WHEREAS, the Board held duly advertised public hearings on August 19, 2014 and November 18, 2014 to review the recommendation of the Planning Commission that the limited amendment to the 2012 SMP should be adopted as proposed; and

WHEREAS, the Board finds that adoption of the proposed limited amendment to the SMP would be in the best interests of the public health, safety and welfare of Clark County; Now, Therefore,

BE IT ORDERED, RESOLVED AND DECREED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Amendatory. Ordinance 2014-08-10, and codified as CCC Section 40.460.210 are amended to read as follows:

40.460.210 APPLICABILITY

C. The following are lakes with shorelines subject to this Program:

- Lacamas Lake;
- Round Lake;
- Vancouver Lake;
- Unnamed Lake 02 (west of Vancouver Lake);
- Post Office Lake;
- Green Lake;
- Battle Ground Lake;
- Campbell Lake;
- Unnamed Lake 03 (south of Canvasback Lake);
- Canvasback Lake;
- Hathaway Lake;
- Lancaster Lake;
- Mud Lake;
- Unnamed Lake 01 (south of Horseshoe Lake);
- Horseshoe Lake;
- Lake Merwin;
- Yale Lake;
- Carty Lake.

Section 2. Effective date. This ordinance shall take effect two weeks after Washington State DOE approval.

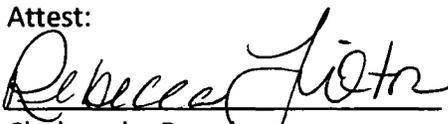
Section 3. Instructions to the clerk.

The Clerk to the Board shall:

1. Record a copy of this ordinance with the Clark County Auditor.
2. Transmit a copy of this ordinance to the State Departments of Ecology and Commerce within ten days of its adoption.
3. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290.
4. Transmit a copy of this ordinance to Code Publishing, Inc. to update the electronic version of the Clark County Code.
5. Transmit a copy of the adopted ordinance to Clark County Geographic Information Systems (Ken Pearrow GIS Coordinator), and Community Planning Department.

ADOPTED this 16 day of Dec., 2014.

Attest:


Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

By 
Tom Mielke, Chair

Approved as to Form Only:

ANTHONY F. GOLIK
Prosecuting Attorney

By _____
David Madore, Commissioner

By 
Christine Cook
Sr. Deputy Prosecuting Attorney

By _____
Jeanne E. Stewart, Commissioner