

ORDINANCE NO. 2015-

An ordinance amending Clark County Code (CCC) Sections 40.460.170, Relationship to other plans and regulations, 40.460.230, Exemptions from a Shoreline Substantial Development Permit, 40.460.250, Nonconforming Uses and Developments, 40.460.520, Archaeological, Cultural, and Historic Resources, 40.460.530, Critical Areas Protection, 40.460.560, Site Planning and Development, 40.460.590, Water Quality and Quantity, 40.460.630, Use-Specific Development Regulations, 40.460.630, Use-Specific Development Regulations, 40.460.800, Definitions.

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

WHEREAS, the Board of County Councilors 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 on November 18, 2014, Ordinance No. 2014-12-10; 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 limited amendments pursuant to WAC 173-26-201 would improve consistency with the goals and policies of the Shoreline Management Act, and are necessary for compliance with Clark County’s Phase I Municipal Stormwater Permit, 2013-2018 issued pursuant to the National Pollution Discharge Elimination System of the federal Clean Water Act; and

WHEREAS, the Planning Commission held a duly advertised hearing on August 20, 2015 and voted 7-0 to forward the recommended approval of the proposed limited amendment to the 2015 SMP; and

32 WHEREAS, the Board held duly advertised public hearings on October 13, 2015,
33 October 27, 2015, and December 15, 2015 to review the recommendation of the
34 Planning Commission that the limited amendment to the 2012 SMP should be adopted
35 as proposed; and

36 WHEREAS, the Board finds that adoption of the proposed limited amendment to
37 the SMP would be in the best interests of the public health, safety and welfare of Clark
38 County; now, therefore,

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

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42 **Section 1. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
43 40.460.170, are amended to read as follows:

- 44
45 **40.460.170 Relationship to other plans and regulations**
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- 47 A. Applicants for shoreline use/development shall comply with all applicable laws prior
48 to commencing any shoreline use, development, or activity.
 - 49 B. Where this Program makes reference to any RCW, WAC, or other state or federal law
50 or regulation the most recent amendment or current edition shall apply.
 - 51 C. Uses, developments and activities regulated by this Program may also be subject to
52 the provisions of the Clark County Comprehensive Growth Management Plan, the
53 Washington State Environmental Policy Act ("SEPA," Chapter 43.21C RCW and
54 Chapter 197-11 WAC), other provisions of the Clark County Code, and other local,
55 state and federal laws, as may be amended.
 - 56 D. In the event this Program conflicts with other applicable county policies or
57 regulations, they must be interpreted and construed so that all the language used is
58 given effect, with no portion rendered meaningless or superfluous, and unless
59 otherwise stated, the provisions that provide the most protection to shoreline
60 ecological processes and functions shall prevail.
 - 61 E. Projects in the shoreline jurisdiction that have been previously approved through
62 local and state reviews are considered accepted. Major changes or new phases of
63 projects that were not included in the originally approved plan will be subject to the
64 policies and regulations of this Program.
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66 F. The Clark County Critical Area Ordinances (CAO) are adopted into the master
67 program by reference, except that those provisions inconsistent with the Shoreline
68 Management Act and implementing Washington Administrative Code chapters shall
69 not apply in shoreline jurisdiction. The applicable CAO is the version listed in CCC
70 40.460.530. Any amendments to the CAO shall be incorporated through an
71 amendment to the master program that is approved by the Department of Ecology
72 pursuant to WAC 173-26-191(2)(b).
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74 **Section 2. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
75 40.460.230, are amended to read as follows:

76 **40.460.230 Exemptions from a Shoreline Substantial Development Permit**

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79 B. List of Exemptions

80 The following activities shall not be considered substantial developments but shall
81 obtain a statement of exemption, as provided for in Section 40.460.230(C).

82 1. Any development of which the total cost or fair market value does not exceed
83 five thousand seven hundred eighteen dollars (\$5,718) or as adjusted by the
84 State Office of Financial Management, if such development does not materially
85 interfere with the normal public use of the water or shorelines of the state. For
86 purposes of determining whether or not a permit is required, the total cost or
87 fair market value shall be based on the value of development that is occurring on
88 shorelines of the state as defined in RCW 90.58.030(2)(c). The total cost or fair
89 market value of the development shall include the fair market value of any
90 donated, contributed, or found labor, equipment or materials.

91 2. Subject to the provisions of CCC 40.460.250, Normal maintenance or
92 repair of existing legally-established structures or developments, including those
93 that have been damaged by accident, fire, or elements. Replacement of a
94 structure or development may be authorized as repair where such replacement
95 is the common method of repair for the type of structure or development and
96 the features of the repaired replacement structure or development, including
97 but not limited to its size, shape, configuration, location, and external
98 appearance, must be is-comparable to the original structure or development,
99 including but not limited to its size, shape, configuration, location, and
100 external appearance and the repair must replacement does not cause
101 substantial adverse effects to shoreline resources or environment. The
102 replacement of demolished existing single-family residences and their
103 appurtenances is not considered normal maintenance and repair.

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105 3. Construction of a normal protective bulkhead common to single-family
106 residences. A "normal protective" bulkhead includes those structural and
107 nonstructural developments installed at or near, and parallel to, the ordinary
108 high water mark for the sole purpose of protecting an existing single-family
109 residence and appurtenant structures from loss or damage by erosion. A normal
110 protective bulkhead is not exempt if constructed for the purpose of creating dry
111 land. When a vertical or near vertical wall is being constructed or reconstructed,
112 not more than one (1) cubic yard of fill per one (1) foot of wall may be used as
113 backfill. When an existing bulkhead is being repaired by construction of a vertical
114 wall fronting the existing wall, it shall be constructed no further waterward of
115 the existing bulkhead than is necessary for construction of new footings. When a
116 bulkhead has deteriorated such that an ordinary high water mark has been
117 established by the presence and action of water landward of the bulkhead then
118 the replacement bulkhead must be located at or near the actual ordinary high
119 water mark. Beach nourishment and bioengineered erosion control projects may
120 be considered a normal protective bulkhead when any structural elements are
121 consistent with the above requirements and when the project has been
122 approved by the Department of Fish and Wildlife (WDFW).

123 4. Emergency construction necessary to protect property from damage by the
124 elements. An “emergency” is an unanticipated and imminent threat to public
125 health, safety, or the environment that requires immediate action within a time
126 too short to allow full compliance with this chapter. Emergency construction
127 does not include development of new permanent protective structures where
128 none previously existed. Where new protective structures are deemed by the
129 Shoreline Administrator to be the appropriate means to address the emergency
130 situation, upon abatement of the emergency situation the new structure shall be
131 removed or any permit that would have been required, absent an emergency,
132 pursuant to Chapter 90.58 RCW, these regulations, or this Program, shall be
133 obtained. All emergency construction shall be consistent with the policies and
134 requirements of this chapter, Chapter 90.58 RCW, and this Program. As a general
135 matter, flooding or other seasonal events that can be anticipated and may occur
136 but that are not imminent are not an emergency.

137 5. Construction and practices normal or necessary for farming, irrigation, and
138 ranching activities, including agricultural service roads and utilities on
139 shorelands, and the construction and maintenance of irrigation structures
140 including but not limited to head gates, pumping facilities, and irrigation
141 channels. A feedlot of any size, all processing plants, other activities of a
142 commercial nature, alteration of the contour of the shorelands by leveling or
143 filling other than that which results from normal cultivation shall not be
144 considered normal or necessary farming or ranching activities.

145 6. Construction or modification of navigational aids such as channel markers and
146 anchor buoys.

147 7. Construction on shorelands by an owner, lessee, or contract purchaser of a
148 single-family residence or appurtenance for their own use or for the use of their
149 family, which residence does not exceed a height of thirty-five (35) feet above
150 average grade level, and which meets all requirements of the county, other than
151 requirements imposed pursuant to Chapter 90.58 RCW. Construction authorized
152 under this exemption shall be located landward of the ordinary high water mark.

153 8. Construction of a dock, including a community dock, designed for pleasure craft
154 only, for the private noncommercial use of the owner, lessee, or contract
155 purchaser of a single-family or multiple-family residence. This exception applies
156 in fresh waters when the fair market value of the dock does not exceed ten
157 thousand dollars (\$10,000), but if subsequent construction having a fair market
158 value exceeding two thousand five hundred dollars (\$2,500) occurs within five
159 (5) years of completion of the prior construction, the subsequent construction
160 shall be considered a substantial development for the purpose of this chapter.

161 9. Operation, maintenance, or construction of canals, waterways, drains, reservoirs,
162 or other facilities that now exist or are hereafter created or developed as a part
163 of an irrigation system for the primary purpose of making use of system waters,
164 including return flow and artificially stored ground water from the irrigation of
165 lands.

166 10. The marking of property lines or corners on state-owned lands, when such
167 marking does not significantly interfere with normal public use of the surface of
168 the water.

- 169 11. Operation and maintenance of any system of dikes, ditches, drains, or other
170 facilities existing on September 8, 1975, that were created, developed or utilized
171 primarily as a part of an agricultural drainage or diking system.
- 172 12. Any project with a certification from the governor pursuant to Chapter 80.50
173 RCW (certification from the State Energy Facility Site Evaluation Council).
- 174 13. Site exploration and investigation activities that are prerequisite to preparation
175 of an application for development authorization under this chapter, if:
- 176 a. The activity does not interfere with the normal public use of surface waters;
- 177 b. The activity will have no significant adverse impact on the environment including
178 but not limited to fish, wildlife, fish or wildlife habitat, water quality, and
179 aesthetic values;
- 180 c. The activity does not involve the installation of any structure, and upon
181 completion of the activity the vegetation and land configuration of the site are
182 restored to conditions existing before the activity; and
- 183 d. A private entity seeking development authorization under this section first posts
184 a performance bond or provides other evidence of financial responsibility to the
185 local jurisdiction to assure that the site is restored to pre-existing conditions.
- 186 14. The process of removing or controlling aquatic noxious weeds, as defined in
187 RCW 17.26.020, through the use of an herbicide or other treatment methods
188 applicable to weed control published by the Departments of Agriculture or
189 Ecology jointly with other state agencies under Chapter 43.21C RCW.
- 190 15. Watershed restoration projects as defined in RCW 89.08.460.
- 191 16. a. A public or private project that is designed to improve fish or wildlife
192 habitat or fish passage when all of the following apply:
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- 194 1 a. The project has been approved by DFW;
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- 196 2 b. The project has received hydraulic project approval (HPA) by WDFW
197 pursuant to Chapter 77.55 RCW; and
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- 199 3 c. Clark County has determined that the project is substantially
200 consistent with the local Shoreline Master Program. Clark County
201 shall make such determination in a timely manner and provide it by
202 letter to the applicant.
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- 204 b. Fish habitat enhancement projects that conform to the provisions of RCW
205 77.55.181 are determined to be consistent with local shoreline master
206 programs and do not require a statement of exemption.
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- 208 17. Any person conducting a remedial action at a facility pursuant to a consent
209 decree, order, or agreed order issued pursuant to Chapter 70.105D RCW or to
210 Ecology when it conducts a remedial action under Chapter 70.105D RCW.

211 18. Other than conversions to nonforest land use, forest practices regulated under
212 Chapter 76.09 RCW are not subject to additional regulations under the Act or
213 this Program (RCW 90.58.030(2)(d)(ii)).

214 C. Statements of Exemption.

215 1. Any person claiming exemption from the substantial development permit
216 requirements shall make an application to the Shoreline Administrator for such an
217 exemption in the manner prescribed by the Shoreline Administrator, except that no
218 written statement of exemption is required either for a project designed to
219 improve fish or wildlife habitat or fish passage pursuant to WAC 173-27-
220 040(2)(p)(iii)(A), or for emergency development pursuant to WAC 173-27-040(2)(d).

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223 **Section 3. Amendatory. Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section**
224 **40.460.250, are amended to read as follows:**

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226 **40.460.250 Nonconforming Uses and Development**

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229 B. Nonconforming Uses.

230 1. Additional development of any property on which a nonconforming use exists shall
231 require that all new uses conform to this Program and the Act.

232 2. Change of ownership, tenancy, or management of a nonconforming use shall not
233 affect its nonconforming status; provided, that the use does not change or
234 intensify.

235 3. If a nonconforming use is converted to a conforming use, a nonconforming use
236 may not be resumed.

237 4. When the operation of a nonconforming use is vacated or abandoned for a period
238 of twelve (12) consecutive months, the nonconforming use rights shall be deemed
239 extinguished and the future use of such property shall be in accordance with the
240 permitted and conditional use regulations of this Program.

241 5. If a conforming building housing a nonconforming use is damaged by fire, flood,
242 explosion, or other natural disaster and the damage is less than seventy five ~~ixty~~
243 percent (75~~60~~%) of the replacement cost of the structure or development, such
244 use may be resumed at the time the building is repaired; provided, such
245 restoration shall be undertaken within twelve (12) months following said damage.

246 6. Normal maintenance and repair of a structure housing a nonconforming use may
247 be permitted provided all work is consistent with the provisions of Section
248 40.530.010 and this Program.

249 7. Legally established floating homes and residences are considered conforming uses,
250 subject to the requirements in Section 40.460.630(K)(13).

251 C. Nonconforming Structures.

252 1. A nonconforming building or structure may be maintained or repaired, provided
253 such improvements do not extend or expand the nonconformity of such building
254 or structure and are consistent with the provisions of this Program, unless
255 required by other law or ordinance.

256 2. If a nonconforming structure or development is damaged by fire, flood, explosion,
257 or other natural disaster and the damage is less than seventy five ~~ixty~~ percent
258 (75~~60~~%) of the replacement cost of the structure or development, it may be
259 restored or reconstructed to those configurations existing at the time of such
260 damage, provided:

261 a. The reconstructed or restored structure will not cause additional adverse effects to
262 adjacent properties or to the shoreline environment;

263 b. The rebuilt structure or portion of structure shall not expand the original footprint
264 or height of the damaged structure;

265 c. No degree of relocation shall occur, except to increase conformity or to increase
266 ecological function, in which case the structure shall be located in the least
267 environmentally damaging location possible;

268 d. The submittal of applications for permits necessary to restore the development is
269 initiated within twelve (12) months of the damage. The Shoreline Administrator
270 may waive this requirement in situations with extenuating circumstances;

271 e. The reconstruction is commenced within one (1) year of the issuance of permit;

272 f. The Shoreline Administrator may allow a one (1) year extension provided
273 consistent and substantial progress is being made; and

274 g. Any residential structures, including multifamily structures, may be reconstructed
275 up to the size, placement and density that existed prior to the damage, so long as
276 other provisions of this Program are met.

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279 **Section 4. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
280 40.460.520, are amended to read as follows:

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282 **40.460.520 Archaeological, Cultural, and Historic Resources**
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284 A. When a shoreline use or development is in an area known or likely to
285 contain archaeological artifacts and data based on the state's Clark County's
286 predictive model, the applicant shall provide for a site inspection and evaluation by a
287 professional archaeologist prior to issuance of any shoreline permit or approval. Work
288 may not begin until the inspection and evaluation have been completed and the
289 county has issued its permit or approval.

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291 B. If any item of possible archaeological interest (including human skeletal
292 remains) is discovered on site, all work shall immediately stop, and the county, State
293 Department of Archaeology and Historic Preservation (DAHP), and affected Native
294 American tribe(s) shall be notified of the discovery. A stop-work order will be issued.
295 The shoreline permit will be temporarily suspended. All applicable state and federal
296 permits shall be ~~secured~~obtained as a condition of resumption of development
297 activities. Development activities may resume only upon the applicant's receipt of
298 county approval.

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302 **Section 5. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
303 40.460.530, are amended to read as follows:

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305 **40.460.530 Critical Areas Protection**
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308 B. Applicable Critical Areas.

309 For purposes of this Program, the following critical areas will be protected
310 under this Program. An amendment to these regulations will apply in shoreline
311 jurisdiction only if it is adopted as an SMP limited amendment or update.

- 312 1. Critical aquifer recharge areas, defined in Chapter 40.410 as adopted by
313 Ordinance 2005-04-15, dated April 26, 2005;; Ordinance 2009-03-02;
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- 315 2. Flood hazard areas, defined in Chapter 40.420 as adopted by Ordinance 2012-
316 07-15, dated July 24, 2012;
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- 318 3. Geologic hazard areas, defined in Chapter 40.430 as adopted by Ordinance
319 2005-04- 15, dated April 26, 2005; Ordinance 2006-09-13; Ordinance 2009-01-01;
320 Ordinance 2012-02-03; and Ordinance 2012-07-16;
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- 322 4. Habitat conservation areas, defined in Chapter 40.440 as adopted by Ordinance
323 2006-08-03, dated August 1, 2006; Ordinance 2012-07-16; and Ordinance
324 2014-12-05; and
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- 326 5. Wetlands, defined in Chapter 40.450 as adopted by Ordinance 2006-05-27, dated
327 May 26, 2006; Ordinance 2012-07-03; Ordinance 2012-07-16; and Ordinance
328 2014-12-05.
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330 C. Critical Aquifer Recharge Areas.

331 1. General Provisions. Chapter 40.410, Critical Aquifer Recharge Areas, Ordinance
332 2005- 04-15, dated April 26, 2005; and Ordinance 2009-03-02, is hereby adopted
333 in whole as part of this Program.

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336 F. Habitat Conservation Areas.

337 1. General Provisions.

338 a. Designated habitat areas are those defined in Section 40.100.070 and those
339 described below:

340 (1) Water bodies defined as waters of the state (RCW 90.48.020), including
341 waters, bed, and bank;

342 (2) DNR Classification System Type S, F, Np, and Ns water bodies as defined and
343 mapped based on WAC 222-16-030 (Forest Practices Rules);

344 (3) Riparian Priority Habitat Areas. Areas extending landward on each side of the
345 stream or water body from the ordinary high water mark to the edge of the
346 one hundred (100) year floodplain, or the following distances, if greater:

347 (a) DNR Type S waters, two hundred fifty (250) feet;

348 (b) DNR Type F waters, two hundred (200) feet;

349 (c) DNR Type Np waters, one hundred (100) feet; and

350 (d) DNR Type Ns waters, seventy-five (75) feet;

351 (4) Other Priority Habitats and Species (PHS) Areas. Areas identified by and
352 consistent with WDFW priority habitats and species criteria, including areas
353 within one thousand (1,000) feet of individual species point sites. The
354 county shall defer to WDFW in regards to classification, mapping and
355 interpretation of priority habitat species.

356 ~~b. The above habitat areas are mapped on a countywide basis in the adopted~~
357 ~~“Priority Habitats and Species Map.” Maps are on file with Clark County~~
358 ~~Environmental Services, except that maps of individual locations of sensitive,~~
359 ~~threatened, or endangered wildlife species are maintained separately to protect~~
360 ~~sensitive species.~~

361 eb. In the event of inconsistencies, official habitat area definitions shall prevail over
362 county-wide maps in determining applicability of this section. The county shall
363 follow the recommendations of WDFW in the interpretation of site-specific
364 conditions as they relate to the definition of priority habitat and species.

365 ec. The portion of the riparian priority habitat area nearest to the OHWM shall be
366 set aside for vegetation conservation and protection of the water body within
367 the shoreline jurisdiction.

368 ed. Where development proposals require a habitat review under Section
369 40.440.030, the review will be part of the approvals required under this
370 Program.

371 fe. The reasonable use provisions in Chapter 40.440 do not apply to habitat
372 conservation areas regulated under this Program.

373 2. Regulated Activities.

374 a. All construction, development, earth movement, clearing, or other site
375 disturbance proposals within a habitat area which require a permit, approval, or
376 other authorization from the county shall be reviewed pursuant to Chapter
377 40.440 and shall comply with the requirements of this section.

378 b. Proposed new single-family residential development occurring immediately
379 outside but within three hundred (300) feet of designated priority species
380 habitat polygons or within one hundred (100) feet of designated nonriparian
381 priority habitat polygons shall require consultation with WDFW prior to
382 issuance of a development permit. In such cases, further review under this
383 section is not required unless WDFW finds that there are potential adverse
384 impacts.

385 c. Agricultural activities within designated riparian habitat areas are subject to the
386 provisions of this section and Section 40.440.040(B).

387 d. Class IV G forest practices (conversions) are regulated under this Program.

388 3. Standards.

389 a. Any alterations within designated habitat areas in shoreline jurisdiction require
390 review and approval prior to clearing or development and prior to issuance of
391 any County permit or statement of exemption.

392 b. Alterations within the designated habitat areas shall:

393 (1) Avoid impacts to the habitat conservation areas during project planning and
394 development to the extent possible;

395 (2) Substantially maintain the level of habitat functions and values as characterized
396 and documented using best available science;

397 (3) Minimize habitat disruption or alteration beyond the extent required to
398 undertake the proposal; and

399 (4) Compensate for impacts to the habitat conservation areas to meet the standard
400 of no net loss of shoreline ecological functions. Mitigation measures and
401 proposals must demonstrate use of best available science.

402 c. In the event that impacts to habitat areas cannot be avoided, development and
403 approval of a mitigation plan in accordance with the provisions of Sections
404 40.440.020(A)(3) through (8) is required.

405 G. Wetlands.

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1. General Provisions.

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a. Where development proposals require a wetlands review under Section 40.450.030, the review will be part of the approvals required under this Program. Such review is required for any development activity that is within wetlands and wetland buffers subject to this Program, unless specifically authorized by a statement of exemption. Requirements for wetland permit applications are provided in Sections 40.450.040(B), (C), and (D).

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b. This section shall not apply to wetlands created from nonwetland sites including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, stormwater facilities, farm ponds, landscape amenities and unintentionally created wetlands created as a result of the construction of a public or private road, street, or highway after July 1, 1990; provided, that wetlands created as mitigation shall not be exempt.

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c. A wetland determination is required in conjunction with the submittal of a development permit application. The Shoreline Administrator shall determine the probable existence of a wetland on the parcel involved in the development permit application. If wetlands or wetland buffers are found to exist on a parcel, wetland delineation is required.

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d. The location of a wetland and its boundary shall be determined through the performance of a field investigation utilizing the methodology contained in the Wetlands Delineation Manual and as specified in Chapter 40.450. If a wetland is located off site and is inaccessible, the best available information shall be used to determine the wetland boundary and category. Methodology is specified in Section 40.450.030(D).

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e. All buffers shall be measured horizontally outward from the delineated wetland boundary.

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f. Wetland buffer widths shall be determined by the Shoreline Administrator in accordance with the standards in Section 40.450.030.

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g. All wetland reviews require approval of a preliminary and a final enhancement/mitigation plan in accordance with the provisions of Section 40.450.040(E) unless the preliminary enhancement/mitigation plan requirement is waived under the provisions of Section 40.450.040(E)(2).

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h. Wetland reviews under this Program shall be according to the application, processing, preliminary approval, and final approval procedures set out in Section 40.450.040(F) through (I) and are part of the approvals required under this Program.

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i. Provisions for programmatic permits are included in Section 40.450.040(K).

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j. Provisions for emergency wetland permits are included in Section 40.450.040(L).

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k. The reasonable use provisions in Chapter 40.450 do not apply to wetlands regulated under this Program.

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2. Regulated Activities.

448 No development or activity in wetlands or wetland buffers subject to this Program
449 shall be allowed unless it is demonstrated that:

450 a. The proposed development or activity will not result in a net loss of wetland
451 functions to the point of net loss of shoreline ecological function; and

452 b. The proposed development or activity complies with all state, local and federal
453 laws, including those related to sediment control, pollution control, floodplain
454 restrictions, stormwater management, wetlands protection, and on-site
455 wastewater disposal.

456 3. Standards.

457 a. Stormwater Facilities.

458 (1) Stormwater dispersion practices and facilities that comply with the
459 standards of Chapter ~~40.385~~ 40.386 shall be allowed in all wetland buffers
460 where no net loss of shoreline ecological functions can be demonstrated.
461 Stormwater outfalls for dispersion facilities shall comply with the standards in
462 Section 40.460.530(G)(3)(b).

463 (2) Other stormwater facilities are only allowed in buffers of wetlands with low
464 habitat function (less than ~~twenty five (20 5)~~ 20 5) points on the habitat section of the
465 rating system form) per Section 40.450.040(C)(4)(b).

466 b. Road and utility crossings into and through wetlands and wetland buffers are
467 allowed provided all the following conditions are met:

468 (1) Buffer functions, as they pertain to protection of the adjacent wetland and
469 its functions, are replaced;

470 (2) Impacts to the buffer and wetland are first avoided and minimized; and

471 (3) The activity does not result in a decrease in wetland acreage or
472 classification.

473 c. Regulated activities not involving stormwater management, road and utility
474 crossings, or a buffer reduction via enhancement are allowed in the buffer if all
475 the following conditions are met:

476 (1) The activity is temporary and will cease or be completed within three (3)
477 months of the date the activity begins;

478 (2) The activity will not result in a permanent structure in the buffer;

479 (3) The activity will not result in a reduction of buffer acreage or shoreline
480 ecological function; and

481 (4) The activity will not result in a reduction of wetland acreage or shoreline
482 ecological function.

483 d. Wetland mitigation for unavoidable impacts shall be required using the
484 following prioritization:

- 485 (1) On-Site. Locate mitigation according to the following priority:
- 486 (a) Within or adjacent to the same wetland as the impact;
- 487 (b) Within or adjacent to a different wetland on the same site;
- 488 (2) Off-Site. Locate mitigation within the same watershed, as shown on Section
- 489 40.450.040, Figure 40.450.040-1, or use an established wetland mitigation
- 490 bank; the service area determined by the mitigation bank review team and
- 491 identified in the executed mitigation bank instrument;
- 492 (3) In-Kind. Locate or create wetlands with similar landscape position and the
- 493 same hydro-geomorphic (HGM) classification based on a reference to a
- 494 naturally occurring wetland system; and
- 495 (4) Out-of-Kind. Mitigate in a different landscape position and/or HGM
- 496 classification based on a reference to a naturally occurring wetland system.
- 497 e. The various types of wetland mitigation allowed are listed below in the general
- 498 order of preference.
- 499 (1) Re-establishment, which is the manipulation of the physical, chemical or
- 500 biological characteristics of a site with the goal of returning natural or
- 501 historic functions to a former wetland. Re-establishment results in a gain in
- 502 wetland acres (and functions). Activities could include removing fill material,
- 503 plugging ditches, or breaking drain tiles.
- 504 (2) Rehabilitation, which is the manipulation of the physical, chemical or
- 505 biological characteristics of a site with the goal of returning natural or
- 506 historic functions to a degraded wetland. Re-establishment results in a gain
- 507 in wetland function, but does not result in a gain in wetland acres. Activities
- 508 could involve breaching a dike to reconnect wetlands to a floodplain or
- 509 return tidal influence to a wetland.
- 510 (3) Creation (Establishment). The manipulation of the physical, chemical, or
- 511 biological characteristics of a site with the goal of developing a wetland on
- 512 an upland or deepwater site where a wetland did not previously exist.
- 513 Establishment results in a gain in wetland acres. Activities typically involve
- 514 excavation of upland soils to elevations that will produce a wetland hydro-
- 515 period, create hydric soils, and support the growth of hydrophytic plant
- 516 species.
- 517 (4) Enhancement. The manipulation of the physical, chemical, or biological
- 518 characteristics of a wetland site to heighten, intensify, or improve the
- 519 specific function(s) or to change the growth stage or composition of the
- 520 vegetation present. Enhancement is undertaken for specified purposes such
- 521 as water quality improvement, flood water retention, or wildlife habitat.
- 522 Enhancement results in a change in some wetland functions and can lead to
- 523 a decline in other wetland functions, but does not result in a gain in wetland
- 524 acres. Activities typically consist of planting vegetation, controlling non-
- 525 native or invasive species, modifying site elevations or the proportion of
- 526 open water to influence hydro-periods, or some combination of these
- 527 activities.

- 528 f. The mitigation ratios for each of the mitigation types described in Section
529 40.460.530(G)(3)(e) are specified in Section 40.450.040(D)(4).
- 530 g. The Shoreline Administrator has the authority to approve preservation of
531 existing wetlands as wetland mitigation under the following conditions:
- 532 (1) The wetland area being preserved is a Category I or II wetland or is within
533 a WDFW priority habitat or species area;
- 534 (2) The preservation area is at least one (1) acre in size;
- 535 (3) The preservation area is protected in perpetuity by a covenant or
536 easement that gives the county clear regulatory and enforcement
537 authority to protect existing wetland and wetland buffer functions with
538 standards that exceed the protection standards of this chapter; and
- 539 (4) The preservation area is not an existing or proposed wetland mitigation
540 site.
- 541 h. Wetland mitigation shall be required in accordance with the wetland mitigation
542 standards in this section for the following indirect wetland impacts:
- 543 (1) Buffer loss resulting from wetland fills permitted under this section;
- 544 (2) Reduction of wetland buffers beyond the maximum reduction allowed under
545 Section 40.450.040(C)(2); provided, that such reductions are limited as
546 follows:
- 547 (a) Road and utility crossings in the wetland buffer approved in accordance
548 with Section 40.450.040(C)(5); and
- 549 (b) The total indirect wetland impact from buffer reductions is less than
550 one-quarter (1/4) acre; and
- 551 (3) Unavoidable loss of wetland function due to stormwater discharges that do
552 not meet the wetland protection standards in Chapter ~~40.385~~ 40.386.

553 ***

554 **Section 6. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
555 40.460.560, are amended as follows:
556

557 **40.460.560 Site Planning and Development**

558 **A. General.**

- 559 1. Land disturbing activities such as grading and cut/fill shall be conducted in such a way
560 as to minimize impacts to soils and native vegetation.

561 2. Impervious surfaces shall be minimized to the extent feasible as specified in
562 Chapter ~~40.385~~ 40.386. Low impact development techniques shall be utilized
563 where feasible to minimize increases to stormwater runoff.

564 ***

565
566 **Section 7. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
567 40.460.590, are amended as follows:
568

569 **40.460.590 Water Quality and Quantity**

570 ***

571 B. All shoreline development shall comply with the applicable requirements of Chapters
572 13.26A, Water Quality, ~~40.385~~ 40.386, Stormwater and Erosion Control, and 40.410,
573 Critical Aquifer Recharge Areas.

574 C. Best management practices (BMPs) for control of erosion and sedimentation (Chapter
575 ~~40.385~~ 40.386) and for meeting water quality standards (Chapter 13.26A) shall be
576 implemented for all shoreline development.

577 ***

578
579 **Section 8. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, and codified as CCC Section
580 40.460.630, are amended as follows:
581

581 **40.460.630 Use-Specific Development Regulations**

582 ***

583 F. Industrial Uses.

584 1. General Requirements.

585 a. Water-oriented industrial uses and development are preferred over non-water-
586 oriented industrial uses and development.

587 b. Water-related uses shall not displace existing water-dependent uses or occupy
588 space designated for water-dependent uses identified in a substantial
589 development permit or other approval.

590 c. Water-enjoyment uses shall not displace existing water-dependent or water-
591 related uses or occupy space designated for water-dependent or water-related
592 uses identified in a substantial development permit or other approval.

593 d. Waterward expansion of existing non-water-oriented industry is prohibited.

594 e. Proposed developments shall maximize the use of legally established existing
595 industrial facilities and avoid duplication of dock or pier facilities before expanding
596 into undeveloped areas or building new facilities. Proposals for new industrial and
597 port developments shall demonstrate the need for expansion into an undeveloped
598 area.

599 f. Proposed large-scale industrial developments or major expansions shall be
600 consistent with an officially adopted comprehensive scheme of harbor
601 improvement and/or long-range port development plan.

602 g. New facilities for shallow-draft shipping shall not be allowed to preempt deep-
603 draft industrial sites.

604 h. Ship, boat-building, and repair yards shall employ best management practices
605 (BMPs) with regard to the various services and activities they perform and their
606 impacts on surrounding water quality.

607 i. Industrial water treatment and water reclamation facilities may be permitted
608 only as conditional uses and only upon demonstrating that they cannot be located
609 outside of shoreline jurisdiction. They shall be designed and located to be
610 compatible with recreational, residential, or other public uses of the water and
611 shorelands.

612 2. Log Storage.

613 a. Log booming, rafting and storage in the Aquatic shoreline designation shall
614 comply with WAC 332-30-145 or its successor.

615 b. Log storage shall be permitted in public waters only where:

616 (1) Water quality standards can be met at all times;

617 (2) Grounding will not occur;

618 (3) Associated activities will not hinder other beneficial uses of the water,
619 such as small craft navigation; and

620 (4) Fish and wildlife habitat conservation areas can be avoided.

621 c. No log raft shall remain in the Aquatic shoreline designation for more than
622 one (1) year, unless specifically authorized in writing.

623 d. Log storage facilities shall be sited to avoid and minimize the need for
624 dredging in order to accommodate new barging and shall be located in
625 existing developed areas to the greatest extent feasible. If a new log storage
626 facility is proposed along an undeveloped shoreline, an alternatives analysis
627 shall be required that demonstrates that it is not feasible to locate the
628 facility within an existing developed area.

629 e. A debris management plan describing the removal and disposal of wood
630 waste must be approved by the county. Debris monitoring reports shall be
631 provided, where stipulated. Positive control, collection, treatment, and
632 disposal methods for keeping leachate, bark, and wood debris (both floating
633 and sinking particles) out of surface water and groundwater shall be
634 employed at log storage areas, log dumps, raft building areas, and mill-side

635 handling zones. In the event that bark or wood debris accidentally enters the
636 water, it shall be immediately removed. Surface runoff from log storage
637 areas shall be collected and discharged at only one point, if possible.

638 f. Existing in-water log storage and log booming facilities in critical habitats
639 utilized by threatened or endangered species classified under the
640 Endangered Species Act (ESA) shall be re-evaluated if use is discontinued for
641 one (1) year, or if substantial repair or reconstruction is required. The
642 evaluation shall include an alternatives analysis in order to determine if logs
643 can be stored upland and out of the water, or if the site should be used for
644 other purposes that would have lesser impacts on ESA-listed species. The
645 alternatives analysis shall include evaluation of the potential for moving all,
646 or portions of, log storage and booming to uplands.

647 g. Nonaquatic log storage areas shall meet the following requirements:

648 (1) The ground surface of any unpaved log storage area underlain by
649 permeable soils shall be separated from the highest seasonal water table
650 by at least four (4) feet in order to reduce waste buildup and impacts on
651 groundwater and surface water;

652 (2) Stormwater shall be managed consistent with Chapters 13.26A and 40.385
653 40.386; and

654 (3) A berm must be located around the outer edge of the upland sort surface
655 using rocks, or other suitable materials to prevent loss of wood debris
656 into the water.

657 ***

658 J. Recreational Uses.

659 1. Recreational developments shall provide for nonmotorized access to the shoreline
660 such as pedestrian and bicycle paths.

661 2. The minimum width of public access easements for trails shall be twenty (20) feet
662 when a trail is not located within a public right-of-way, unless the Shoreline
663 Administrator determines that undue hardship would result, or that it is
664 impractical or environmentally unsound. In such cases, easement width may be
665 reduced only by the minimum extent necessary to meet public access standards.

666 3. Recreation areas or facilities on the shoreline shall provide physical or visual public
667 access to the shoreline.

668 4. Parking areas shall be located upland away from the immediate shoreline, with
669 pedestrian trails or walkways providing access to the water.

670 5. All permanent, substantial, recreational structures and facilities shall be located
671 outside officially mapped floodways. The Shoreline Administrator may grant
672 administrative exceptions for nonintensive minor accessory uses (including, but
673 not limited to, picnic tables, playground equipment).

- 674 6. Recreational sites with active uses shall be provided with restrooms and hand-
675 sanitizing facilities in accordance with public health standards and without
676 adversely altering the natural features attractive for recreational uses.
- 677 7. Recreational facilities shall include features such as buffer strips, screening, fences,
678 and signs, if needed to protect the value and enjoyment of adjacent or nearby
679 private properties and natural areas from trespass, overflow and other possible
680 adverse impacts.
- 681 8. Where fertilizers and pesticides are used in recreational developments, waters in
682 and adjacent to such developments shall be protected from drainage and surface
683 runoff.
- 684 9. Golf course structures (clubhouses and maintenance buildings) that are non-water-
685 oriented shall be located no closer than one hundred (100) feet from the OHWM
686 of any shorelines of the state.
- 687 10. Tees, greens, fairways, golf cart routes, and other site development features shall
688 be located no closer than one hundred (100) feet from the OHWM of any
689 shorelines of the state to the extent practicable. Where unavoidable, such
690 development shall be designed to minimize impacts to shoreline and critical areas
691 and their buffers and mitigate impacts by including ecological restoration and
692 enhancement.
- 693 11. Golf course water hazards and stormwater drainage basins shall be managed:
- 694 a. For wildlife through appropriate plantings and measures to maintain or enhance
695 water quality; and
- 696 b. Consistent with Chapters 13.26A and ~~40.385~~ 40.386.
- 697 12. The setback for water-related and water-enjoyment recreational development in
698 Natural, Urban Conservancy, and Medium Intensity shoreline designations is fifty
699 (50) feet, except trails which may meander between twenty (20) and fifty (50)
700 feet landward of the OHWM to:
- 701 a. Respond to site characteristics such as natural topography and existing
702 vegetation; or
- 703 b. Take advantage of opportunities for visual or physical access to the shoreline;
704 or
- 705 c. Connect existing trail easements; or
- 706 d. Create an interesting experience for trail users.
- 707 A trail project, any portion of which encroaches closer than fifty (50) feet, shall
708 maintain no net loss of shoreline ecological function and include shoreline
709 restoration where feasible.
- 710 13. The following trail types as described in the Vancouver-Clark Parks and Recreation
711 Regional Trails and Bikeway Systems Plan (2006) are preferred in the Natural
712 shoreline designation:

- 713 a. Type A3: Primitive Trails or Paths;
- 714 b. Type C2: Walking Trails or Paths; and
- 715 c. Type D1: Equestrian Trails or Paths.
- 716 14. When regional or local shared-use or other impervious surface trails are proposed
 717 in the Natural or Urban Conservancy shoreline designations, to respond to
 718 Americans with Disabilities Act (ADA) requirements or other circumstances or
 719 conditions, the project shall maintain no net loss of shoreline ecological functions
 720 and shall include restoration where feasible.
- 721 K. Residential
- 722 1. Residential development shall include provisions to ensure preservation of native
 723 vegetation and to control erosion during construction.
- 724 2. New residential construction shall be located so as not to require shoreline
 725 stabilization measures.
- 726 3. New residential development shall be prohibited in, over, or floating on the water.
- 727 4. New residential development shall be located and designed to a density that
 728 minimizes view obstructions to and from the shoreline.
- 729 5. Clustering of residential units as permitted by this title shall be allowed where
 730 appropriate to minimize physical and visual impacts on shorelines.
- 731 6. In those areas where only on-site sewage systems are available, density shall be
 732 limited to that which can demonstrably accommodate protection of surface and
 733 groundwater quality.
- 734 7. New residential development, including sewage disposal systems, shall be
 735 prohibited in floodways and channel migration zones.
- 736 8. Appurtenances, accessory uses, and facilities serving a residential structure shall be
 737 located outside setbacks, critical areas, and buffers unless otherwise allowed
 738 under this Program to promote community access and recreational opportunities.
 739 Normal appurtenances are limited to garages (up to three (3) cars), shops (up to
 740 one thousand (1,000) square feet), decks, driveways, utilities, and fences.
- 741 9. Residential lots that are boundary line-adjusted or newly created through a land
 742 division shall be configured such that:
- 743 a. Structural flood hazard reduction measures are not required and will not be
 744 necessary during the life of the development or use;
- 745 b. Shoreline stabilization measures are not required; and
- 746 c. Any loss of shoreline ecological function can be avoided.
- 747 10. Where a new moorage facility is proposed within a residential waterfront
 748 development of more than four (4) units, only one (1) joint-use facility shall be
 749 allowed, but only after demonstrating that such use is appropriate for the water

750 body. The applicant must also demonstrate that no public moorage facility is
751 available to residents. This condition of approval with required access easements
752 and dedications shall be identified on the face of the plat. In addition, the joint-
753 use dock easement shall be recorded with the County Auditor.

754 11. New floating homes are prohibited.

755 12. Floating homes legally established as of January 1, 2011, are considered
756 conforming uses. A one (1) time expansion is allowed, as follows:

757 a. The expansion maintains the size of the footprint of the existing residence;

758 b. The expansion does not exceed the allowed height limit; and

759 c. The applicant demonstrates through a letter of exemption that the expansion will
760 result in no net loss of shoreline ecological functions.

761 13. Existing residential structures.

762 a. Legally established existing residential structures and appurtenances located
763 landward of the OHWM and outside the floodway that do not meet the standards
764 of this Program are considered to be conforming, except that an application to
765 replace an existing residential structure must meet all setback, height, and other
766 construction requirements of the Program and the Act. A one - (1) time
767 expansion is allowed, as follows:

768 1a. The expansion is no more than twenty-five percent (25%) of the
769 habitable floor area of the existing residence;

770 2b. The expansion does not exceed the allowed height limit;

771 3c. The expansion is no further waterward of than the existing structure;
772 and

773 4d. The applicant demonstrates through a letter of exemption that the
774 expansion will result in no net loss of shoreline ecological functions.

775 b. If a structure or development is damaged by fire, flood, explosion, or other natural
776 disaster and the damage is less than seventy five percent (75%) of the replacement
777 cost of the structure or development, it may be restored or reconstructed to those
778 configurations existing at the time of such damage, provided:

779 1. The reconstructed or restored structure will not cause additional adverse
780 effects to adjacent properties or to the shoreline environment;

781 2. The rebuilt structure or portion of structure shall not expand the original
782 footprint or height of the damaged structure;

783 3. No degree of relocation shall occur, except to increase conformity or to
784 increase ecological function, in which case the structure shall be located
785 in the least environmentally damaging location possible;

786 4. The submittal of applications for permits necessary to restore the
787 development is initiated within twelve (12) months of the damage. The
788 Shoreline Administrator may waive this requirement in situations with
789 extenuating circumstances;

- 790 5. The reconstruction is commenced within one (1) year of the issuance of
791 permit;
792 6. The Shoreline Administrator may allow a one (1) year extension provided
793 consistent and substantial progress is being made; and
794 7. Any residential structures, including multifamily structures, may be
795 reconstructed up to the size, placement and density that existed prior to
796 the damage, so long as other provisions of this Program are met.
797
798 c. If a structure or development is either demolished, or damaged by fire, flood,
799 explosion, or other natural disaster and the damage is more than seventy five
800 percent (75%) of the replacement cost of the structure or development, then any
801 replacement structure has to meet the requirements of the Program and the Act.

802 14. New appurtenances shall meet the setback requirements of this Program.

803 ***

804 N. Utility Uses.

805 These provisions apply to services and facilities that produce, convey, store, or
806 process power, gas, wastewater, communications, and similar services and functions.
807 On-site utility features serving a primary use, such as a water, sewer or gas line to a
808 residence or other approved use, are "accessory utilities" and shall be considered a
809 part of the primary use.

- 810 1. Whenever feasible, all utility facilities shall be located outside shoreline
811 jurisdiction. Where distribution and transmission lines (except electrical
812 transmission lines) must be located in the shoreline jurisdiction they shall be
813 located underground.
- 814 2. Where overhead electrical transmission lines must parallel the shoreline, they
815 shall be outside of the two hundred (200) foot shoreline environment unless
816 topography or safety factors would make it unfeasible.
- 817 3. Utilities, including limited utility extensions, shall be designed, located and
818 installed in such a way as to preserve the natural landscape, minimize impacts
819 to scenic views, and minimize conflicts with present and planned land and
820 shoreline uses.
- 821 4. Transmission, distribution, and conveyance facilities shall be located in existing
822 rights-of-way and corridors or shall cross shoreline jurisdictional areas by the
823 shortest, most direct route feasible, unless such route would cause significant
824 environmental damage.
- 825 5. Utility production and processing facilities, such as power plants and wastewater
826 treatment facilities, or parts of those facilities that are non-water-oriented shall
827 not be allowed in the shoreline jurisdiction unless it can be demonstrated that
828 no other feasible option is available.
- 829 6. Stormwater control facilities, limited to detention/retention/treatment ponds,
830 media filtration facilities, and lagoons or infiltration basins, within the shoreline
831 jurisdiction shall only be permitted when the stormwater facilities are designed
832 to mimic and resemble natural wetlands, ponds, or closed depressions, and meet
833 applicable water quality requirements of Chapter ~~40.385~~ 40.386.

- 834 7. Stormwater outfalls may be placed below the OHWM to reduce scouring, but
835 new outfalls and modifications to existing outfalls shall be designed and
836 constructed to avoid impacts to existing native aquatic vegetation attached to or
837 rooted in substrate. In river and stream shorelines, stormwater outfall structures
838 may require permanent bank hardening to prevent failure of the outfall
839 structure or erosion of the shoreline. Diffusers or discharge points must be
840 located offshore at a distance beyond the nearshore area to avoid impacts to
841 nearshore habitats.
- 842 8. Water reclamation discharge facilities such as injection wells or activities such as
843 land application are prohibited in the shoreline jurisdiction, unless the discharge
844 water meets Ecology's Class A reclaimed water standards. An applicant for
845 discharge of Class A reclaimed water in the shoreline jurisdiction shall
846 demonstrate habitat benefits of such discharge.
- 847 9. Where allowed under this Program, construction of underwater utilities or those
848 within the wetland perimeter shall be scheduled to avoid major fish migratory
849 runs or use construction methods that do not cause disturbance to the habitat or
850 migration.
- 851 10. All underwater pipelines transporting liquids intrinsically harmful to aquatic life
852 or potentially detrimental to water quality shall be equipped with automatic
853 shut off valves.
- 854 11. Upon completion of utility installation/maintenance projects on shorelines,
855 banks shall, at a minimum, be restored to pre-project configuration, replanted
856 and provided with maintenance care until the newly planted vegetation is fully
857 established. Plantings shall be native species and/or be similar to vegetation in
858 the surrounding area.

859 **Section 9. Amendatory.** Sec. 3, Part B, Ord. 2012-07-16, most recently amended by Sec.
860 2, Ord. 2014-08-10, and codified as CCC Section 40.460.800, are each amended as
861 follows:

862 ***

Normal maintenance	<p>"Normal maintenance" means those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition (WAC 173-27-040(2)(b))); <u>except for maintenance that would cause substantial adverse effects to shoreline resources or environment; and, provided, that the replacement of demolished existing single-family residences and their appurtenances is not considered normal maintenance; and further provided that maintenance of nonconforming structures and developments is subject to the provisions of CCC 40.420.010 and 40.460.250.</u> See also "normal repair."</p>
Normal Repair	<p>"Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, <u>except where for repair that would causes substantial adverse effects to shoreline resources or environment; and, provided, that the replacement of a demolished existing single-family residence and its appurtenances is not considered normal repair; and further provided, that repair or replacement of nonconforming uses is subject to CCC 40.420.010 and</u></p>

40.460.250. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment (WAC 173-27-040(2)(b)) - See also "normal maintenance."

865

866

867

Section 10. Effective date. This ordinance shall take effect two weeks after Washington State DOE approval. Provisions in Chapter 40.386 shall take effect January 8, 2016.

868

869

870

Section 11. Instructions to the clerk.

871

The Clerk to the Board shall:

872

1. Record a copy of this ordinance with the Clark County Auditor.

873

2. Transmit a copy of this ordinance to the State Departments of Ecology and Commerce within ten days of its adoption.

874

875

3. Cause notice of adoption of this ordinance to be published forthwith pursuant to RCW 36.70A.290.

876

877

4. Transmit a copy of this ordinance to Code Publishing, Inc. to update the electronic version of the Clark County Code.

878

879

ADOPTED this _____ day of _____, 2015.

880

881

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY, WASHINGTON

882

Attest:

883

884

By _____
David Madore, Chair

885

Clerk to the Board

886

887

Approved as to Form Only:

888

ANTHONY F. GOLIK

By _____
Tom Mielke, Councilor

889

Prosecuting Attorney

890

891

By 
Christine Cook

By _____
Jeanne E. Stewart, Councilor

892

893

Sr. Deputy Prosecuting Attorney

894