

APPENDIX I

LEGAL ISSUES AFFECTING LA CENTER JUNCTION

The state's *Growth Management Act* requires local jurisdictions to adopt and regularly update comprehensive plans detailing the jurisdiction's intentions regarding population growth, land use zoning, road improvements, etc. This act has 14 goals, two of which address resource lands (agriculture, forestry & mining) and economic development.

When Clark County updated its comprehensive plan in 2007, it added a considerable amount of land to La Center's urban growth area (i.e., the area the city believes is needed to accommodate 20 years worth of growth). In effect, the county converted rural agricultural land to urban commercial and industrial zoning for economic development purposes.

Clark County Natural Resources Council and Futurewise (hereinafter CCNRC) appealed the county's de-designation of agricultural lands to the Western Washington Growth Management Hearings Board. This board found the county's action substantially interfered with the fulfillment of *Growth Management Act* goals and declared portions of the comprehensive plan invalid. CCNRC and the board believe the goal related to resource lands trumps the economic development goal. This effectively removed hundreds of acres at the junction from La Center's urban growth area on May 17, 2008.

Clark County, La Center and others appealed this decision to Clark County Superior Court arguing that the Growth Management Act's goals have equal weight and may be balanced to serve the needs of the local community. Judge Robert Harris agreed and reversed the board's decision in June 2009 thereby restoring La Center's urban growth area to its original form.

CCNRC appealed this decision to the Washington State Court of Appeals in July 2009. Hearings have yet to be scheduled.