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ORDINANCE NO. 176, 1982

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLALLAM COUNTY ESTABLISHING LAND USE REGULATIONS AND ZONES WITHIN THE UNINCORPORATED AREA OF CLALLAM COUNTY, REGULATING THE USES OF PROPERTY PUBLICLY AND PRIVATELY OWNED THEREIN, ADOPTING MAPS DIVIDING CLALLAM COUNTY INTO LAND USE ZONES, PROVIDING FOR AMENDMENTS, THERETO, PROVIDING FOR STANDARDS AND PROCEDURES PERTAINING TO THE GRANTING OF VARIANCES AND CONDITIONAL USES, CREATING A BOARD OF ADJUSTMENT, AND PROVIDING FOR ENFORCEMENT ACTIONS FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS OF CLALLAM COUNTY:

CHAPTER 33

ZONING ORDINANCE

Section 33.01.000 STATUTORY AUTHORIZATION. This ordinance shall be known and cited as the Clallam County Zoning Code and is hereby a part of the Clallam County Code. This ordinance is adopted under the authority of RCW 35.63 and the Clallam County Charter.

Section 33.02.000 PURPOSE. This ordinance is adopted as an official land use control for the unincorporated area of Clallam County to:

1. Maintain the public health, safety and welfare.
2. Direct the future growth and development of the County consistent with the Clallam County Comprehensive Plan.
3. Provide the economic, social and aesthetic advantages resulting from an orderly planned use of land resources within the County.
4. Provide definite and precise official land use regulations for public and private property within Clallam County.
5. Maintain a high quality and environment in order to continue to attract people and desirable businesses from all over the nation.

Section 33.03.000

CONTENT. This ordinance consists of the text hereof and the official zoning maps filed in the County Auditor's Office identified by the signature of the Board of County Commissioners and marked and designated as the official zoning maps of the Clallam County Zoning Code. For the purposes of administration and enforcement replicas of the zoning maps and any map amendment shall be located in the Clallam County Public Works Department.

## DEFINITIONS

- Section 33.10.010 DEFINITIONS. For the purpose of this chapter, certain terms or words herein shall be interpreted as specifically defined in this chapter. All other words in this chapter shall carry the meanings as specified in Webster's New Collegiate Dictionary of 1980.
- Section 33.10.015 ACCESSORY DWELLING UNIT. A separate dwelling unit within a single family dwelling that does not occupy more than 35 percent of the entire single family dwelling structure and complies with the standards set forth in this Chapter. Accessory dwelling units are not computed when calculating density or minimum lot size.
- Section 33.10.020 ACCESSORY IMPROVEMENTS. An improvement which is subordinate to or incidental to the main use of a parcel. Such improvements shall be but are not limited to fences, garages, storage sheds, walkways, driveways, utilities, sewage disposal systems, landscaping, off-street parking and small buildings for workshop. Improvements which are detached from a dwelling unit located on the parcel and intended for overnight sleeping uses are an accessory improvement to a residential use.
- Section 33.10.022 ACCESSORY USES. A use which is normally subordinate to or incidental to the main use on the lot.
- Section 33.10.025 ADMINISTRATOR. The Director of the Planning Department of Clallam County or his/her designee.
- Section 33.10.030 AGRICULTURE. Improvements and activities associated with the raising and harvesting of crops and livestock.
- Section 33.10.040 BED AND BREAKFAST INNS. A dwelling which is converted partially or entirely into an overnight, short-term boarding house without detracting from the residential appearance of the structure.
- Section 33.10.045 BOARDING HOUSE. A dwelling unit which is occupied by persons for primarily weekly and monthly lodging purposes and may or may not include facilities to store and cook food. Said occupation is subject to payment of a fee. The owner and his/her family may or may not occupy the boarding house. Boarding house and rooming house shall have the same meaning.
- Section 33.10.050 BUILDING. Any permanent walled and roofed structure used or intended for supporting or sheltering.
- Section 33.10.055 CHAPTER. The Clallam County Zoning Code, Chapter 33.

- Section 33.10.060 CHURCH. A building or buildings intended for religious worship including ancillary activity and improvements such as religious education, assembly rooms, kitchen, reading room, recreation hall and may include a residence for church staff. This definition does not include schools devoted primarily to nonreligious education.
- Section 33.10.065 CLUBS. Any structure accommodating an organization which is operated not for profit where entrance to the premises is contingent upon the payment of a monthly or yearly fee.
- Section 33.10.070 COMMERCIAL USE. Any premises devoted primarily to the wholesaling or retailing of a product or service for the purpose of generating an income. Not less than 80 percent of the gross revenue of the commercial business is generated by the sale of products not manufactured on the premises.
- Section 33.10.072 COMMERCIAL, OUTDOOR ORIENTED RECREATION USE. Improvements and land use activities which are intended to provide for recreation activity for a profit which is carried on outside of buildings and involving the use and enjoyment of features of the surrounding environment to include but not be limited to restaurants and resort motels and hotels, campgrounds, recreation vehicle parks, boat launching facilities and variety stores which are an integrated part of a resort motel or hotel.
- Section 33.10.075 COMMISSION. The Clallam County Planning Commission appointed by the Board of County Commissioners.
- Section 33.10.080 COMMUNICATION RELAY FACILITIES. Telephone, telegraph, television, radio, cables, microwave stations, retransmission improvements, substations and any other communication conveyance. This definition includes commercial broadcast stations.
- Section 33.10.082 COMMUNITY SEWER SYSTEM. A sewage disposal system which serves more than one building, dwelling or business other than a guest house and approved by the Department of Ecology or the County Health Department whichever agency has jurisdiction.
- Section 33.10.085 COMPREHENSIVE PLAN. The Clallam County Comprehensive Plan, County Code Chapter 33.
- Section 33.10.087 CONDITIONAL USE. An activity or structure which is allowed by this chapter in one or more zones pursuant to the procedures and requirements of Section 33.42. Conditional uses and activities allowed by this chapter include accessory uses and improvements.

- Section 33.10.090 COUNTY. Clallam County.
- Section 33.10.095 CORNER LOT. A lot which bounded on two sides by intersecting roads.
- Section 33.10.100 DAY CARE CENTER. A child or adult day care operation which serves an average of eight or more persons per day for a 30-day or longer period.
- Section 33.10.105 DENSITY. The number of dwelling units per gross acre of land.
- Section 33.10.107 DWELLING UNIT. Any building or any portion thereof which is intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes having independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking, sanitation and including accessory structures and improvements.
- Section 33.10.108 FAMILY. An individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.
- Section 33.10.110 FRONT LOT LINE. The boundary of a lot which is common to a public or private road or access easement. Where the lot abuts two or more roads the lot owner may designate one of the lot lines common to one of the roads as the front lot line at the time the lot is developed.
- Section 33.10.115 GROCERY STORE. A structure devoted primarily to the sale of staple foodstuffs and household commodities.
- Section 33.10.117 GROSS FLOOR AREA. The sum of the horizontal areas of one or more floors of a building measured from the exterior face of exterior walls or from the centerline of a wall separating two commercial uses but not including interior parking spaces, storage spaces, loading spaces and basements which are not used for human habitation or service to the public.
- Section 33.10.120 HAZARDOUS WASTE MATERIALS. Materials which are toxic or flammable, and which could explode or be extremely corrosive, or emit unsafe levels of radiation or noxious gases.
- Section 33.10.125 HOME ENTERPRISE. A revenue generating enterprise which is located in a dwelling and is subordinate to and incidental to the residential use of the dwelling and meets all criteria in Section 33.54.010.



- Section 33.10.127 HOME BASED INDUSTRY. A commercial, manufacturing or processing business located on a parcel together with an existing dwelling. The industry is located in a fully enclosed building separate from the dwelling and no larger than 2,000 square feet, limited to no more than two part time or full time employees other than the owner and consistent with home enterprise criteria 33.54.010, items (2) through (7).
- Section 33.10.130 IMPROVEMENT. The alteration of a lot or parcel by a person or any construction of a structure thereon.
- Section 33.10.135 INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEMS. A sewage disposal system which services only the use or uses located on the same parcel on which the system is located.
- Section 33.10.140 INDUSTRIAL USE. Any premises devoted primarily to the manufacturing of semi-finished products, finished products and the processing of materials. This definition includes accessory facilities such as but not limited to storage facilities, transfer facilities, warehousing, heavy vehicular storage and repair, log storage and sorting..
- Section 33.10.143 KENNELS. An establishment which is designed to accommodate the temporary boarding of six or more household pets owned by persons other than the owner of the premises.
- Section 33.10.145 LABOR CAMP. Facilities which are designed to accommodate persons who are employed in timber management activities. Such facilities provide for overnight sleeping, waste disposal and one cooking facility to serve the entire facility.
- Section 33.10.147 LAND USE. An activity on land serving man in some manner.
- Section 33.10.150 LOT, PARCEL, TRACT. A lot, parcel or tract shall be an ownership of land in which the boundary is defined by a deed recorded in the County Auditor's Office and assigned a tax parcel number by the County Assessor; or a lot which has been defined by a survey recorded pursuant to Washington State surveying or platting laws and is assigned a tax parcel number by the County Assessor; or parcels recognized by resolution of the Board of County Commissioners adopted prior to the effective date of this ordinance.

- Section 33.10.155 MEDICAL SERVICE FACILITY. A medical physicians clinic or outpatient care clinic where overnight accommodations are not provided.
- Section 33.10.160 MINERAL EXTRACTION. Activities involved in the extraction of minerals from the earth for industrial, commercial, or construction uses, excluding water. For the purpose of this chapter, removal of solid materials from the earth is not deemed mineral extraction until the solid materials removed in a 36-month period exceed 10,000 tons or, if more than two acres are newly disturbed within a 12-month period. Farming, road construction, mineral exploration testing and site preparation for construction shall not be deemed mineral extraction activities.
- Section 33.10.164 MINIMUM LOT SIZE. The smallest parcel size upon which a dwelling may be placed or constructed, provided that roads and open spaces, dedicated to the public, and tidelands shall be provided in Section 33.50.140.
- Section 33.10.165 MINIMUM ZONE SIZE. The minimum size of a new zone if it is not contiguous with an existing zone having the same zone name.
- Section 33.10.170 MOBILE HOME PARK. A lot or parcel of land occupied by two or more mobile homes on a rent or lease basis, and approved by Clallam County pursuant to County regulations.
- Section 33.10.175 MOBILE HOMES. Transportable structures intended for permanent single family dwelling purposes. Such structures are constructed in whole or in components in manufacturing plants.
- Section 33.10.180 MULTIPLE FAMILY DWELLING. A building containing two or more dwelling units.
- Section 33.10.185 NON-CONFORMING USE OR STRUCTURE. A lawful structure or use existing at the time this chapter or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.
- Section 33.10.190 NON-COMMERCIAL OUTDOOR ORIENTED RECREATION USE. Improvements and land use activity which are intended to facilitate non-profit recreation activity which is carried on outside of buildings and involving the use and enjoyment of features of the surrounding environment provided that this definition does not preclude the collection of user fees to pay for maintenance and operation.

- Section 33.10.195 PARCEL. Refer to Section 33.10.150 for the definition of parcel.
- Section 33.10.197 PARKING SPACE. A parking space is a ten foot wide by 20 foot long area set aside for the parking of one motor vehicle.
- Section 33.10.200 PERMITTED USE. An activity or structure which is allowed in a zone pursuant to this chapter without conditions or formal action by the County, except as required by other chapters of the Clallam County Code. A permitted use includes uses and improvements which are customarily accessory to the use.
- Section 33.10.205 PERSON. A man, woman, firm, association, partnership, political subdivision, government agency, corporation or any other human entity whatsoever.
- Section 33.10.220 PORTABLE IMPROVEMENT. An improvement which is not permanently affixed to the ground and can be readily transported to another parcel.
- Section 33.10.225 PROFESSIONAL OFFICES. A structure accommodating the following professional offices: medical, dental, chiropractic or veterinary offices; accounting, consulting, cosmetologist, real estate offices or such other offices of persons required to be licensed by the State of Washington following completion of required training.
- Section 33.10.230 PUBLIC BUILDING. A building which is used or owned by a governmental agency.
- Section 33.10.235 PUBLIC IMPROVEMENTS. Any improvement of a parcel which is owned or used by a governmental agency.
- Section 33.10.237 RACE TRACK. An area devoted to the racing of motor and non-motorized vehicles including bicycles, and all improvements normally associated with racing such as off-street parking, patron seating, and a fixed race track.
- Section 33.10.239 RECREATIONAL VEHICLE PARK. A lot occupied by two or more recreation vehicles as defined by State health laws for the purpose of lease or rent for overnight occupation.
- Section 33.10.240 RESEARCH FACILITY. An improvement devoted to or supporting research activities and having minimal nuisance characteristics related to odor, noise, glare and radiation. Research is an activity devoted to the obtaining of knowledge and does not include any product retailing or wholesaling activity. Testing for surface and subsurface minerals is not a research activity.

- Section 33.10.245 RETAIL USE. A land use devoted primarily to the sale of a product or service to the general public.
- Section 33.10.250 ROAD RIGHT-OF-WAY. A public or private road, including adjacent area designated for future road expansion as specified by recorded easements, recorded ownership instruments, or dedications accepted by the County for public transportation purposes.
- Section 33.10.255 SCHOOL. For the purposes of this chapter, a school is a building where instruction is given to persons to enhance their knowledge or skills. Buildings where instruction is given primarily on religious matters are not deemed to be schools.
- Section 33.10.260 SETBACK. The minimum distance allowed by this chapter between a lot line and the eaves of any building on the lot.
- Section 33.10.265 SINGLE FAMILY DWELLING. A dwelling unit detached from any other dwelling unit and intended for occupation by one family and including accessory improvements and uses. This definition includes manufactured homes such as mobile homes, modular homes and other homes manufactured in components or as one complete dwelling unit.
- Section 33.10.267 STORAGE FACILITY. A building or fenced open yard used solely for the storage of goods and materials provided that automobile wrecking or salvage facilities are excluded from this definition.
- Section 33.10.270 STRUCTURE. An improvement in which manufactured or processed materials are connected in a definite pattern or organization and having a definite purpose or function.
- Section 33.10.275 TIMBER MANAGEMENT ACTIVITY. Improvements and activities associated with the growing and harvesting of trees. Such activity includes land preparation for tree planting, road construction, tree thinning, brush control, log storage and sorting yards, tree nursery facilities, research activity related to timber growing, improvements required for environmental impact mitigation, temporary chipping and barking activity utilizing portable equipment, storage of materials, vehicles and equipment supporting timber growing, harvesting and transportation activities, staging areas and facilities, timber transshipment facilities, log scaling facilities, the extraction of gravel and rock necessary to support timber management activity and all other silviculture and associated practices which are recognized by and consistent with the regulations of the Washington State Forest Practices Act of 1974.

- Section 33.10.280 UTILITY. A fixed, conveyance type improvement serving two or more ownerships. Said improvement conveys power, gas, water, sewage, surface drainage, and communication signals. This definition does not include inter-county or interstate transmission facilities.
- Section 33.10.283 VARIANCE. An exception from the minimum standards of this chapter allowed by the provisions of Section 33.43 of this chapter.
- Section 33.10.285 WHOLESALE COMMERCIAL USE. Establishments or places of business primarily engaged in selling merchandise or services to retailers, industrial customers, institutional agencies, professional business users or to other wholesalers.

Section 33.20

SCOPE OF LAND USE ZONES AND BOUNDARY DEFINITIONS

Section 33.20.010

LAND USE ZONES - ESTABLISHMENT. In order to carry out the purpose of this chapter, the following land use zones are established:

Forestry 1	F1
Forestry Residential	F3
Rural Residential 1	RR1
Rural Residential 2	RR2
Rural Residential 3	RR3
Quillayute Residential	QR1
Urban Residential 1	UR1
Urban Residential 2	UR2
Urban Residential 3	UR3
General Commercial	C1
Tourist Commercial	C2
Recreation Commercial	C3
Rural Center	C4
Industrial	M1
Light Industrial	M2
Limited Industrial	M3
Mixed Use	G1

Section 33.30.000 of this chapter sets forth the permitted uses, conditional uses, densities and development standards for each of the above specified zones. The location and boundary of each zone listed above are specified on the official zoning map and amendments thereto as signed by the Board of County Commissioners and filed in the Office of the County Auditor.

Section 33.20.020

BOUNDARIES. Where uncertainty exists as to the boundaries of any zone shown upon the zoning map, the following rules shall apply.

A. Where such boundaries are indicated as approximately following the center line of streets or alleys or lot lines, such lines shall be construed to be such boundaries.

B. Where one or more zone boundary intersects a parcel, the location of such boundary shall be determined by use of the scale appearing on said zoning map and the respective portions of the parcel shall be subject to the respective zones except as provided in item (D) of this section.

C. Where a public street is officially vacated or abandoned, the area comprising such vacated street or alley shall acquire the classification of the property to which it reverts.

D. Where a zone boundary intersects a lot or lots which are a part of a subdivision approved pursuant to County subdivision regulations, the entire lot shall be subject to the requirements of the zone which is the most compatible with the purpose and function of the subdivision provided that this provision shall not diminish the effectiveness of applicable plat restrictions.

E. Where a watercourse is designated as the boundary between two zones, the centerline of said watercourse shall be the precise boundary.

Section 33.30

LAND USE ZONES. The following land use zones are hereby created and the permitted uses, conditional uses shall be as specified herein for each zone. All uses not specifically listed are not permitted except as provided in Section 33.50.070 or by amendment of this chapter.

Section 33.31

FORESTRY ZONES. The following Forestry Zones are established and the permitted uses, conditional uses and development standards shall be as set forth herein.

Section 33.31.010

FORESTRY ZONE (F1) PERMITTED USES. The purpose of this zone is to protect large forest land parcels from encroachment of uses which threaten effective forest management practices. The following land development and activity are permitted in a F1 Zone.

1. Single family dwellings.
2. Improvements and activities associated with the raising of crops and livestock.
3. Land and water related improvements and activities associated with public outdoor oriented recreation uses.
4. Timber management activities.
5. Retailing of products manufactured on the premises.
6. Utilities and fire protection facilities serving permitted and conditional uses.
7. Fish and wildlife management structures and activities.
8. Home enterprises consistent with the standards specified in Section 33.54.010 of this chapter.
9. Mineral extraction and processing of aggregates.
10. Planned unit residential developments.
11. Labor camps and staging areas supporting timber management activity.
12. Research facilities.



13. Power generation facilities having a capacity of not more than five megawatts.
14. Commercial greenhouses and plant nurseries.
15. Cemeteries and related facilities.
16. Communication relay facilities.

Section 33.31.020

FORESTRY 1 CONDITIONAL USES ALLOWED. The following conditional uses are allowed pursuant to the procedures and requirements of Section 33.42 of this chapter.

1. Manufacturing and processing into semi-finished or finished form, products consisting primarily of wood.
2. Solid or liquid waste disposal facilities.
3. Improvements and activities associated with commercial outdoor oriented recreation uses.
4. Power generation facilities having a capacity of more than five megawatts.
5. Race tracks.
7. Temporary asphalt and concrete plants.
8. Public buildings unless specified otherwise by this chapter.
9. Home based industry.

Section 33.31.030

F1 STANDARDS. Permitted and conditional uses shall conform to the minimum standards set forth below:

1. Minimum parcel size for a single family residence: 20 acres per dwelling.
2. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this chapter.
3. The minimum zone size: 20 acres.
4. The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.

Section 33.31.080

FORESTRY RESIDENTIAL ZONE (F3) PERMITTED. This zone is intended to provide homesites in rural forestry areas without significantly detracting from the long term timber production capability of the land within the zone and adjacent to the zone. The permitted uses are as follows:

1. Single family dwellings.
2. Improvements and activities associated with the raising of crops and livestock.
3. Timber management activities.
4. Retailing of products manufactured on the premises.
5. Utilities and fire protection facilities necessary to serve the permitted and conditional uses.
6. Home enterprises consistent with the standards specified in Section 33.54.010 of this chapter.
7. Power generating facilities having a capacity of not more than five megawatts.
8. Commercial greenhouses and plant nurseries.
9. Non-commercial, outdoor oriented recreation uses.
10. Communication relay facilities.
11. Research facilities.
12. Fish and wildlife management structures and activities.
13. Outdoor oriented recreation improvements and activities.
14. Planned unit residential developments.

Section 33.31.090

CONDITIONAL USES - F3 ZONE. The following conditional uses may be permitted subject to the procedures and requirements of Section 33.42 of this chapter:

1. All conditional uses and activities specified for a F1 Zone in Section 33.31.020 of this Chapter.

Section 33.31.100

STANDARDS - F3 ZONE. Permitted uses and conditional uses allowed in a F3 Zone shall conform to the following standards:

1. Minimum parcel area for a single family dwelling: 4.8 acres or 1/128 of a section whichever is less in area except as provided in item (2) below.
2. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this chapter.
3. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.
4. Minimum zone size: 20 acres.

Section 33.32

RURAL RESIDENTIAL ZONES - CREATED. The following rural residential zones are established for the purposes as stated in each of the following subsections and the County Comprehensive Plan. The permitted uses and conditional uses and development standards shall be as set forth below.

Section 33.32.010

RURAL RESIDENTIAL 1 PERMITTED USES (RR1). This zone is intended to provide areas having a very low density rural setting free from commercial, industrial and suburban residential density developments. The following uses are permitted in a RR1 Zone:

1. Single family dwellings.
2. Planned unit residential developments.
3. Improvements and activities associated with the raising of crops and livestock.
4. Home enterprises consistent with the standards specified in Section 33.54.010 of this Chapter.
5. Utilities and fire protection facilities necessary to serve permitted and conditional uses.
6. Timber management activities.
7. Non-commercial, outdoor recreation improvements and activities.
8. Cemeteries.
9. Communication relay facilities.
10. Power generating facilities having a capacity of not more than five megawatts.
11. Mobile home parks.

Section 33.32.020

CONDITIONAL USES - RR1 ZONE. The following conditional uses are allowed subject to the procedures and standards of Section 33.42 of this chapter.

1. Extraction of minerals.

2. Land and water related commercial outdoor oriented recreation improvements and activities.
3. Power generating facilities having a capacity of over five megawatts.
4. Commercial greenhouses and plant nurseries.
5. Temporary roadside stands for the sale of seasonal agriculture products.
6. Churches, schools and meeting halls.
7. Research facilities.
8. Cemeteries.
9. Professional offices.
10. Day care centers.
11. Home based industry.
12. Race tracks.
13. Kennels.
14. Temporary asphalt and concrete plants.
15. Public buildings unless specified otherwise by this chapter.

Section 33.32.030

STANDARDS - RRI ZONE. Permitted and conditional uses shall comply with the minimum standards as follows:

1. Minimum lot area for each single family dwelling: 4.8 acres or 1/128 of a section whichever is less in area except as provided in item (3) below.
2. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.
3. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this chapter.
4. Minimum zone size: 20 acres.

5. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.

Section 33.32.040

RURAL RESIDENTIAL 2 ZONE (RR2) PERMITTED USES.  
This zone is intended to provide areas for those persons who desire to live in a low density rural setting free from future encroachment of commercial and industrial activity. The following developments and land use activities are permitted in a RR2 Zone:

1. All uses and activities permitted in a RR1 Zone as specified in Section 33.32.010 except log storage and sorting yards.

Section 33.32.050

CONDITIONAL USES - RR2 ZONE. The following conditional uses are allowed in a RR2 Zone subject to the procedures and requirements specified in Section 33.42 of this chapter.

1. All conditional uses permitted in a RR1 Zone as specified in Section 33.32.020.

2. Log storage and sorting yards.

Section 33.32.060

STANDARDS - RR2 ZONE. The permitted and conditional uses allowed in a RR2 Zone shall comply with the following minimum standards:

1. Minimum lot area for a single family dwelling: 2.4 acres except as provided in item (3) below.

2. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.

3. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to 33.38 of this chapter.

4. Minimum zone size is 20 acres.

5. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.

Section 33.32.070

RURAL RESIDENTIAL 3 ZONE (RR3) PERMITTED USES.  
This zone is intended to provide areas for those persons who desire to live in a moderate density rural setting free from future encroachment of commercial and industrial land uses. The following developments and land use activities are permitted in a RR3 Zone:

1. All uses permitted in a RR1 Zone Section 33.-32.010, except log storage and sorting yards.

Section 33.32.080

CONDITIONAL USES - RR3 ZONE. The following conditional uses are permitted in a RR3 Zone subject to the procedures and requirements of Chapter 33.42.

1. All conditional uses permitted in a RR1 Zone Section 33.32.020, except race tracks.

2. Communication broadcast stations.

Section 33.32.090

STANDARDS - RR3 ZONE. The permitted and conditional uses allowed in a RR3 Zone shall comply with the following minimum standards:

1. Minimum lot area for each single family dwelling: one acre except as provided in item (3) below.

2. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the center line of the fronting road whichever is the greater distance.

3. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this Chapter.

4. Minimum zone size is 20 acres.

5. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.

Section 33.32.100

QUILLAYUTE RESIDENTIAL ZONE (QR1) - PERMITTED USES. A Quillayute Residential classification is intended to provide for residential development for those isolated areas of western Clallam County which have experienced minimal growth. Nearly all land is owned by the government or large timber companies, leaving a limited amount of areas in small private land holdings where residential development is possible. The following land uses are permitted in a QR1 Zone:

1. All uses and activities permitted in a RR1 Zone as specified in Section 33.32.010.

Section 33.32.110

CONDITIONAL USES ALLOWED QR1 ZONE. The following conditional uses are allowed in a QR1 Zone subject to the procedures and requirements in Section 33.42 of this chapter pertinent to conditional uses:

1. All conditional uses allowed in a RR1 Zone Section 33.32.020.
2. Woodmilling and manufacturing of shakes, shingles and bolts involving eight or fewer full or part time employees and such activity does not occupy more than two acres of a parcel.
3. Race tracks.

Section 33.32.120

STANDARDS QR1 ZONE. The permitted and conditional uses allowed in a QR1 Zone shall comply with the following minimum standards:

1. Minimum lot area for each single family dwelling: one half acre except as provided in item (3) below of this subsection.
2. The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.
3. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this Chapter.
4. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.



Section 33.33

URBAN RESIDENTIAL ZONES CREATED. The urban residential zones are established in the subsections below for the purposes as stated therein and the purposes set forth in the County Comprehensive Plan. The permitted uses and activities, conditional uses and development standards shall be as set forth in each UR Zone specified below.

Section 33.33.010

URBAN RESIDENTIAL 1 (URI) - PERMITTED USES. This zone is intended to provide moderate density residential areas in the County's urban areas for those who wish to live on larger parcels in urban areas where they can have ample living space to accommodate a variety of activities. This zone shall serve as a rural to urban transition zone for residential areas which have community water available but lack sanitary sewers: at such time as sewers are planned to serve all or portions of the zone, higher residential density zones may be acceptable. The following uses are permitted in a URI Zone.

1. Single family and two family residential structures.
2. Utilities necessary to serve permitted and conditional uses.
3. Improvements and activities associated with the raising of crops and livestock.
4. Harvesting of timber and associated activities.
5. Home enterprises consistent with the standards specified in Chapter 33.54.010
6. Communication relay facilities.
7. Planned unit residential developments.
8. Mobile home parks.
9. Power generating facilities having a capacity of not more than one megawatt.

Section 33.33.020

URI ZONE CONDITIONAL USES. The following improvements and activities are allowed in a URI Zone subject to the procedures and requirements in Section 33.42 of this chapter.

1. Commercial green houses and plant nurseries.
2. Temporary roadside stands for the sale of seasonal agriculture products.

3. Non-commercial meeting buildings including but not limited to churches, clubs, lodges, grange halls, schools, fire stations and public buildings.
4. Cemeteries.
5. Golf courses and associated club houses.
6. Medical facilities, sanitariums, rest homes, homes for the aged and handicapped, nursing homes, convalescent homes, group homes, boarding houses and bed and breakfast homes.
7. Non-commercial outdoor recreation uses.
8. Professional offices.
9. Neighborhood grocery stores meeting the following minimum standards:
  - a. The retail area of the store does not exceed 2,000 square feet.
  - b. No products manufacturing or processing will occur on the premises.
  - c. The structure design and landscaping are similar to single family residences in the immediate vicinity.
  - d. On-street parking is allowed on the road on which it fronts if the road is 35 feet or more in paved width and short term on-street parking that will not threaten public safety.
  - e. All signs shall be affixed to the store, and associated lighting facilities shall be designed and placed so that glare is not a nuisance to existing and future residences.
10. Day care centers.
11. Communication relay facilities.

Section 33.33.030

URI ZONE MINIMUM STANDARDS. The following minimum standards shall apply to permitted and conditional uses in a URI Zone:

1. Minimum lot area for single family and two-family dwellings:  $\frac{1}{2}$  acre per single family or two-family dwelling.

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2. Maximum density for mobile home parks: the minimum lot size of mobile home lots within a mobile home park shall be as specified in item (1) above provided that the density of the park may be increased to a maximum of seven mobile homes per acre provided that (a) an on-site community sewer treatment facility is provided to serve the park and landscaped vegetation buffering is provided at the boundary of the park.

3. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the center line of the fronting road whichever is the greater distance.

4. Minimum zone size: ten acres.

5. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.

6. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this Chapter.

Section 33.33.040

URBAN RESIDENTIAL 2 (UR2) - PERMITTED USES. This zone is intended to provide areas for city density residential development where community sewer and water systems are available or can be made available. The following improvements and activities are allowed in a UR2 Zone:

1. All uses allowed in a UR1 Zone Section 33.33.010.
2. A multiple dwelling structure which includes not more than four attached dwellings.

Section 33.33.050

UR2 ZONE - CONDITIONAL USES. The following improvements and activities are allowed in a UR2 Zone subject to the procedures and standards in Section 33.42 of this chapter:

1. All conditional uses allowed in a UR1 Zone, Section 33.33.020.

Section 33.33.060

UR2 ZONE MINIMUM STANDARDS. The following minimum standards shall apply to permitted and conditional uses in a UR2 Zone:

1. Minimum lot area for single and two-family residential structures: 9,000 square feet.

2. Maximum density for mobile home parks: the minimum lot size of mobile home lots within a mobile home park shall be as specified in item (1) above provided that the density of the park may be increased to a maximum of seven mobile homes per acre provided that a community sewer treatment facility is provided to serve the park and landscaped vegetation buffering is provided at the boundary of the park.

3. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.

4. Minimum lot area for three-family and four-family residential structures: 14,000 square feet for a three-family structure and 18,000 square feet for a four-family structure.

5. Minimum zone size: 10 acres.

6. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural residential character of the area.

7. Higher densities of residential development are allowed as part of a planned unit development approved pursuant to Section 33.38 of this Chapter.

Section 33.33.070

URBAN RESIDENTIAL 3 (UR3) - PERMITTED USES. The purpose of this zone is to provide high density residential areas adjacent to the County's municipalities where community sewer and water service can be provided. It is intended to provide for multiple family housing needs of those County citizens requiring economical, low maintenance housing.

Section 33.33.080

PERMITTED USES UR3 ZONE. The following uses are permitted in a UR3 Zone:

1. All uses allowed in a UR1 Zone Section 33.33.010.
2. Multiple family dwellings.
3. Non-commercial outdoor recreation uses.

4. Medical facilities, sanitariums, rest homes, homes for the aged and handicapped, nursing homes, convalescent homes, group homes, boarding houses and bed and breakfast homes.

Section 33.33.090

CONDITIONAL USES UR3 ZONE. The following improvements and activities are allowed in a UR3 Zone subject to the procedures and standards in Section 33.42 of this Chapter pertinent to conditional uses:

1. Conditional uses allowed in a UR1 Zone, Section 33.33.020 except items (5), (6) and (7).

Section 33.33.100

MINIMUM STANDARDS - UR3 ZONE. The minimum standards for permitted uses and conditional uses in a UR3 Zone are as follows:

1. Minimum lot area for single and two-family residential structures: 9,000 square feet.

2. Minimum lot area for three-family and four-family residential structures: 14,000 square feet for a three-family structure and 18,000 square feet for a four-family structure.

3. Minimum zone size: ten acres.

4. The minimum lot size for multiple family dwellings having five or more dwelling units shall be 19,500 square feet for a five unit structure, plus 1,000 square feet for each dwelling unit which exceeds five units.

5. Professional offices shall be designed and landscaped to blend in with the residential uses within the zone. Structural design shall not detract from rural and residential character of the area.

6. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the center line of the fronting road whichever is the greater distance.

Section 33.34

COMMERCIAL ZONES CREATED. The following commercial zones are created to provide convenient areas for a variety of commercial activities to meet the needs of the County's citizens and the traveling public within the unincorporated area for the purposes as set forth in the County Comprehensive Plan.

Section 33.34.010

GENERAL COMMERCIAL ZONE - C1 - PERMITTED USES. The purpose of general commercial zones is to provide commercial areas within or near populated areas that allow for a wide range of goods and services to meet the needs of the general population. The following uses are permitted in a C1 Zone:

1. All retail and wholesale commercial uses.
2. Public buildings and improvements.
3. Utilities and fire protection facilities serving permitted and conditional uses.
4. Community buildings, clubs, lodges, and churches.
5. A single family dwelling associated with other uses specified in the permitted and conditional uses of the C1 Zone.
6. Recreation facilities and activities.
7. Timber management activities.
8. Professional offices.
9. Improvements and activities associated with the raising of crops and livestock.
10. Communication relay facilities.
11. Power generating facilities not more than five megawatts in capacity.

Section 33.34.020

CONDITIONAL USES C1 ZONE. The following conditional uses are allowed in a C1 Zone subject to procedures and standards of Chapter 33.42 of this ordinance:

1. Vehicular wrecking, salvage or crushing facilities.

2. Hospitals.
3. Manufacturing, processing or assembling of products for on premise retail sales where 60 percent or more of the floor area of associated buildings are devoted to retail or wholesale activities.
4. Mineral extraction.
5. Research facilities.
6. Storage facilities.
7. Home based industry.
8. Kennels.

Section 33.34.030

MINIMUM STANDARDS - C1 ZONE. The following minimum standards apply to permitted and conditional uses in a C1 Zone:

1. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.
2. Side yard: Buildings shall be set back from side lot lines consistent with the County Building Code and Uniform Fire Code. Attached commercial buildings are allowed provided that the County Building Code and Uniform Fire Code are satisfied.
3. Minimum lot area: Sufficient area to satisfy water supply and sewage disposal requirements of the State Board of Health and Clallam County.
4. Offstreet parking:
  - a. Retail Commercial Uses: One parking space for every 200 square feet of gross retail shopping space.
  - b. Restaurants and Taverns: One parking space for each 100 square feet of gross retail service area.
  - c. Commercial Services and Professional Services: One parking space per 400 square feet of gross floor area excluding basements.

5. Offstreet Loading: Commercial uses devoted to retail or wholesale uses shall be provided with loading areas as deemed appropriate by the project proponent provided that no public right-of-way or public easement may be used for parking, loading and unloading at any time. Project plans shall specify and justify loading areas.

6. Minimum Zone Size: Ten acres.

Section 33.34.040

TOURIST COMMERCIAL ZONE - C2 - PERMITTED USES.

The purpose of this zone is to provide areas in the more remote areas of the County adjacent to County arterials for the sale of goods and services required by the traveling public and vicinity residents. Those areas are reserved to assure that the areas most convenient to the public are available to serve their needs and to confine tourist commercial uses in specific areas to minimize commercial strips, unsafe access and traffic congestion. The following improvements and activities are permitted in a C2 Zone:

1. All retail commercial uses serving the traveling public and residents in the immediate vicinity. Such uses shall include:

- a. Grocery stores.
- b. Tourist shops.
- c. Vehicular service and repair facilities.
- d. Taverns.
- e. Food service establishments.
- f. Drug and variety stores.
- g. Recreaion vehicle parks.
- h. All recreation facilities.



- i. Financial institutions.
- j. Hotels and motels.
- k. Postal facilities.
- 2. Public buildings and improvements.
- 3. Community buildings, clubs, churches and lodges.
- 4. A single family dwelling associated with other uses specified as permitted and conditional uses in the C2 Zone.
- 5. Timber management activities.
- 6. Utilities and fire protection facilities.
- 7. Professional offices.
- 8. Communication relay facilities.
- 9. Power generating facilities having a capacity of not more than one megawatt.
- 10. Improvements and activities associated with the raising of crops and livestock.

Section 33.34.050

CONDITIONAL USES - C2 ZONE. The following conditional uses are allowed in a C2 Zone subject to procedures and standards of Chapter 33.42 of this ordinance:

- 1. All conditional uses as specified for a C1 Zone Section 33.34.020.
- 2. Research facilities.
- 3. Power generating facilities having over one megawatt capacity.

Section 33.34.060

MINIMUM STANDARDS - C2 ZONE. The following minimum standards apply to permitted and conditional uses in a C2 Zone:

- 1. All minimum standards set forth in a C1 Zone as specified in Section 33.34.030 except item (6) of said section pertaining to minimum zone size.
- 2. Minimum zone size: 5 acres.

3. Maximum zone size: 20 acres.
4. No retail use may occupy more than two acres.

Section 33.34.070

RECREATION COMMERCIAL ZONE - C3 - PERMITTED USES.  
The purpose of this zone is to protect quality recreation sites from non-recreation land uses which threaten the public's use and enjoyment of the recreation environment. The following improvements and activities are permitted in a C3 Zone:

1. Grocery stores.
2. Tourist shops.
3. Food service establishments.
4. Recreational vehicle parks.
5. Commercial and public recreation facilities.
6. Medical service facilities.
7. Hotels and motels.
8. Postal facilities.
9. A single family dwelling associated with a development or activity permitted in this subsection or associated with a conditional use.
10. Timber management activity.
11. Vehicular service and repair facilities.
12. Taverns which are attached to and part of a resort or recreational lodge.
13. Utilities and fire protection facilities serving permitted and conditional uses.
14. Improvements and activities associated with the raising of crops and livestock.

Section 33.34.080

CONDITIONAL USES - C3 ZONE. The following conditional uses are permitted in a C3 Zone subject to the procedures and standards of Chapter 33.42 of this ordinance:

1. Public buildings and improvements which do not relate to recreation activity.
2. Churches.
3. Communication relay facilities.

4. Mineral extraction.
5. Facilities devoted to research.
6. Storage facilities.
7. Home based industry.
8. Kennels.

Section 33.34.090 MINIMUM STANDARDS - C3 ZONE. The following minimum standards apply to permitted and conditional uses in a C3 Zone:

1. All minimum standards specified for a C1 Zone, Section 33.34.030 except item (6) of said section.

NOTE: No minimum zone size applies.

Section 33.34.100 RURAL CENTER ZONE - C4 - PERMITTED USES. This zone provides designations in rural areas which allow for a variety of uses including residential, commercial and light industrial for the purposes as set forth in the County Comprehensive Plan. The following uses are allowed in a C4 Zone:

1. All uses which are identified as permitted uses in one or more zones established by this chapter except industrial uses.

Section 33.34.110 CONDITIONAL USES - C4 ZONE. The following uses are allowed in a C4 Zone subject to procedures and standards of Chapter 33.42 of this ordinance:

1. Light industrial uses permitted in a M2 Zone.
2. Communication relay facilities.
3. Mineral extraction.
4. Vehicular wrecking, salvage or crushing facilities.
5. Storage facilities.
6. Kennels.

Section 33.34.120

MINIMUM STANDARDS - C4 ZONE. The following minimum standards apply to permitted and conditional uses in a C4 Zone:

1. Residential Uses: All minimum standards applicable to a UR3 Zone as specified in Section 33.33.100.
2. Commercial Uses: All minimum standards applicable to a C1 Zone, Section 33.34.030 except item (6) of said section.
3. Light Industrial Uses: All minimum standards applicable in a light industrial zone section.
4. Minimum zone size: 100 acres.

Section 33.35

INDUSTRIAL ZONE.

Section 33.35.010

INDUSTRIAL ZONE - M1 PERMITTED USES. The purpose of this zone is to reserve areas primarily for industrial uses pursuant to the industrial goals of the County Comprehensive Plan. The centralization of industries in industrial areas enables the public and private sectors to plan and construct public facilities and utilities which serve the specialized needs of industrial uses. The following uses are permitted in a M1 Zone:

1. All manufacturing and processing uses.
2. Wholesale uses.
3. Single family dwellings except as limited by Section 33.35.030.
4. Financial institutions, industrial products sales, establishments serving prepared food located on land controlled by an industrial ownership, vehicular service station and repair facility.
5. Public buildings and improvements.
6. Utilities and fire protection facilities serving permitted and conditional uses.
7. Storage facilities.
8. Improvements and activities associated with the raising of crops and livestock.
9. Research facilities.
10. Home enterprises consistent with the standards specified in Section 33.54.010 of this chapter.
11. Non-commercial recreation facilities associated with an industry or an industrial park.
12. Communication relay facilities.
13. Timber management activities.
14. All power generation facilities.
15. Retailing of products manufactured on the premises.

Section 33.35.020 CONDITIONAL USES. The following conditional uses are allowed in a M1 Zone subject to procedures and requirements of Section 33.42 of this ordinance:

1. Mineral extraction activities.
2. Vehicular wrecking, salvaging or crushing.

Section 33.35.030 MINIMUM STANDARDS M1 ZONE. The following minimum standards shall apply to a permitted and conditional use in a M1 Zone:

1. All uses shall be designed and operated to minimize odor, noise, glare, air and water pollution to protect the health, safety and welfare of other industrial uses within the M1 zone and land uses in neighboring non-industrial zones. If said nuisance characteristics cannot be adequately minimized in order to maintain the public welfare, the use shall not be permitted.
2. Minimum lot area: a) Densities are limited by state and county laws pertaining to sewage disposal, water supply and fire protection.  
b) A single family dwelling associated with timber management or farming uses shall be limited to a parcel not less than ten acres.  
c) Where the primary use of a parcel is residential, the minimum parcel size shall be ten acres.
3. Setback: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.
4. Minimum zone size: The minimum zone size shall be 40 acres if it is a new zone which requires an industrial land use map amendment to the County Comprehensive Plan and said map amendment is not contiguous with an existing industrial designation within the Comprehensive Plan.
5. To maintain the pleasant appearance of industrial zones and protect adjacent land uses, permitted manufacturing and processing uses and storage buildings and yards located adjacent to a residential subdivision approved by the County or adjacent to a non-industrial zone shall be provided with a vegetated buffer located between the use and the subdivision or non-industrial zone. The buffer shall consist of trees, shrubs, small plants, berms, or a combination thereof. Said buffer shall be adequately maintained for the life of the use. The

buffer plan shall be approved by the Administrator prior to the issuance of a building permit. Buffering improvements set forth in the approved buffer plan shall be accomplished within one year of the issuance of the subject building permit and where no building permit is required within one year of the Administrator's approval of the buffering plan.

6. Parking: Vehicular parking shall not be allowed on public streets or right-of-ways in a M1 Zone.

7. Off-street loading area: Loading areas shall be provided as deemed appropriate by the project owner provided that no road right-of-way area shall be used for loading or unloading. Off loading areas shall be designated on project plans submitted with building permit applications.

8. Residence on an industrial parcel: One single family dwelling is allowed on a parcel with an industrial use if the home is intended for occupation by the owner or manager of the industrial use or by a person securing the premises.

Section 33.35.040

LIGHT MANUFACTURING ZONE - M2 - PERMITTED USES.

This zone is intended to allow for certain low nuisance, low intensity industrial uses. With these characteristics, light manufacturing uses could be located in a wider variety of locations than more intensive industries having special service requirements. The following uses are permitted in a M2 Zone:

1. Storage facilities.
2. Wholesale establishments.
3. Repair and rental services.
4. Manufacturing processes which have minimal noise, odor, or air emission characteristics.
5. Research facilities.
6. Public buildings and improvements.
7. Utilities and fire protection facilities serving permitted and conditional uses.
8. Financial institutions, industrial products sales, establishments serving prepared food located on land controlled by an industrial ownership, vehicular service station and repair facility.

9. Single family dwelling as specified in Section 33.35.060(1).

10. Power generation facilities generating power for on premise consumption.

11. Retailing of products manufactured on the premises.

Section 33.35.050 CONDITIONAL USES - M2 - ZONE. The following conditional uses are allowed in a M2 Zone subject to the procedures and requirements of Section 33.42 of this ordinance.

1. Facilities generating power primarily for off premise use.

Section 33.35.060 MINIMUM STANDARDS - M2 ZONE. The following standards apply to the permitted and conditional uses in a M2 Zone:

1. All minimum standards applicable to permitted and conditional uses in a M1 Zone, as specified in Section 33.35.030 shall apply to the M2 Zone except minimum zone size.

2. Minimum zone size: The minimum zone size shall be 40 acres if it is a new zone which requires an industrial land use map amendment to the County Comprehensive Plan and said map amendment is not contiguous with an existing industrial designation within the Comprehensive Plan.

3. Noise, odor and air particulate emissions associated with manufacturing or processing activities shall be mitigated to the extent that they are not significant to owners of adjacent land. This standard does not apply to employee and material transportation activities to and from the premise.

4. If an industry is exempt from the State Environmental Policy Act, the Administrator may require that an industrial project proponent study certain potential nuisance characteristics and recommend mitigation measures that minimize the effect of the nuisance to adjacent property.

Section 33.35.070 LIMITED INDUSTRIAL ZONE - M3 PERMITTED USES. The purpose of this zone is to enable certain low nuisance industries having minimal land and employment requirements to locate in rural areas of the County without stimulating unplanned urban growth. Such industries do not require the development of additional public facilities at public expense to meet their operation needs.



The following uses are permitted in a M3 Zone:

1. Manufacturing and processing uses located entirely within a fully enclosed structure and having insignificant noise, odor or air emission characteristics. This standard does not apply to employee vehicular traffic or materials, transportation or storage activities associated with the manufacturing or processing use.
2. Storage facilities.
3. Wholesale establishments.
4. Improvements and activities associated with the raising of crops and livestock.
5. Public buildings and improvements.
6. Single family dwellings.
7. Utilities and fire protection facilities necessary to serve permitted uses and conditional uses.
8. Timber management activities.
9. Home enterprises consistent with the requirements of Section 33.53.010.
10. Research facilities.
11. Communication relay facilities.
12. Vehicle repair services.
13. Facilities generating power for on premise consumption.

Section 33.35.080 CONDITIONAL USES - M3 ZONE.

1. Facilities generating power for primarily off premise consumption.

Section 33.35.090 MINIMUM STANDARDS M3 ZONE. The following minimum standards apply to permitted and conditional uses in a M3 Zone:

1. All minimum standards applicable to permitted and conditional uses in M1 Zone as specified in Section 33.35.030 shall apply to the M3 Zone except minimum zone size.
2. Minimum zone size is 20 acres.

Section 33.36

MIXED USE ZONE.

Section 33.36.010

MIXED USE ZONE - G1 - PERMITTED USES. A mixed use zone is intended to allow a mix of land uses in those slow growing isolated areas of the County where ownership patterns and topographic features discourage significant growth. The mix of land uses will not be harmful to the health and safety of the persons within such a zone nor will it adversely affect their property. The following uses are allowed in a G1 Zone:

1. All land uses and supporting improvements which have not been declared a nuisance by State or County law or courts of competent jurisdiction or except as provided by Section 33.36.020, 33.36.030 and 33.51 of this chapter.

Section 33.36.020

MINIMUM STANDARDS - G1 ZONE. The following minimum standards shall apply to permitted and conditional uses in a G1 Zone:

1. Residential Uses:

- a. Triplexes and higher density multiple family dwellings are not permitted.
- b. Density: one single family or duplex dwelling per acre.
- c. Front yard setbacks: The minimum setback shall be 30 feet from the front lot line or 60 feet from the centerline of the fronting road whichever is the greater distance.

2. Commercial uses: All minimum standards applicable to commercial uses locating in a C1 Zone, Section 33.34.030, shall apply except the minimum zone size standard.

3. Industrial Uses: All minimum standards applicable to industrial uses in a M1 Zone shall apply except the minimum zone size standards.

4. Minimum Zone Size: a) 100 acres if the zone is not contiguous with a general purpose designation in the Comprehensive Plan Land Use Map.

5. Zone Designation: A mixed use zone may be established only if a citizens planning committee established pursuant to County Resolution recommends establishment of such zone and the rezone approval procedures required by state planning statutes are satisfied.

Section 33.38

PLANNED UNIT DEVELOPMENT - PURPOSE. The purpose of this section is to encourage land developments which involve the careful application of design to achieve a more functional, aesthetically pleasing and harmonious living environment within the County than might be achieved otherwise through strict adherence to the regulations of this chapter. The PUD process is intended to provide flexibility in the application of certain zoning regulations and thereby promote a harmonious variety of uses within each PUD, realizing economics of shared services and facilities, and creating a safe, aesthetic and healthful living and shopping environment. PUDs locating in Forestry Zones are intended to allow residential developments which efficiently utilize timber lands and which are specially designed to minimize adverse impacts on long term timber management in those zones.

Section 33.38.010

PERMITTED USES. The following uses are permitted in a PUD:

1. All uses permitted in the zone for which the PUD application is made.
2. Multi-family dwellings.
3. Mobile home parks.
4. Commercial uses occupying no more than ten percent of the land area of the PUD site if the development is a residential PUD.
5. Industrial uses only if the PUD is located in an industrial, commercial or rural center zone.

Section 33.38.020

CONDITIONAL USES. The following conditional uses are allowed in a PUD subject to the procedures set forth in Section 33.38.040:

1. All conditional uses in the zone for which the PUD application is made.
2. Private clubs, serving the occupants of the PUD.
3. Meeting halls, serving the occupants of the PUD.

4. Professional offices, if not otherwise provided for.

Section 33.38.030

MINIMUM STANDARDS: The following minimum standards apply to all PUDs:

1. All standards applicable to PUD subdivisions set forth in C.C.C. Chapter 29 shall apply except that the provisions in items (2) through (5) immediately below shall apply and supersede applicable sections of C.C.C. Chapter 29.

2. Residential PUDs located in an UR1 and UR2 Zone are permitted to have double the number of dwellings allowed for the specific PUD site under Section 33.33.030(1) and 33.33.060.

3. The densities of a PUD located in a RR1, RR2, RR3, QR1, or C4 zone may be increased to no more than four dwellings per acre if at least two of the following is provided:

- a. One community sewer system serving the entire project.
- b. Recreation open space and facilities serving the entire PUD.
- c. Landscaping throughout the project.
- d. Unique subdivision design or structure design and placement.

4. Residential PUDs located in a F1 Zone are permitted to have one dwelling for every five acres of land within the PUD.

5. Residential PUDs located in a F3 Zone are permitted to have one dwelling for every two acres of land within the PUD.

6. Planned unit developments within the F1 and F3 Zones shall be designed in a manner which minimizes or eliminates the potential for causing the curtailments or disruption of timber management activities on adjacent lands. Roads serving the planned unit development, the location of water and sewer systems and the placement of residential structures and accessory improvements shall be located and constructed in a manner that minimizes conflicts with timber management activities on adjacent lands.

7. The tract or tracts of land included in a proposed planned unit development must be in one ownership or control or subject of a joint application by the owners of all the property included. The holder of a written option to purchase shall be deemed the owner of such land for the purpose of this section.

8. All uses within the PUD must be harmonious with each other due to special design, placement or screening.

9. Planned unit developments shall not be permitted on a parcel of land less than 9.8 acres in all zones.

Section 33.38.040

PROCEDURE FOR COUNTY ACTION ON A PUD. PUDs shall be processed and acted on as set forth in County Subdivision Ordinance C.C.C. Chapter 29. If the PUD includes uses which are conditional uses as set forth in this chapter, the procedures and standards in Section 33.42 applicable to conditional uses shall be satisfied simultaneously with the PUD subdivision application provided that the County Planning Commission shall act as the Board of Adjustment and approve or deny the conditional uses at the time it acts on the PUD proposal pursuant to C.C.C. Chapter 29. If the PUD includes variances from the minimum standards of this chapter, the procedures and criteria of Section 33.43 applicable to variances shall apply except that the Planning Commission shall act as the Board of Adjustment and approve or deny the variances simultaneously with its review and action on the PUD proposal. PUDs not subject to County platting requirements shall be a conditional use in all zones.

Section 33.38.050

EFFECTIVENESS OF PUD. A PUD approved by the County pursuant to this Chapter will supersede the underlying zone designation only to the extent of the specific authorization identified on the face of planned unit development.

Section 33.40

CREATION OF THE BOARD OF ADJUSTMENT - CONDITIONAL  
USES - VARIANCES

Section 33.41

BOARD OF ADJUSTMENT - CREATION - MEMBERSHIP -  
TERMS - REMOVAL. There is hereby created a Board of Adjustment having five members. The members of the Board of Adjustment will be appointed for five years by the Board of County Commissioners provided, however, that of the first members appointed one member shall be appointed for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years. As nearly as mathematically possible, each commissioner district shall be equally represented on the Board of Adjustment. In the event of death, resignation, or removal of any member of the Board of Adjustment, the Board of County Commissioners shall appoint a successor to serve the unexpired term. The County shall furnish to the Board of Adjustment such staff assistance as may be required. A member may be removed by the Board of County Commissioners for malfeasance in office or neglect of duty.

Section 33.41.010

DUTIES. The Board of Adjustment shall have the authority to grant variances from the minimum standards of this regulation provided that variances may not be allowed regarding minimum lot size, maximum density or land uses permitted in each zone. The reduction of a minimum lot size in essence increases land use density and is in effect a rezone to a higher density. Such increase in density is allowed pursuant to the ordinance amendment process in Section 33.45. The Board of Adjustment shall review and act on conditional use permit applications pursuant to Section 33.42.000 of this chapter. The Board of Adjustment shall review administrative actions regarding this chapter pursuant to Section 33.44.000 of this chapter.

Section 33.42 CONDITIONAL USES.

Section 33.42.010 CONDITIONAL USES - APPLICABILITY. Any person proposing to develop a conditional use shall apply for and obtain a conditional use permit prior to beginning development.

Section 33.42.020 APPLICATION. Forms for application for conditional use permits shall be supplied by the County Planning Department. Such forms shall require the following minimum information:

1. Signature of applicant.
2. Signature of landowners if other than the applicant.
3. Method of providing the development with sewage disposal, water, power, solid waste disposal and access.
4. A vicinity sketch showing the relationship of the proposed development to existing streets and nearby creeks or rivers.
5. Name of engineer, if applicable.
6. Location of natural or artificial drainage ways on the development site and any proposed site drainage improvements.
7. A plan of the proposed use showing streets, structures, open spaces, uses of each structure, parking areas, fencing, walkways, screening and landscaping.
8. Such additional information as deemed materially necessary by the Administrator to enable the Board of Adjustment to review and take action pursuant to Section 33.42.000.
9. An environmental impact checklist if required by County SEPA Ordinance #154.

Section 33.42.030 REVIEW OF APPLICATION. Upon receipt of application for a conditional use permit, the Administrator shall review it for completeness. Upon determination that the application is complete, the Administrator shall review the application for potential consistencies and inconsistencies with the County Comprehensive Plan and this regulation and shall develop a report of findings



to be attached to the application. In reviewing a conditional use permit application, the Administrator shall coordinate with all other agencies of jurisdiction and include their comments in said Administrator's report. Upon completion of this review, the completed application shall be submitted, together with the report of the Administrator to the Board of Adjustment. The Administrator shall schedule the Board of Adjustment's public hearing on the application. The date for the public hearing shall be not later than 60 days after receipt of the completed application by the Planning Department, or not later than 30 days following completion of a final environmental impact statement pursuant to County Ordinance #154. The Administrator or his authorized agent shall provide notice of such hearing pursuant to Section 33.46.010.

Section 33.42.040

BOARD OF ADJUSTMENT ACTION. Any person interested in an application for a conditional use permit may appear at the hearing set for review thereof and comment on the application. After completion of its public hearing, the Board of Adjustment shall act on the application. If the Board of Adjustment finds that the proposed action is consistent with the spirit and intent of the Comprehensive Plan and this ordinance, the Board of Adjustment shall approve the application subject to such reasonable conditions as may be necessary to assure that development will comply with the Comprehensive Plan and this chapter and will be compatible with other uses in the area in which it is locating. Such conditions may include but not be limited to the following:

Construction sequence and timing, operation and maintenance, duration of use, removal of development upon termination of use, compliance with approved engineering plans and specifications, off-street parking, setbacks, special screening, lighting, site access, site size, road dedications, signing, structure height, siting of structures and improvements, strategies to minimize adverse environmental impacts as specified in the environmental analysis required by County Environmental Policy Ordinance #154.

When the Board of Adjustment determines that additional information is necessary, action on said application shall be continued until such information is available, provided that the extension shall not exceed 30 days unless the applicant consents to a longer period. Following its review of the additional information, the Board of Adjustment shall take action on the application.

If the Board of Adjustment finds that the proposed action is inconsistent with this chapter or the Comprehensive Plan, said application shall be denied.

Section 33.42.050

EFFECTIVENESS OF A CONDITIONAL USE PERMIT. A conditional use permit approval shall cease effectiveness if the use is not completely developed within two years of the date of issuance unless the applicant requests and the Board of Adjustment provides for a longer period of effectiveness based on a finding that the use is a phased development requiring a longer period of development not to exceed six years and said phases and time deadlines are clearly spelled out in the application.

The Board of Adjustment may extend the approval for one additional year. Not later than forty-five days prior to the termination of the initial approval period, the Administrator shall inform the applicant in writing by mail of the termination date. If the applicant has not submitted to the Administrator a written request for extension of the approval period by the termination date, effectiveness of the conditional use permit shall be invalid and further development of the project shall immediately cease. If the conditional use is properly constructed in the allocated time, the conditional use permit is valid throughout the lifetime of the project.

The Board of Adjustment shall approve the request for extension at a regular meeting if it finds that substantial progress has been made toward the completion of the development, and that said progress is in compliance with this chapter and any condition that is a part of conditional use permit approval. The Board of Adjustment shall deny the extension request if it finds that substantial progress has not been made on the project.

Section 33.42.060

EFFECTIVENESS OF CONDITIONAL USE PERMIT EXTENSION. The Board of Adjustment's extensions granted in accordance with the procedures set out in Section 33.42.050 of this chapter shall be for one year. No additional extensions may be granted. If the conditional use is constructed or operated consistent with the conditional use permit provision within the approval period or any extension period approved pursuant to this chapter, the use may continue indefinitely regardless of ownership provided that the use or operation is consistent with the permit and any conditions attached thereto.

Section 33.42.070

APPEAL OF THE BOARD OF ADJUSTMENT ACTION. The action of the Board of Adjustment may be appealed to the Board of County Commissioners by an aggrieved person by filing a written notice of appeal setting forth the basis for said appeal with the Clerk of the Board of County Commissioners not later than ten (10) days following notification to the applicant of the Board's action, by mail.

Consideration of the appeal by the Board of County Commissioners shall be limited to the Board of Adjustment's records and findings. The Board shall relate the Board of Adjustment's action to the criteria set forth in Section 33.42.040. If the Board finds that the Board of Adjustment erred, it may reverse its decision. If the Board finds that the Board of Adjustment erred in its procedure, it shall remand the application back to the Board of Adjustment with instructions to mitigate the procedural deficiency and act on the application. The Board of County Commissioners shall not hold a public hearing on appeals of conditional use permit applications.

The Board of County Commissioners' decision shall be deemed effective subject only to appeal to the Superior Court pursuant to law. As part of its action of the appeal, the Board of County Commissioners may amend the conditions which are a part of approval of any conditional use permit to assure conformance to the Comprehensive Plan and this regulation. The Board of County Commissioners' action on an appeal shall be based on its determination regarding the validity of the Board of Adjustment's decision as it relates to the criteria in Section 33.42.040 of this chapter.

Section 33.42.080

ISSUANCE OF CONDITIONAL USE PERMIT. Conditional use permits shall be issued not earlier than ten

(10) days following approval by the Board of Adjustment provided that no appeal has been filed pursuant to Section 33.42.070.

- Section 33.42.100 INCLUSION OF FINDINGS OF FACT. The Board of Adjustment and if appealed, the Board of County Commissioners shall make available to the public those findings of fact upon which their action is based regarding approval or denial of conditional use permit applications.
- Section 33.42.110 AMENDMENT OF A CONDITIONAL USE PERMIT. A conditional use permit may be amended in the same manner as required for the approval of the permit.
- Section 33.43 VARIANCES.
- Section 33.42.010 VARIANCES - APPLICATION. A request for a variance shall be made on forms provided by the Administrator. Before an application for a variance shall be acted upon, all of the matters relating to the application shall be reviewed by the Administrator and public agencies affected by the variance. The Administrator's findings together with interested agencies comments shall be transmitted to the Board of Adjustment for their consideration not later than six days prior to the Board of Adjustment's consideration of the application. The Director shall coordinate review of the application with public agencies that have an interest in the application.
- Section 33.43.020 REQUIRED SHOWING FOR A VARIANCE - APPROVAL. Before a variance shall be granted, it shall be shown (a) that because of special circumstances applicable to subject property including size, shape, topography and location, the strict application of this regulation would deprive subject property owner of rights and privileges enjoyed by other property owners in the vicinity and within the same zone as set forth in the official zoning map; (b) that the granting of the variances will not be materially detrimental to the public health or injurious to property or improvements thereon; (c) that the granting of the variance will not materially compromise the goals and policies of the Comprehensive Plan or the spirit of this regulation; or (d) that approval of the variance will not constitute a grant of special privilege.

The Board of Adjustment shall approve of the variance request if it finds that all of the above circumstances apply to the request. Upon approval by the Board of Adjustment of any variance, the Board of Adjustment may attach such conditions including, but not limited to, those specified in Section 33.42.040 to its approval as will assure that the development will conform to the spirit and intent of this regulation and the County Comprehensive Plan and be compatible with adjacent land uses. The Board of Adjustment's final decision on a variance may be appealed to Superior Court.

Section 33.43.030 VARIANCE - HEARINGS. Upon the filing of an application for a variance, the Administrator shall set forth the time and place for a public hearing on such matter by the Board of Adjustment. Written notice thereof shall be provided as specified in Section 33.46.010.

Section 33.43.040 INCLUSION AND FINDINGS OF FACT. The Board of Adjustment shall, in making an order or decision, include in the written record of the case, the findings and fact upon which the action is based. Said findings shall be made available to the public upon request.

Section 33.44 REVIEW OF ADMINISTRATOR'S ACTION.

Section 33.44.010 REVIEW OF ADMINISTRATION ACTION - APPLICATION. The Board of Adjustment may review any interpretation of the provisions of this regulation made by the Administrator and any order, requirement, decision or determination relating thereto made by the Administrator in the application of the specific provisions in this regulation to any parcel, structure or use. The Board of Adjustment may affirm or reverse the interpretation of the provisions of this regulation by the Administrator and any order, requirement, decision, or determination relating thereto. The Board of Adjustment's decision may be appealed to Superior Court.

Section 33.44.020 BOARD OF ADJUSTMENT ACTION - GUIDELINES. The Board of Adjustment shall interpret the provisions of this regulation in such a way as to carry out the intent and purpose of this regulation. Where further clarification is needed, the Board of Adjustment shall follow the spirit and intent of the Comprehensive Plan in reaching its decision. Legal advice of the County Prosecuting Attorney may be solicited and considered during its deliberation.

Section 33.44.030 BURDEN OF PROOF. At every stage of the conditional use permit and variance application process, the burden of demonstrating that any proposed develop-

ment is consistent with the Comprehensive Plan, and the spirit and intent of this chapter and is compatible with the permitted uses in the zone in which it will be located is upon the applicant.

Section 33.45

AMENDMENT OF THIS CHAPTER.

Section 33.45.010

ZONING ORDINANCE MAY BE AMENDED. Whenever public necessity, convenience and general welfare require, the boundaries of the zones established on the official zoning map by this ordinance, and the classification of property uses therein and other provisions of this title may be amended as follows:

1. By the amendment of the text of this chapter; or
2. By amendment of the official zoning map referred to as a rezone.

Section 33.45.020

INITIATION OF AMENDMENT. Amendments of this ordinance may be initiated by one of the following methods:

1. The application of one or more owners of the property which is proposed to be rezoned; or,
2. By the application of a person to amend the text of this chapter; or,
3. By the adoption of a motion by the Board of County Commissioners requesting the Planning Commission to act on a specific amendment and to set the matter for hearing and make a recommendation; or,
4. By adoption of a motion by the Planning Commission.

Section 33.45.030

INITIATION OF AMENDMENT APPLICATION. An application to amend this chapter shall be filed with the Planning Department on forms prescribed by the Administrator. If the application is for a rezone, it shall include a legal description and a map showing the location of the property to be rezoned. An application for a rezone must be signed by at least one of the property owners of the area to be rezoned.

Each signer of an amendment application for a rezone shall give his or her address, tax parcel number as shown in the Assessor's records, and such other information which the Administrator deems necessary for the Commission and the Board to make a well reasoned decision. A completed application shall be processed by the Administrator in the same manner and within the same time constraints as a conditional use permit application as specified in Section 33.42 of this Chapter.

- Section 33.45.040 PUBLIC HEARING IS REQUIRED. The Commission shall hold at least one (1) public hearing before taking action on any amendment to this Ordinance, and notice of such hearing shall be given as provided in Section 33.46.010 of this regulation.
- Section 33.45.050 DECISION ON APPLICATION - TIME LIMIT FOR. Conclusive action on an application shall be taken by the Commission within thirty (30) days from the date the hearing is completed upon the matter or the application shall be deemed approved. The consideration of the application may be continued for a longer period of time with the consent of the applicant. The Commission shall make available those findings of fact upon which its action is based regarding approval or denial of the amendment application.
- Section 33.45.060 NOTICE OF COMMISSION'S DECISION. When the Commission's action is to recommend approval or denial of an amendment; the Planning Departemnt shall notify the applicant by mailing a notice of action of the Commission to the applicant at the address shown on the application. Other persons at the hearing requesting notice of the action shall be notified in the same manner as the applicant. If the action of the Commission is to recommend approval of an amendment, a copy of the action together with the findings considered by the Commission to be controlling shall be forwarded to the Board of County Commissioners within ten (10) days of said action. The findings shall be made available to the public upon request.
- Section 33.45.070 BOARD TO HOLD PUBLIC HEARING. At the next regular public meeting of the Board of County Commissioners following receipt of the Commission's recommended approval of any amendment, the Board shall set the date for a public hearing to consider the recommendations of the Commission. Notice of the public hearing shall be given pursuant to Section 33.46.020.
- Section 33.45.080 FINALITY OF PLANNING COMMISSION'S ACTION. The action of the Commission in denying an application for an amendment shall be final and conclusive unless an appeal is filed as provided in Section 33.45.090 of this Chapter.

Section 33.45.090 ACTIONS OF COMMISSION MAY BE APPEALED - TIME LIMIT FOR. A recommendation by the Planning Commission to deny an amendment may be appealed to the Board of County Commissioners by an aggrieved person by filing a written notice of appeal setting forth the basis for said appeal within ten (10) days following notification of the Board's action to the applicant by mail. Such appeal shall be addressed to the Board of County Commissioners with a copy filed in the County Planning Department.

Section 33.45.100 REPORT APPEAL TO THE BOARD. The Administrator shall prior to the consideration of such appeal by the Board, file with the Board a report containing the findings and recommendations upon which the Commission's action was based.

Section 33.45.110 DECISION OF THE BOARD. Enactment of an ordinance by the Board of County Commissioners approving an amendment shall constitute final action. When the action of the Board of County Commissioners is to deny a request for an amendment, the adoption of a motion of denial shall constitute final action. Written notice of the action together with its findings shall be forwarded to the Planning Department to be attached to the permanent file of the case and the Administrator shall notify the applicant of the final action and findings of the Board. The Board shall make its findings available to the public upon request.

Section 33.45.120 REQUIRED SHOWING FOR AN AMENDMENT. The Planning Commission and the Board of County Commissioners shall determine that a proposed amendment is consistent with all the following criteria before approval:

1. It is consistent with the County Comprehensive Plan.
2. It is consistent with the spirit and intent of this chapter.
3. The public health, safety and welfare is maintained.
4. It is consistent with all other County road and utility plans and policies adopted by the County.



Section 33.45.125

APPLICATION FOR M3 ZONE DESIGNATION. Applications for a M3 Zone designation shall be accompanied by a detailed description of the industrial project proposed for the site. The application for a M3 Zone designation will be deemed valid when it is accompanied by said project description. The Planning Commission and the Board of Commissioners shall review the potential environmental impacts and public service impacts of the industrial project and determine if the project is consistent with the intent and purpose of a M3 Zone as specified in Section 33.35.080. If it is determined that the project is consistent with Section 33.35.080 and Section 33.45.120, the Board shall approve the M3 Zone designation and said approval shall be subject to the condition that the M3 designation may be developed only with the industrial project which is considered with the application for the M3 Zone designation. Said approval may be subject to such reasonable conditions as may be necessary to assure that the industrial project will comply with the intent and spirit of the M3 Zone, this chapter, and to assure compatibility with adjacent land uses. Such conditions may include but not be limited to the following:

Construction sequence and time, operation and maintenance, duration of use, removal of development upon termination of use, compliance with approved engineering plans and specifications, off-street parking, setbacks, special screening, lighting, site access, site size, road dedications, signing, structure height, siting of structures and improvements, strategies to minimize adverse environmental impacts as specified in the environmental analysis required by County Environmental Policy Ordinance #154.

To assure that applicant, his successor or assigns and the industrial project proponent, if other than the applicant, develops the project consistent with the terms of approval a contract so stipulating the terms of approval and including a statement that the applicant/project owner will abide by said terms shall be signed by the Board of Commissioners and the applicant and/or project proponent/owner.

Section 33.46

PUBLIC HEARING NOTICE REQUIREMENTS.

Section 33.46.010

PUBLIC HEARING NOTICE REQUIREMENTS - REVIEW OF  
CONDITIONAL USE PERMIT APPLICATIONS, VARIANCE  
APPLICATIONS AND PROPOSED AMENDMENTS TO THIS CHAPTER.

The Administrator shall provide notice of Board of Adjustment and Planning Commission public hearings required by this chapter to be published in a newspaper of general circulation in the County at least once, not less than ten (10) days prior to the date set for the hearing for proposed amendments and conditional use applications. Notice shall be sent by mail not less than ten (10) days prior to the date of the hearing on said applications to the owners of the property proposed for a conditional use or rezone and to all owners of property within 600 feet of the boundary of said property. Failure to send notice by mail to any such property owner where the address of said owner is not a matter of public record or because the ownership is not of public record shall not invalidate any proceedings required in this chapter. Notice of public hearings regarding variances, rezones and conditional uses shall be posted in at least two conspicuous places in the affected area not less than ten (10) days prior to the public hearing. The Administrator may issue additional notification as deemed appropriate.

Said public notices shall set forth the date, time, place and purpose of the public hearing and in general terms describe the nature of the proposal. Documents of record shall be controlling as to the status of legal ownership.

Section 33.46.020

PUBLIC HEARING NOTICES - BOARD OF COUNTY  
COMMISSIONERS REVIEW OF CONDITIONAL USE APPEALS  
AND PROPOSED AMENDMENTS TO THE LAND DISTRICT  
MAP.

The Board of County Commissioners shall give notice of all public hearings required to be held under the provisions of this chapter by publishing said notice at least once in a newspaper of general circulation within the County, not less than ten (10) days prior to the date fixed for such hearing. Such notice shall set forth the date, time, place and purpose of the public hearing and shall state in general terms the nature of the proposed conditional use or map amendment. In addition, written notice shall be given to the owners of the property proposed for the location of the conditional use or map amendment. Notice shall be posted in at least two conspicuous places in the affected area at least ten (10) days prior to the public hearing. The Board may provide additional notice as it deems appropriate.

- Section 33.50 GENERAL REQUIREMENTS. The following requirements apply in the zones as specified herein and shall be deemed additional requirements to those specified in other sections of this chapter.
- Section 33.50.010 EXCEPTIONS TO MINIMUM STANDARDS. The following two exceptions to the minimum standards automatically apply in the zones specified herein:
1. Corner lot. The minimum side yard setback for a corner lot in all zones shall be 15 feet between a building to be constructed on the lot and abutting road right-of-way.
  2. Zero setback. A zero setback shall be permitted in all zones if the following conditions are met:
    1. The structure is attached to a structure on an adjacent lot.
    2. The sides in common comply with the uniform fire code.
    3. Deed restrictions and plat restrictions do not prohibit a zero setback.
- Section 33.50.020 SETBACKS RELATED TO BUILDING HEIGHTS. Buildings exceeding 35 feet in height shall be provided with a minimum side yard and rear yard setback of 15 feet plus three feet for each complete story over 35 feet.
- Section 33.50.030 MINIMUM LOT WIDTH AND MINIMUM BUILDING LINE FOR LOTS FRONTING ON DEAD END TURN AROUNDS AND ROAD CURVES. The minimum lot width for lots fronting on dead end road turn arounds and road curves shall be 30 feet. Said lots shall be provided a minimum building line width of not less than 60 feet located not less than 30 feet back from the front lot line as measured perpendicular to the front lot line.
- Section 33.50.040 SEWER AND WATER. The sewage disposal and water supply requirements for each development in each zone shall be as specified by State Health Board regulations and County sanitation regulations. However, where the application of the provisions of the State Board of Health permits a developer to locate on a lot which is smaller than that required for the zone in which it is located, the minimum lot size requirements of that zone shall apply unless specified otherwise by this Chapter.

- Section 33.50.050 BUILDING HEIGHT STANDARDS. The maximum height of commercial and industrial buildings shall be no greater than the capability of the fire abatement equipment of the fire district in which the building is located, together with the fire protection improvements available on the premises.
- Section 33.50.060 BUILDING HEIGHT LIMITATIONS RELATED TO AIRPORT APPROACH CLEAR ZONE. There is hereby created an airport approach clear zone west of the Fairchild Airport precisely depicted on the official zoning map of this chapter. Structures constructed in said approach zone shall be limited in height, pursuant to Federal Aviation Administration approach clearance standards. Said approach zone is an overlying zone with the minimum standards of the underlying land use zone remaining in effect.
- Section 33.50.070 AUTHORIZATION OF SIMILAR USES. The Administrator may rule that a use not specifically named in the permitted uses of the zone shall be allowed if it is of the same general type and is similar to one or more of the permitted uses specified for the zone involved. The Administrator's determination may be appealed pursuant to Section 33.44.
- Section 33.50.080 PRIVATE OWNERSHIPS WITHIN THE OLYMPIC NATIONAL FOREST. All land within the Olympic National Forest which is privately owned shall be zoned F1 unless specifically designated otherwise on the zoning map of this chapter. Such land shall be subject to the requirements of this chapter pertaining to lands zoned F1.
- Section 33.50.090 AIRPORTS, AIRFIELDS, AIRSTRIPS. New airports, airfields and airstrips are conditional uses in all zones except Urban Residential and Commercial zones. Expansions of existing airports, airfields or airstrips requiring acquisition of additional land to accommodate said expansion following the effective date of this ordinance shall be a conditional use in all zones. Improvements of existing airports, airfields or airstrips, not requiring additional land acquisition following the effective date of this ordinance, are permitted in all zones except commercial zones.
- Section 33.50.100 CONDITIONAL USES WITHIN SHORELINE AREAS. Conditional uses locating within a shoreline of the state and requiring shoreline management substantial development permits shall apply only for said permit and such application shall also be regarded a conditional use application for the purposes of this chapter. All other provisions of this chapter shall apply to said application.

Section 33.50.110 SOLID WASTE DISPOSAL. Solid and liquid waste disposal facilities requiring approval of the County or State health agencies shall be conditional uses in all forestry zones, the G1 zone, the RR1, RR2, RR3 zones and the QR1 zone. State approved hazardous waste disposal facilities as defined by the Washington State Solid Management Act are allowed as a conditional use only in forestry zones.

Section 33.50.120 SIGNING - HIGHWAY 101. Since Highway 101 is a scenic highway and since billboards and lighted signs significantly detract from the scenic views from said highway, lighted signs and billboards which advertise products and services are prohibited on property within 800 feet of said highway provided that this restriction does not apply to (1) that portion of Highway 101 located between the intersection of Highway 101 and Masters County Road and the intersection of Highway 112 and Highway 101; (2) that portion of Highway 101 within 3,000 feet of the towns of Forks or Sequim, provided that said lighted signs are allowed in commercial zones along Highway 101; and (3) existing signs and billboards.

Section 33.50.130 HARDSHIP DWELLING - EXCEPTION FROM MINIMUM LOT SIZE REQUIREMENTS. A mobile home may be placed on a parcel without compliance to the minimum lot size requirements of this chapter if all of the following conditions apply to the placement:

1. The mobile home will be occupied by a person who is related to a person occupying a dwelling on the same parcel.
2. One of the relatives specified in item (1) above requires daily care by the other relative living on the parcel due to a documented medical hardship.
3. The mobile home will be removed immediately following termination of the medical hardship.

Section 33.50.140 QUALIFICATION OF DEFINITION OF MINIMUM LOT SIZE. All roads may be included when calculating minimum lot size for parcels created within a Rural Residential 2 Zone.

Section 33.50.150

ACCESSORY DWELLING UNITS. In all zones an accessory dwelling unit is permitted subject to the following requirements:

1. The single family dwelling must have at least 1,200 square feet of gross floor area, exclusive of garage space.
2. The accessory dwelling unit may be created only through internal conversion of the housing unit. Garage space may not be converted.
3. No additions of floor space may have been made to the housing unit in the preceding year.
4. The accessory dwelling unit may not occupy more than 35 percent of the single family dwelling floor area.
5. The number of people that can occupy both the accessory dwelling unit and the remaining single family dwelling is limited to the number now allowed in the single family dwelling without the accessory dwelling unit.

Section 33.51

REVIEW OF ENERGY DEVELOPMENTS.

Section 33.51.010

ENERGY DEVELOPMENTS - PURPOSE. The purpose of this section is to provide policy for the approval or denial of energy generation facilities with five megawatt power generation capacity or more and inter-county and inter-state energy terminal and transmission facilities. These

facilities have unique development and operations problems which must be scrutinized on a case by case basis. Siting, development or operation of such facilities have the potential to significantly impact the human and physical environment and, therefore, require careful study pursuant to County SEPA Ordinance #154 to assure adequate mitigation of adverse impacts. Some projects may be denied if certain adverse impacts cannot be adequately mitigated. All such facilities shall be conditional uses in all zones except as specifically provided in Section 33.51.020 of this chapter.

Section 33.51.020

ENERGY INDUSTRIES WITH HIGH ENERGY AND WATER REQUIREMENTS. Based on the findings and conclusions of Section 31.24 of the County Comprehensive Plan, proposed energy related industries with high energy and water requirements, a high pollution factor or which are incompatible with existing industries shall not be permitted. This includes but is not limited to crude petroleum transfer facilities, tank farms and refineries, liquid natural gas transfer facilities, petrochemical plants and nuclear power generation and processing plants.

Section 33.51.030

INTER-COUNTY AND INTER-STATE GAS AND POWER TRANSMISSION FACILITIES. Inter-County and Inter-state power and natural gas (non liquid) transmission facilities shall be allowed as a conditional use in all zones subject to the procedures and standards of Chapter 33.42 of this ordinance and the following policy:

1. Corridors should be consolidated to the extent technically possible in order to avoid wastage of good timber lands or causing timber land management problems, and to efficiently utilize the County's land resource.

2. Construction on steep slopes, public roads, and across creeks and rivers shall be accomplished in a manner that minimizes adverse environmental impacts and public expense.

Section 33.51.040

SUBSURFACE MATERIALS EXPLORATION. Exploration for subsurface materials is permitted in all zones consistent with applicable state exploration laws.

Section 33.52

STATUS OF NON-CONFORMING USE, PARCELS AND PRE-EXISTING USES,

- Section 33.52.010 NON-CONFORMING LOT SIZE. If a pre-existing lot or parcel which is undeveloped has an area which does not meet the minimum lot size requirements of the zone in which it is located, the lot or parcel may be occupied by a use permitted in the zone subject to all other applicable County and State development requirements.
- Section 33.52.020 CONTINUATION OF PRE-EXISTING, NON-CONFORMING USE OR STRUCTURE. A pre-existing structure or use which is non-conforming may be continued and maintained and may be extended or expanded, provided that no additional land is required to be acquired following the effective date of this ordinance to accommodate said expansion or extension. This provision applies only to the specific use that exists on the date that this ordinance is adopted.
- Section 33.52.030 PRE-EXISTING, NON-CONFORMING STRUCTURE. A pre-existing structure non-conforming to setback, height or lot size minimum standards may be continued, and maintained. Such structures may be altered or extended provided that such alteration or extension does not result in increased non-conformance with the minimum standards specified in this chapter.
- Section 33.52.040 CONVERSION OF A PRE-EXISTING, NON-CONFORMING USE. A pre-existing, non-conforming commercial use may be converted to another non-conforming commercial use, provided that existing buildings shall not be expanded to accommodate the converted use. Converted non-conforming commercial uses may not expand unless a rezone is granted, pursuant to this ordinance which permits the expansion of the converted use. All other pre-existing, non-conforming uses may be converted only to uses which conform to the zone in which it is located.
- Section 33.52.050 DESTRUCTION OF A NON-CONFORMING, PRE-EXISTING USE OR STRUCTURE. If a pre-existing, non-conforming use or structure which is destroyed by any natural or accidental cause, said use or structure may be rebuilt within three years following destruction, devoted only to the use existing prior to destruction. If possible, the rebuilt structure shall conform to the setback standards of the zone in which it is located.
- Section 33.52.060 COMPLETION OF STRUCTURE. Nothing contained in this chapter shall require any change in plans, construction, alteration, or designated use of a structure specified in a complete application for a Clallam County development permit submitted prior to the



adoption of this chapter. Improvements and uses authorized by a signed document of the Board of County Commissioners recorded motion or resolution of the Board of County Commissioners, or any permit issued by the County or State of Washington prior to the effective date of this ordinance may be developed as set forth in said permit without this ordinance. If said permit becomes invalid prior to development of said improvements or uses, the provisions of this ordinance shall then be in full force and effect on the subject property.

Section 33.52.070

NON-CONFORMING, PRE-EXISTING USE OR STRUCTURES. Any person may request that a determination be made regarding the conformity or non-conformity of a pre-existing use and/or structure. Said request shall be directed to the Administrator in writing. The Administrator shall make a determination as to the conformity of such use and/or structure within 10 days from the date of receipt of such request. The Administrator's findings, upon which said determination is based, shall be made available to the applicant.

The Administrator's determination may be appealed to the Board of Adjustment in writing.

Section 33.52.080

CESSATION OF A NON-CONFORMING USE. If a non-conforming use ceases, it shall be continued not later than three years following cessation in order to maintain its status as a legal non-conforming use. If the non-conforming use is not continued within three years, it shall be a prohibited use and may be continued only if the owner obtains a rezone pursuant to this chapter.

Section 33.53

ENVIRONMENTAL IMPACT EVALUATION. Proposals requiring County action pursuant to this chapter and requiring environmental impact evaluation pursuant to the County Environmental Policy Ordinance #154 shall be processed simultaneously for County action to the extent possible.

Section 33.54

HOME ENTERPRISE ACTIVITY.

Section 33.54.010

HOME ENTERPRISE MINIMUM STANDARDS. Home enterprises locating in non-commercial, non-industrial zones are subject to the following minimum standards:

1. The home enterprise is carried on entirely within the residential structure and is clearly subordinate to the residential use.

2. The operator of the home enterprise lives in the residential structure as his or her primary residence.

3. The home enterprise is operated in a manner as to not give any outward appearances or manifest characteristics of a business other than the display of an information sign as provided in item (7) below.

4. There are no displays or storage of salvage materials, finished or partially finished merchandise outside of the residential structure. Additionally, if the home enterprise involves work with vehicles or machinery, there shall be no storage or work performed on such vehicles or machinery outside the residential structure.

5. The home enterprise does not involve equipment operations or processes which introduce noise, smoke, dust, fumes, vibrations, odors, glare or other nuisance characteristics or hazards beyond those associated with a normal residence which can be detected off premise or in some way adversely effect neighboring property.

6. The home enterprise does not significantly increase local vehicular traffic.

7. Only one sign is used for identification purposes and is attached to the residential structure. Such sign is unlighted and does not exceed six square feet. Additionally, the sign is designed to blend favorably into the residential environment.

Section 33.60

ADMINISTRATION AND ENFORCEMENT.

Section 33.61.010

INTERPRETATION. In interpreting and applying the provisions of this chapter, the provisions shall be held to be the minimum requirements for the promotion of the public health and general welfare. When this chapter imposes a greater restriction upon the use of building or premises, or requires more improvements and dedications than are imposed or required by other laws, resolutions, or regulations, the provisions of this regulation shall control.

Section 33.62

CERTIFICATION OF ZONING STATUS OF LAND. The Administrator shall certify the zoning status of a parcel of land upon request by a person, provided that the status of the parcel may be altered by amendments to this chapter adopted subsequent to the issuance of the certification and provided that the County shall not be liable for damages for its action to amend this chapter effecting said certification.

Section 33.62.010

ADMINISTRATION. Conditional use, variance and amendment applications shall be made in the County Planning Department. It shall be the duty of the Administrator or his duly authorized agents to administer the provisions of this chapter. County agencies are hereby directed to review development applications to assure conformance with this chapter.

Section 33.63.010

ENFORCEMENT. It shall be the duty of the Administrator to enforce this chapter through the proper legal channels. The County Building Official shall issue no permits for the construction, alteration, or repair of any building or part thereof, unless such plans and intended use of such building or land use conform with the provisions of this ordinance. No development permit shall be issued for the development of an improvement which is inconsistent with this chapter.

Section 33.64.010

PENALTY. Any person, firm, or corporation who violates this chapter or does not comply with an administrative order to abate the violation, shall be guilty of a misdemeanor. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 33.66

SEVERABILITY. If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portion of this chapter; it being hereby expressly declared that this Chapter and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted irrespective of the fact that any one or more other sections, subsections, paragraphs, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 33.67

CONFLICT. Where other County regulations are in conflict with this ordinance, the more restrictive regulation shall apply and such application shall extend only to those specific provisions which are more restrictive except where conflicts exist regarding allowed densities within PUD developments the provisions of Section 33.38.030 of this Chapter shall be controlling.

Section 33.68

EFFECTIVENESS. This ordinance is necessary for the immediate preservation of the public's peace, health, and safety and shall take full force and effect on January 24, 1983.

PASSED AND ADOPTED THIS 29th DAY OF December, 1982.

BOARD OF CLALLAM COUNTY COMMISSIONERS

*Harry L. Lydiard*  
Harry L. Lydiard, Chairman

\_\_\_\_\_  
Dick Lotzgesell

*Don Feeley*  
\_\_\_\_\_  
Don Feeley

ATTEST:

*Sandra L. Cleland*  
Clerk of the Board

By: *Sandra L. Cleland*  
Sandra L. Cleland  
Deputy Clerk

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