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10-10-89

Ordinance No. 358, 1989

An ordinance amending Clallam County Shoreline Permit Ordinance, Chapter 35.01

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

(All new material has been underlined. Material deleted has been placed within double parentheses and scored through.)

Section 1: Amend Section C.C.C. 35.01.080 Notice.

Upon submittal of a proper application for a substantial development, conditional use, or variance permit to the shoreline permit administrator, the county shall publish a notice of application (~~public hearing~~) on the proposal at least once a week on the same day of the week for (2) consecutive weeks in a newspaper of general circulation within the county. (~~An affidavit of publication shall be affixed to the application:--Additional notification shall consist of posting of the notice in a conspicuous manner upon which the property is to be constructed:--~~) Additional notice shall consist of notice by mail to the owners of property within 600 feet of the boundary of said property, provided, however, that said property shall include all contiguous parcels under the same ownership. Said public notices shall be essentially in the format prescribed by WAC 173-14-070. Documents of public record shall be controlling as to the status of legal ownership. The applicant is responsible for the costs of mailing said notice. Within thirty (30) days of the last publication of such notice, any interested person may submit his views on the application in writing to the Advisory Committee or may notify the Board of his desire to be notified of the Board's decision on the permit.

If a public hearing is to be held on any shoreline permit application, at least ten days prior to the hearing the applicant shall be responsible for posting two notices of public hearing in conspicuous locations upon and near the subject property except when the subject property is entirely within aquatic areas; then, posting on the adjacent shoreline is permitted. The Administrator shall provide the applicant with public hearing notices.

An affidavit that the notices have been properly published, posted or deposited in the United States mail, pursuant to this section, shall be affixed to the application.

The Administrator may waive the requirement for notice by mail for those projects not confined to a specific location, such as utility transmission lines.

Section 2. Amend Section C.C.C. 35.01.100 Shoreline Advisory Committee Established Responsibilities.

(10) The Committee may initiate amendments to the Master Program. Notification (~~to~~) and authorization of the Board of Commissioners is required prior to proceeding with any amendment to the Shoreline Master Program.

Section 3. Amend Section C.C.C. 35.01.210 Revisions to Shoreline Permits.

(1) Clallam County adopts, by reference, WAC 173-14-064 (Revisions to Substantial Development, Conditional Use, and Variance Permits) and any subsequent amendments adopted thereto.

(2) Applications for revisions to shoreline permits shall be on a form prescribed by the administrator and shall be accompanied by a filing fee in the amount established under C.C.C. 3.30.

(3) Upon receipt of a complete application for a revision to a shoreline permit and upon payment of the fees, the administrator shall ~~((schedule the request for revision for consideration by the Board at a regular public meeting. The Board's decision on the revision shall be made))~~ make a written decision of approval, conditional approval or denial within ten working ((twenty)) days of receipt of the application.

(4) The action of the Administrator may be appealed to the Board of Clallam 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 Clallam County Commissioners not later than fifteen (15) days following the Administrator's action. Consideration of the appeal by the Board of Clallam County Commissioners shall be limited to the record and criteria set forth in WAC 173-14-064. The Board of Clallam County Commissioners may reverse the Administrator's decision, remand the application back with instructions or affirm the decision. The Board of Clallam County Commissioners decision is final and is subject only to appeal to a court of competent jurisdiction.

ADOPTED THIS 10th DAY OF October, 1989.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dorothy Duncan
Dorothy Duncan, Chair

Dave Cameron
Dave Cameron

Lawrence Gaydeski
Lawrence Gaydeski

ATTEST:

Karen Flores
Karen Flores
Clerk of the Board

spo a:sporev.doc

cc: Community Development
Prosecutor
Minutes
Book