

ORDINANCE NO. 384, 1990

An ordinance of Clallam County, a political subdivision of the State of Washington, creating a new chapter of the Clallam County Code authorizing a shorelines committee and defining their powers, duties, and procedures in accordance with the provisions of Chapters 36.70 and 90.58 R.C.W. and the Clallam County Charter.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 26.02
Shorelines Committee

Sections:

26.02.010	Authority
26.02.020	Membership and Appointment
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C.C.C. 26.02.010 Authority. Pursuant to the Shoreline Management Act, R.C.W. 90.58 and WAC 173-14, as now or hereafter amended, and the Clallam County Charter, a shorelines committee is hereby established to assist the planning agency and conduct hearings on shoreline permits and on adjustments to the shoreline master program.

C.C.C. 26.02.020 Membership and Appointment. The shorelines committee shall consist of seven members and shall be structured so as to provide as nearly as possible an equal number of representatives from each county commissioner district: *Provided*, that one member may be appointed as an *at large* member. The members of the shorelines committee shall be appointed by the board of commissioners. The term of office shall be four years. Members now serving on the shoreline advisory committee created by Ordinance No. 44, 1973, No. 62, 1975, No. 134, 1981 and No. 310, 1987 are hereby confirmed as members of the shorelines committee created by this ordinance for the remainder of their current terms of office. Vacancies occurring on the committee other than through the expiration of a term shall be filled for the unexpired term. Members may be removed in the same manner as set forth in R.C.W. 36.70.110, as now or hereafter amended. Members shall reside in the respective commissioner district, shall be selected without respect to political affiliation, shall not be paid officials nor employees of Clallam County and shall be selected in accordance with the equal opportunity guidelines of the Clallam County Charter.

C.C.C. 26.02.030 Organization and Business.

- (1) The shorelines committee shall conduct business within the statutory authority of the Shoreline Management Act and the Clallam County shoreline permit ordinance, Chapter 35.01, as now or hereafter amended. The shorelines committee shall elect its own chairman and vice chairman from among its members. The planning director or representative shall serve as secretary to the shorelines committee. The shorelines committee shall adopt rules and/or bylaws for the transaction of business and keep

written record of its meetings, resolutions, findings, conclusions and determinations, which shall be a matter of public record.

- (2) The recommendation by the shorelines committee to the board on adjustments to the shoreline master program shall be by the affirmative vote of not less than a majority of the total members of the shorelines committee. Action on shoreline permits shall be by a majority of those present, *Provided*, that no action except continuation of meeting dates may occur with less than a quorum of the shorelines committee present, except as otherwise provided by state law. Failure to obtain a majority vote shall be considered a denial of the action.

C.C.C. 26.02.040 Meetings.

- (1) The shorelines committee shall conduct a regular meeting at least once each month; however, when there is no business to be conducted, such regular meeting may be cancelled. Further, regular meetings may be continued when deemed appropriate and special meetings may be called at the discretion of the shorelines committee and the department of community development.
- (2) Public hearings before the shorelines committee are scheduled by the department director or designee according to the rules and procedures adopted by the department. Agendas for shorelines committee meetings shall be developed by the planning director or representative in coordination with the chairman of the shorelines committee.

C.C.C. 26.02.050 Duties. The shorelines committee shall be responsible to the planning department and the board of commissioners for its duties and actions. The duties of the shorelines committee shall include, but not be limited to, the following:

- (1) Policy recommendations on the development, implementation and adjustment of the shoreline master program in accordance with the authority of R.C.W. 90.58, as now or hereafter amended. The shorelines committee shall notify and receive authorization from the board of commissioners prior to any initiation of amendments to the shoreline master program.
- (2) Policy recommendations on the development of all ordinances or official controls which implement the shoreline master program.
- (3) Final orders on shoreline substantial development permits, shoreline variances and shoreline conditional use permits.
- (4) Enter written findings, conclusions and decisions following public hearings on shoreline permit applications or shoreline master program amendments.
- (5) Keep a written record of all meetings and transactions.
- (6) Other matters referred by the board of commissioners.

C.C.C. 26.02.060 Powers. The shorelines committee shall have the following authority and powers:


- (1) The decision of the shorelines committee is final and conclusive following a public hearing on all shoreline substantial development permits, shoreline variances and shoreline conditional use permits unless within ten (10) days following rendering such decision an appeal therefrom is filed with the clerk of the board of commissioners and the planning division by the applicant or other interested persons or agency. Such appeal shall be in writing and shall state specifically the issues that are the subject of the appeal focusing in on the specific inadequacies of the particular decision under dispute and shall be accompanied by fees as set forth in C.C.C. 3.30, as now or hereafter amended.

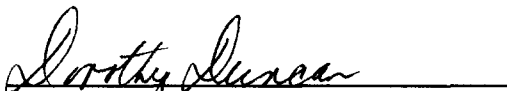
- (2) The shorelines committee shall make recommendations following a public hearing and in accordance with R.C.W. 90.58 on adjustments to the shoreline master program or any other ordinance implementing the shoreline master program to the board of commissioners.
- (3) The shorelines committee may attach conditions to permit approvals to ensure the project is in conformance with the shoreline master program goals, policies and regulations and the Shoreline Management Act.
- (4) Any other matter referred to the shorelines committee not outlined in this section shall be considered a recommendation to the planning agency or the board of commissioners.

C.C.C. 26.02.090 Severability. If any provision of this chapter or its application to any person or legal entity or circumstances is held invalid the remainder of the chapter, or the application of the provision to other persons or legal entities or circumstances shall not be affected.

PASSED AND ADOPTED THIS 19 day of June, 1990.

BOARD OF CLALLAM COUNTY COMMISSIONERS


Dave Cameron, Chair


Dorothy Durcan


Lawrence Gaydeski

ATTEST:


Karen Flores
Clerk of the Board

cc: Community Development
Minutes
Files
Prosecutor (3)
Code (1)