

ORDINANCE NO. 385, 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 board of adjustment and defining their powers, duties, and procedures in accordance with the provisions of Chapter 36.70 R.C.W. and the Clallam County Charter and repealing Chapter 33.41 of the Clallam County Code.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 26.03
Board of Adjustment

Sections:

26.03.010	Authority
26.03.020	Membership and Appointment
26.03.030	Organization and Business
26.03.040	Meetings
26.03.060	Powers
26.03.080	Repealer
26.03.090	Severability

C.C.C. 26.03.010 Authority. The Clallam County Board of Adjustment is hereby created under the authority of R.C.W. 36.70.200, as now or hereafter amended and the Clallam County Charter.

C.C.C. 26.03.020 Membership and Appointment. The board of adjustment shall consist of five members and shall be structured so as to provide as nearly as possible an equal number of representatives from each commissioner district. The members of the board of adjustment shall be appointed by the board of commissioners. The term of office shall be four years. Members now serving on the board of adjustment created pursuant to Ordinance No. 176, 1982 are hereby confirmed as members of the board of adjustment created by this ordinance for the remainder of their current terms of office. Vacancies occurring on the board of adjustment other than through the expiration of a term shall be filled for the unexpired term. Members may be removed from office as set forth in R.C.W. 36.70.250, 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. 26.03.030 Organization and Business.

- (1) The board of adjustment shall be organized and conduct business as outlined in R.C.W. 36.70, as now or hereafter amended.
- (2) The board of adjustment shall elect its own chairman and vice chairman from among its members. The planning director or representative shall serve as secretary to the board. The board of adjustment 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.

C.C.C. 26.03.040 Meetings.

- (1) The board of adjustment shall hold at least one regular meeting each month: *Provided*, that if no matters over which the board of adjustment has jurisdiction are pending upon its calendar, a meeting may be canceled.
- (2) Public hearings before the board of adjustment are scheduled by the department director or their representatives according to the rules and procedures adopted by the department. Agendas for board of adjustment meetings shall be developed by the planning director or designee in coordination with the chairman of the board of adjustment.

C.C.C. 26.03.060 Powers

- (1) The board of adjustment shall have all the powers and authority granted pursuant to R.C.W. 36.70, as now or hereafter amended, except as otherwise provided by this chapter, Title 33 of the Clallam County Code or the Clallam County Charter. The board of adjustment may take action on conditional use permits, variances and appeals of administrative decisions.
- (2) The action of the board of adjustment on conditional use permits, variances or appeals of administrative decisions shall be final and conclusive unless an appeal of such decision is filed as provided for in Title 33 of the Clallam County Code, as now or hereafter amended.
- (3) Decisions of the board of adjustment may include conditions to permits which are reasonable and necessary to further the public health, safety, welfare, use and interest and maintain the spirit and intent of county ordinances or an adopted comprehensive plan for the county.

C.C.C. 26.03.080 Repealer. Chapter 33.41 of the Clallam County Code is hereby repealed.

C.C.C. 26.03.090 Severability. If any portion of this ordinance or this chapter or any application thereof is held invalid or unconstitutional for any reason by a court of competent jurisdiction, such portion thereof or any application thereof shall not affect the validity of the remaining portions of the ordinance or its applicability to other persons or circumstances.

PASSED AND ADOPTED THIS 19th day of June, 1990.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dave Cameron
Dave Cameron, Chair

Dorothy Duncan
Dorothy Duncan

Lawrence Gaydeski
Lawrence Gaydeski

ATTEST:

Karen Flores
Karen Flores
Clerk of the Board

cc: Community Development
Minutes
File
Prosecutor (3)
Code