

732652 - Ordinance No. 581, 1995

PUBLISHED PURSUANT TO RESOLUTION

County Commissioner
CLALLAM COUNTY

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An ordinance repealing the existing Clallam County Zoning Code, Title 33 Clallam County Code, and replacing it with a Zoning Code updated pursuant to the revised Clallam County Comprehensive Plan, Title 31 Clallam County Code.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Title 33 Clallam County Code
Clallam County Zoning Code

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Chapter 33.01 - Purpose and Authorization

- Section 33.01.010 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 title is adopted under the authority of Chapter 36.70 Revised Code of Washington and the Clallam County Charter.
- Section 33.01.020 PURPOSE. This title is adopted as an official land use control for the unincorporated area of Clallam County in order 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 of life and environment in order to continue to attract people and desirable businesses from all over the nation.
 6. Implement the goals and policies of the Comprehensive Plan in a manner which protects private property rights and in the least intrusive manner possible.
- Section 33.01.030 CONTENT. This title consists of the text hereof and the official zoning maps filed in the Clallam County Auditor's Office identified by the signature of the Board of Clallam County Commissioners and the 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 Department of Community Development.

Chapter 33.03 - Definitions

Section 33.03.010

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 the latest edition of Webster's New Collegiate Dictionary.

1. Accessory Dwelling Unit. A separate dwelling unit within a single family dwelling or a separate structure associated with a single family dwelling which is incidental and subordinate to the primary use of the property.
2. Accessory Use or Improvement. A use or improvement which is necessary for the full use and enjoyment of the main use of the property, is typically associated with the main use, and is subordinate to or incidental to the main use of a parcel and which includes the utilities necessary to serve the accessory use. Accessory uses and improvements are allowed in all zoning districts.
3. Administrator. The director of the Department of Community Development of Clallam County or his/her designee.
4. Affected Party. Those parties with standing to bring action on appeals of decisions rendered pursuant to this title and is limited to the following parties:
 - a. The applicant or owner of property on which the development is proposed.
 - b. Any person entitled to notice of the application pursuant to Section 33.37.010.
 - c. Any person who deems themselves aggrieved by a decision and who will suffer direct and substantial impacts from the proposal.
5. Agriculture. Improvements and activities associated with the raising and harvesting of crops and livestock. Agriculture includes ancillary activities, including equipment storage and repair, seasonal employee housing, and temporary on-site retail stands for the sale of agricultural goods.
6. Allowed Use. An activity or structure which is allowed outright by this chapter in one or more zones without issuance of a conditional use permit.
7. Asphalt Plant. A permanent (longer than three months) installation of an asphalt plant, provided that the facility complies with all applicable water quality, air quality, and other environmental regulations.
8. Bed and Breakfast Inns. A single family dwelling on property occupied by the owner or manager which is constructed or converted partially or entirely into an overnight, short-term boarding house which does not detract from the residential appearance of the structure, and has three or fewer rooms for overnight accommodations.
9. Business Park. A commercial or industrial development supporting low intensity activities compatible with residential land uses when properly landscaped.
10. Child Day Care Center. A facility providing regularly scheduled care for a group of thirteen or more children, within a one month of age through twelve years of age range exclusively, for periods of less than twenty-four hours.
11. 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.
12. Commercial Use. Any premises devoted primarily to the wholesaling or retailing of a product or service for the purpose of generating an income.
 13. Commission. The Clallam County Planning Commission appointed by the Board of County Commissioners.
 14. Communication Relay Facilities. Telephone, telegraph, television, radio, cables, microwave stations, retransmission improvements, substations and any other communication conveyance. This definition includes commercial broadcast stations, accessory control buildings and security fencing.
 15. Comprehensive Plan. The Clallam County Comprehensive Plan, County Code Title 31.
 16. Conditional Use. An activity or structure which is permitted in a zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood.
 17. County. Clallam County.
 18. Corner Lot. A lot abutting on and at the intersection of two or more streets.
 19. Density. The number of dwelling units per gross acre of land, which includes road right-of-ways to the centerline of fronting streets, tidelands, and dedicated open space areas.
 20. Duplex. Two dwelling units having a common roof.
 21. 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.
 22. Easement. A grant of one or more property rights by the property owner to and/or for a specific or general use by a person or public.
 23. Family Child Care Home. A facility in the family residence of the licensee providing regularly scheduled care for twelve or fewer children, within a birth through eleven-years-of-age range exclusively, for periods of less than twenty-four hours.
 24. Group Home. A facility licensed by the state which is located in a single building utilized for the full-time shelter and care of a group of unrelated people. A group home is considered to be a multiple family dwelling when it is occupied by thirteen (13) or more persons. A group home is considered to be a home enterprise when occupied by twelve (12) or fewer persons and when consistent with the standards for a home enterprise.
 25. Commercial Greenhouse or Nursery. A structure (greenhouse) or land (nursery) devoted to the cultivation and wholesale or retail sale of plants.
 26. Grocery Store. A structure devoted primarily to the sale of staple foodstuffs and household commodities.
 27. 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.

28. Hazardous waste
 - a. Any discarded, useless, unwanted, or abandoned non-radioactive substances, including but not limited to certain pesticides or any residues or containers of such substances which are disposed of in such quantities or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes: have short-lived toxic properties which may cause death, injury, or illness or have mutagenic, teratogenic or carcinogenic properties; or are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.
 - b. Any waste described in section a above which: will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of man or wildlife and is highly toxic to man or wildlife; or if disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.
29. Hazardous Waste Treatment and Storage Facility. A site or facility used to store or treat hazardous waste as defined in Section 33.03.010 (28) Clallam County Code.
30. Home Based Industry. A commercial, manufacturing or processing business located on a parcel together with an existing dwelling.
31. 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.
32. Horse Arena. An outside area or facility greater than 2,000 square feet in area for the commercial boarding, care, instruction or riding of horses.
33. 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 milling and sorting.
34. 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.
35. Timber Labor Camp. Facilities which are designed to accommodate persons who are employed in timber management activities. Such facilities provide overnight sleeping, waste disposal and one cooking facility to serve the entire facility.
36. Land Use. An activity on land serving man in some manner.
37. Limited Industrial Use. Those industrial uses which generate minimal amounts of noise, odor, glare, traffic, and other nuisance characteristics.
38. Lodges. 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.

39. Lot Depth. Depth of a lot shall be considered to be the horizontal length of a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line.
40. Lot Line, Front. 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.
41. Lot Line, Rear. The property line of a lot that is most opposite or most distant from the designated front lot line and that does not intersect any front lot line. In the case of a triangular lot, it means a line ten (10) feet in length within the lot parallel to and at the maximum distance from the front lot line. In the event that the front property is a curved line, then the rear property line shall be assumed to be a line parallel to a line tangent to the front property line at its midpoint. In the case of waterfront property, the rear lot line is that which adjoins the ordinary high water line, unless otherwise designated by the Zoning Administrator
42. Lot Line, Side. Any lot line that is not a front or rear lot line, or any lot line that intersects a front lot line.
43. 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 title.
44. Lot Width. The horizontal distance between side lot lines measured at right angles to lot depth line at a point midway between the front and rear property line. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the depth line of the lot at a distance midway from the front and rear lines required for the district in which the lot is located.
45. Master Planned Resort. A self contained and fully integrated planned unit development, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short term visitor accommodations associated with a range of developed on-site indoor or outdoor recreation facilities.
46. Medical Service Facility. A licensed medical physicians clinic or outpatient care clinic where overnight accommodations are not provided.
47. Mineral Extraction. Activities involved in the extraction and processing 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 activity collectively results in more than 3 acres of land being disturbed or that results in pit walls more than 30 feet high and steeper than one horizontal to one vertical. This definition does not include disturbances greater than 3 acres of land during any time period if the cumulative area that has not been rehabilitated according to the State's reclamation requirements outlined in RCW 78.44 is less than 3 acres. Farming, road construction, mineral exploration testing and site preparation for construction shall not be deemed mineral extraction activities.
48. Minimum Lot Size. The smallest parcel size upon which a dwelling may be placed or constructed, provided that roads and open spaces which are dedicated

to the public and tidelands shall be excluded when calculating lot size, provided that lots in the Rural (R1) zoning district may include roads dedicated to the public as part of a land division in the minimum lot size calculation.

49. **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.
50. **Motel/Hotel.** A structure which provides overnight, short-term boarding to transient guests and not defined as a bed and breakfast inn facility.
51. **Multiple Family Dwelling.** A building containing three or more dwelling units. A group home occupied by thirteen or more persons is considered to be a multiple family dwelling and is subject to the same restrictions as a multiple family dwelling unit.
52. **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.
53. **Outdoor Oriented Recreation Use.** Improvements and land use activities which are intended to provide for recreation activity which are carried on outside of buildings or which involve the use and enjoyment of features of the surrounding environment to include but not be limited to campgrounds, boat launching facilities, golf courses, and ballfields. Nothing in this definition precludes passive recreation such as hiking, bicycling, recreational shooting, hunting, or fishing in all zoning districts.
54. **Parking Space.** A parking space is an area set aside for the parking of one motor vehicle.
55. **Permitted Use.** An activity or structure which is either allowed in a zone pursuant to this chapter without conditions or formal action by the County, or is identified as a conditional use.
56. **Person.** A man, woman, firm, association, partnership, political subdivision, government agency, corporation or any other human entity whatsoever.
57. **Primitive Campground.** A campground for day use and overnight accommodations by tenters only (no recreational vehicles or tent-trailer's). A primitive Campground is also an Outdoor Oriented Recreation Use, unless specified in each zoning district.
58. **Professional Offices.** A structure accommodating the following professional offices: medical, dental, chiropractic; 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.
59. **Public Building.** A building or improvement which is used or owned by a governmental agency.
60. **Public Improvement.** A facility which is used or owned by a governmental agency.
61. **Race Track.** An area devoted to the racing of motor and non-motorized vehicles or animals, and all improvements normally associated with racing such as off-street parking, patron seating, concessions, and a fixed race track.
62. **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.

63. Retail Use. A land use devoted primarily to the wholesale and retail sale of a product or service to the general public.
64. RV Park. A campground for day use and overnight accommodations by motor homes, travel trailers, truck campers and camping trailers.
65. School. 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.
66. Setback. The minimum distance allowed by this chapter between a lot line or the centerline of a street right-of-way and the foundation of any building on the lot, provided, however, that eaves, decks, porches, bay windows, chimneys or other architectural elements may project no more than two (2) feet in any required yard except in instances where such projection would be over or on an easement, which is not allowed, and provided further that structures and improvements associated with utilities or roads dependent on location on or near road right-of-way shall be allowed without meeting the setback standards of the Zoning Code.
67. Shooting Ranges. A facility established for the purpose of recreational shooting, including, but not limited to target and skeet shooting.
68. 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.
69. 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.
70. Tavern. Any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer and/or wine.
71. Timber Harvesting. 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 trans-shipment 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.
72. Tourist Shop. A facility devoted primarily to the sale of a product or service to the traveling public, including antique or curio shops, crafts, memorabilia.
73. Unclassified Use. An activity or land use not defined by this title and not listed as allowed use, a conditional use, or a prohibited use in this title.
74. Vehicular Repair. A structure or land use devoted to the repair of motor vehicles and not otherwise defined as a home-based industry.

75. Wrecking Yard Or Junk Yard. An open area where scrap materials or motor vehicles are bought, sold, exchanged, recycled, stored, disassembled or handled, but which cannot be used again for the purpose for which it was originally intended.
76. Street. Any vehicular right-of-way which:
- a. is an existing state, county or municipal roadway or,
 - b. is a publicly owned easement or
 - c. is shown upon a plat or short plat or survey approved pursuant to County regulations or
 - d. is approved by other governmental action. The street shall include all land within the boundaries of the street right-of-way which is improved.
77. Street Classifications. Those functional classifications given to streets by the Clallam County Board of Commissioners under the provisions of RCW 36.86.070.
78. Street Right-Of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation, and intended to be occupied by a street, as specified by recorded easements, recorded ownership instruments, or dedications accepted by the Board of County Commissioners for public transportation purposes.
79. Utility. A fixed, conveyance type improvement serving two or more ownership's. Said improvement conveys power, gas, water, sewage, surface drainage, and communication signals. This definition does not include inter-county or inter-state transmission facilities.
80. Variance. An exception from the minimum standards of this chapter allowed by the provisions of Chapter 33.30 of this title.
81. 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.
82. Wood Manufacturing. Any wood manufacturing 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, milling and sorting.
83. Wood Manufacturing (Small Scale). Any wood manufacturing activity meeting the following criteria: cabinet shops and other wood finishing facilities; all activity takes place indoors; and the structure is less than 5,000 square feet.

Chapter 33.05 - Scope of Land Use Zones and Boundary Definitions

Section 33.05.010 LAND USE ZONES. In order to carry out the purpose of this chapter, the following land use zones are established:

| Comprehensive Plan Designation | Regional Plan | Zoning Designation | Zoning Chapter |
|--------------------------------|----------------------|---|----------------|
| Agricultural | Sequim-Dungeness | Agricultural Overlay (A) | 33.07.010 |
| Commercial Forest | All | Commercial Forest (CF) | 33.07.020 |
| Commercial Forest/Mixed Use 20 | Port Angeles Straits | Commercial Forest/Mixed Use 20 (CFM20) | 33.07.030 |
| Commercial Forest/Mixed Use 5 | Port Angeles Straits | Commercial Forest/Mixed Use 5 (CFM5) | 33.07.040 |
| Public | All | Public Land (P) | 33.07.050 |
| | | Airport Overlay District | 33.07.060 |
| Rural Very Low | All | Rural Very Low (R20) | 33.10.010 |
| Rural Low | All | Rural Low | 33.10.020 |
| Rural Moderate | All | Rural Moderate | 33.10.030 |
| Rural | Sequim-Dungeness | Rural | 33.10.040 |
| Rural Suburban Community | Port Angeles Straits | Rural | 33.10.040 |
| Rural Character Conservation 5 | Port Angeles Straits | Rural Character Conservation 5 (RCC5) | 33.10.050 |
| Rural Character Conservation 3 | Port Angeles | Rural Character Conservation 3 (RCC3) | 33.10.060 |
| Rural Low Mixed | Straits | Rural Low Mixed (RLM) | 33.10.070 |
| Urban Residential | Sequim-Dungeness | Urban Residential High (URH) | 33.13.010 |
| Urban Residential | Sequim-Dungeness | Urban Residential Low (URL) | 33.13.020 |
| Urban Very Low Density | Port Angeles | Urban Very Low Density (VLD) | 33.13.030 |
| Urban Low Density | | Urban Low Density (LD) | 33.13.040 |
| Open Space Overlay | | Urban Very Low Density/Urban Low Density (VLD/LD) | 33.13.050 |
| Urban Moderate Density | | Urban Moderate Density | 33.13.060 |
| | | Open Space Overlay/Open Space Corridors (OS) | 33.13.070 |
| Rural Commercial | Sequim-Dungeness | Rural Commercial (RC) | 33.15.010 |
| Rural Village | Sequim-Dungeness | Rural Village (RV) | 33.15.020 |
| Village Commercial | Sequim-Dungeness | Rural Village (RV) | 33.15.020 |
| Commercial | Sequim-Dungeness | Commercial (GC) | 33.15.030 |

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| Rural Center | Sequim-Dungeness | Rural Center (CEN) | 33.15.040 |
| Rural Neighborhood Commercial | Port Angeles Straits | Rural Neighborhood Commercial (RNC) | 33.15.050 |
| Rural Limited Commercial | Port Angeles Straits | Rural Limited Commercial (RLC) | 33.15.060 |
| Urban Neighborhood Commercial | Port Angeles Straits | Urban Neighborhood Commercial (UNC) | 33.15.070 |
| Urban Regional Commercial | Port Angeles Straits | Urban Regional Commercial (URC) | 33.15.080 |
| Urban Center | Straits | Urban Center (UC) | 33.15.090 |
| Industrial | All | Industrial (M) | 33.17.010 |
| Industrial | Sequim-Dungeness | Light Industrial (LI) | 33.17.020 |

Chapters 33.10 through 33.17 of this title sets forth the permitted uses, conditional uses, densities and development standards for each of the above specified zones. Unclassified uses may be allowed through the issuance of a Conditional Use Permit. The location and boundary of each zone listed above are specified on the official comprehensive plan map and amendments thereto as signed by the Board of County Commissioners and filed in the office of the County Auditor.

Section 33.05.020

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

1. 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.
2. 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 below.
3. 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.
4. 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.
5. Where a watercourse is designated as the boundary between two zones, the centerline of said watercourse shall be the precise boundary.

Chapter 33.07 - Resource and Public Zones

Section 33.07.010

AGRICULTURAL OVERLAY (A). The purpose of the Agricultural overlay is to provide properties identified as agricultural lands of long term commercial significance an optional development pattern which maintains agricultural lands.

1. **Allowed Land Uses:** The land uses allowed in the underlying zoning district are allowed outright in the Agricultural overlay, with the following additional allowed uses:
- | | |
|---|--|
| <ul style="list-style-type: none"> • Agricultural activities • Cluster developments • Employee housing¹ | <ul style="list-style-type: none"> • Mineral extraction |
|---|--|

¹ Employee housing for farm workers is not subject to the density standards of the

underlying zoning district, does not require a subdivision of land, and is subject to all applicable building and health codes.

2. **Conditional Land Uses:** The land uses allowed as a conditional use in the underlying zoning district are allowed as a conditional use in the Agricultural overlay.
3. **Prohibited Land Uses:** The land uses prohibited in the underlying zoning district are prohibited in the Agricultural overlay.
4. **Maximum Residential Density:** The density is established by the underlying zoning district.
5. **Minimum Lot Size:** The minimum lot size is established by the cluster development.
6. **Setbacks:** The setbacks are established by the underlying zoning district.

Section 33.07.020

COMMERCIAL FOREST (CF). The purpose of the Commercial Forest zone is to protect large forest land parcels from encroachment of uses which threaten effective forest management practices.

1. **Allowed Land Uses -** The following land uses should be allowed outright in the Commercial Forest zoning district:
- | | |
|---|---|
| <ul style="list-style-type: none"> • Agricultural activities • Communication Relay Facilities • Mineral extraction • Primitive campgrounds • RV Parks in the western half of the straits regional comprehensive planning area • Timber harvesting • Timber labor camps | <ul style="list-style-type: none"> • Single family dwellings² • Industrial Land Uses |
|---|---|

² On lots legally created prior to June 27, 1995, of less than 80 acres in area, provided that such lots were not part of an ownership of more than 640 acres located in the Commercial Forest zoning district.

2. **Conditional Land Uses -** The following land uses should be permitted in the Commercial Forest zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
- | | |
|--|---|
| <ul style="list-style-type: none"> • Family child care home | <ul style="list-style-type: none"> • Home based industries |
|--|---|

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- Home enterprises
- Research facilities
- Single family dwellings
- Shooting ranges
- Wood manufacturing

3. Prohibited Land Uses - The following land uses should be prohibited in the Commercial Forest zoning district:

- Airports
- Business parks
- Churches
- Commercial storage
- Child day care center
- Duplexes
- Gas stations
- Grocery stores
- Lodges
- Medical service facilities
- Mobile home parks
- Motels
- Multiple family dwellings
- Professional offices
- Race tracks
- Restaurants
- Retail stores
- Taverns
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Wrecking yards
- Asphalt plants
- Commercial greenhouses
- Horse arenas
- Planned unit developments
- RV parks
- Bed and breakfast inns
- Cemeteries
- Outdoor oriented recreational activity
- Shooting ranges
- Schools

4. Maximum Residential Density: One dwelling unit per 80 acres or 1/8 of a standard section subdivision.

5. Minimum Lot Size: The minimum lot size for dwelling units is 80 acres.

6. Maximum Lot Width to Depth Ratio: 1 to 4

7. Setbacks:

Front, Side and Rear yard - 130 feet, unless the lot is less than 10 acres in size and was legally created prior to June 27, 1995, in which case the setbacks are 50 feet.

8. Other Performance Standards:

Land use activities allowed through a conditional permit should not be permitted unless the proposed activity is compatible with long term timber management activities.

The roofs of all single family dwellings located in a commercial forest zoning district shall be of non-combustible materials. A 30 foot buffer, cleared of all combustible materials, shall be maintained around the dwelling and all trees capable of falling on the dwelling shall be removed.

Verification that the property owner has legal access to the property shall be provided to Clallam County prior to issuance of any permits for single family dwellings within a commercial forest zoning district.

Allowed industrial uses are those which can not be sited in urban areas or rural industrial zones due to noise, odor, or operational characteristics. When locating in the Commercial Forest zoning district, these uses must meet the following standards:

- a. Be self contained in that extension of infrastructure is the minimum necessary to serve the facility and that no municipal sewer or water will be provided.
- b. Require no upgrade to existing roads
- c. Be located at least one (1) mile from the edge of the Commercial Forest boundary
- d. Occupy no more than five (5) acres out of an 80 acre forested parcel.

Section 33.07.030

COMMERCIAL FOREST/MIXED USE 20 (CFM20). The purpose of the Commercial Forest/Residential Mixed Use 20 Zone is to maintain and enhance the forest resources of Clallam County through conservation of productive forest lands and discouragement of incompatible land uses. The Commercial Forest/Residential Mixed Use 20 Zone provides for a compatible mix of commercial forest and residential land uses. The Commercial Forest/Residential Mixed Use 20 Zone is usually found in association with the Commercial Forest Zone and the forest reserves provided for under the cluster development option provide a buffer between Commercial Forest Zoning and the housing allowed in the CFM zones and adjacent rural residential zones.

1. Allowed Land Uses: The following land uses should be allowed outright in the Commercial Forest/Residential Mixed Use 20 zoning district:
 - Agricultural activities
 - Cluster developments
 - Commercial greenhouse (wholesale)
 - Communication relay facilities
 - Mineral extraction
 - Primitive campgrounds
 - Timber harvesting
 - Single family dwellings
 - Family Day Care
 - Cluster Development.
 - Home enterprises
 - Water extraction facilities.
 - Fish and wildlife management structures and activities.
 - Forest or ecological research facilities and related educational facilities.
 - Power generating facilities having a capacity of not more than 5 megawatts.
 - RV Park

2. Conditional Land Uses: The following land uses should be allowed in the Commercial Forest/Residential Mixed Use 20 zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Asphalt Plant
 - Bed and Breakfasts
 - Cemetery
 - Church
 - Commercial greenhouse (retail)
 - Home based industries
 - Horse Arena
 - Lodge
 - School
 - Timber Labor Camp
 - Veterinary clinics/kennels
 - Wood manufacturing

3. Prohibited Land Uses: The following land uses should be prohibited in the Commercial Forest/Residential Mixed Use 20 zoning district:
 - Airports
 - Business parks
 - Commercial storage
 - Child day care center
 - Duplexes
 - Gas stations
 - Grocery stores
 - Medical service facilities
 - mobile home parks
 - Motels

- Multiple family dwellings
- Outdoor Oriented Recreation
- Planned Unit Development
- Professional offices
- Race tracks
- Restaurants
- Retail stores
- Shooting ranges
- Taverns
- Tourist shops
- Vehicular repair
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 19.6 acres.
5. Minimum Lot Size: 5 acres.
6. Maximum Lot Size: 10 acres, provided that a single forest reserve lot within a land division is allowed on divisions of 40 acres or greater. The forest reserve lot shall be located so as to buffer commercial forest lands and the smaller lots in the land division.
7. Minimum Lot Width: 75 feet
8. Maximum Width to Depth Ratio: 1/5 (0.20)
9. Setbacks: The setbacks are established by the underlying zoning district.
 - Front yard - 45 feet from a local access street
 - 50 feet from an arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

Section 33.07.040

COMMERCIAL FOREST/MIXED USE 5 (CFM5). The purpose of the Commercial Forest/Residential Mixed Use 5 Zone is to maintain and enhance the forest resources of Clallam County through conservation of productive forest lands and discouragement of incompatible land uses. The Commercial Forest/Residential Mixed Use 5 Zone provides for a compatible mix of commercial forest and residential land uses. The Commercial Forest/Residential Mixed Use 5 Zone is usually found in association with the Commercial Forest Zone and the forest reserves provided for under the cluster development option provide a buffer between Commercial Forest Zoning and the housing allowed in the CFM zones and adjacent rural residential zones.

1. Allowed Land Uses: The following land uses should be allowed outright in the Commercial Forest/Residential Mixed Use 5 zoning district:
 - Agricultural activities
 - Cluster developments
 - Commercial greenhouse (wholesale)
 - Communication relay facilities
 - Mineral extraction
 - Primitive campgrounds
 - Timber harvesting
 - Single family dwellings
 - Family Day Care
 - Cluster Development.
 - Home enterprises
 - Water extraction facilities.
 - Fish and wildlife management structures and activities.
 - Forest or ecological research facilities and related educational facilities.
 - Power generating facilities having a capacity of not more than 5 megawatts.
 - RV Park

2. Conditional Land Uses: The following land uses should be allowed in the Commercial Forest/Residential Mixed Use 5 zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Asphalt Plant
- Bed and Breakfasts
- Cemetery
- Church
- Commercial Greenhouse (retail)
- Home based industries
- Horse Arena
- Lodge
- School
- Timber Labor Camp
- Veterinary clinics/kennels
- Wood manufacturing

3. Prohibited Land Uses: The following land uses should be prohibited in the Commercial Forest/Residential Mixed Use 5 zoning district:

- Airports
- Business parks
- Commercial storage
- Child day care center
- Duplexes
- Gas stations
- Grocery stores
- Medical service facilities
- Mobile home parks
- Motels
- Multiple family dwellings
- Outdoor Oriented Recreation
- Planned Unit Development
- Professional offices
- Race tracks
- Restaurants
- Retail stores
- Shooting ranges
- Taverns
- Tourist shops
- Vehicular repair
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 4.8 acres.

5. Minimum Lot Size: One acre.

6. Maximum Lot Size: 2.5 acres, provided that a single forest reserve lot within a land division is allowed on divisions of 40 acres or greater. The forest reserve lot shall be located so as to buffer commercial forest lands and the smaller lots in the land division.

7. Minimum Lot Width: 75 feet

8. Maximum Width to Depth Ratio: 1/5 (0.20)

9. Setbacks: The setbacks are established by the underlying zoning district.

Front yard - 45 feet from a local access street

50 feet from an arterial street

60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

PUBLIC LAND (P). The purpose of the Public Land Use zoning district is to identify properties used for public purposes such as public buildings, schools, cemeteries, parks, playgrounds and recreational areas.

1. **Allowed Land Uses** - The following land uses should be allowed outright in the Public Land zoning district:
 - Agricultural activities
 - Timber harvesting
 - Outdoor oriented recreational activities

2. **Conditional Land Uses** - The following land uses should be permitted in the Public Land zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Airports
 - Bed and breakfast inns
 - Cemeteries
 - Horse arenas
 - Lodges
 - Mineral extraction
 - Research facilities
 - Private outdoor oriented recreational activities
 - Public buildings
 - Schools
 - Race tracks
 - Restaurants
 - RV parks

3. **Prohibited Land Uses** - The following land uses should be prohibited in the Public Land zoning district:
 - Asphalt plants
 - Business parks
 - Churches
 - Commercial greenhouses
 - Commercial storage
 - Child day care center
 - Duplexes
 - Family child care home
 - Home enterprises
 - Home based industries
 - Mobile home parks
 - Multiple family dwellings
 - Planned unit developments
 - Gas stations
 - Grocery stores
 - Medical service facilities
 - Motels
 - Professional offices
 - Retail stores
 - Shooting ranges
 - Single family dwellings
 - Taverns
 - Timber labor camps
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Wood manufacturing
 - Wrecking yards

4. **Maximum Residential Density:** One single family dwelling for a caretaker.

5. **Minimum Lot Size:** The minimum necessary to provide adequate potable water and sewage disposal for the proposed use.

6. **Setbacks:**
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

AIRPORT OVERLAY DISTRICT. The purpose of the airport overlay district is to allow airport related uses in rural areas around pre-existing public and private airports.

1. Allowed Land Uses - The following land uses should be allowed outright in the Airport Overlay District:

- Airports
- All land uses allowed in the underlying zoning district.
- Agricultural activities
- Public buildings

- Retail stores¹

¹ Retail stores of less than 10,000 square feet which provide goods and services relating to providing airport services such as, but not limited to, aircraft sales and service, restaurants, and aircraft hangers.

2. Conditional Land Uses - The following land uses should be permitted in the airport overlay zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

3. Prohibited Land Uses - The following land uses should be prohibited in the Airport overlay zoning district:

- Asphalt plants
- Business parks
- Bed and breakfast inns
- Cemeteries
- Churches
- Commercial greenhouses
- Commercial storage
- Child day care center
- Duplexes
- Home enterprises
- Home based industries
- Family child care home
- Lodges
- Mobile home parks
- Multiple family dwellings
- Outdoor oriented recreational activities
- Planned unit developments
- Gas stations
- Grocery stores
- Horse arenas
- Medical service facilities
- Mineral extraction
- Motels
- Professional offices
- Private outdoor oriented recreational activities
- Race tracks
- Research facilities
- Retail stores
- RV parks
- Schools
- Single family dwellings
- Taverns
- Timber harvesting
- Timber labor camps
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Wood manufacturing
- Wrecking yards

Chapter 33.10 - Rural Zones

Section 33.10.010

RURAL VERY LOW (R20). The purpose of the R20 zone is to conserve and enhance the forest resources of Clallam County by providing a transition between rural land uses and Commercial Forest zoning districts.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Very Low zoning district:
 - Agricultural activities
 - Bed and breakfast inns
 - Cemeteries
 - Commercial greenhouses (wholesale)
 - Family child care home
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Planned unit developments
 - Single family dwellings
 - Timber harvesting
2. Conditional Land Uses - The following land uses should be permitted in the Rural Very Low zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Child day care center
 - Churches
 - Commercial greenhouses (retail)
 - Mineral extraction
 - Outdoor oriented recreational activity
 - Primitive campgrounds
 - Private schools with less than 50 students
 - Research facilities
 - RV parks in the western half of the straits regional comprehensive planning area
 - Veterinarian clinics/kennels
3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Very Low zoning district:
 - Airports
 - Asphalt plants
 - Business parks
 - Commercial storage
 - Duplexes
 - Gas stations
 - Grocery stores
 - Lodges
 - Medical service facilities
 - Mobile home parks
 - Motels
 - Multiple family dwellings
 - Professional offices
 - Race tracks
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Shooting ranges
 - Taverns
 - Timber labor camps
 - Tourist shops
 - Vehicular repair
 - Wrecking yards
 - Wood manufacturing
4. Maximum Residential Density: One dwelling unit per 20 acres or 1/32nd of a standard section subdivision.
5. Minimum Lot Size: 5 acres or 1/128 of a standard section subdivision.
6. Minimum Lot Width: 75 feet

7. Maximum Width to Depth Ratio: 1/5 (0.20)
8. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

Section 33.10.020

RURAL LOW (R5). The purpose of the R5 zone is to provide areas having a low density rural setting free from commercial, industrial, and moderate density residential developments.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Low zoning district:
 - Agricultural activities
 - Bed and breakfast inns
 - Commercial greenhouses (wholesale)
 - Duplex¹
 - Home enterprises
 - Horse arenas
 - Family child care home
 - Single family dwellings
 - Timber harvesting

¹ Maximum residential density applies to this use (a duplex requires a minimum of 9.6 acres).

2. Conditional Land Uses - The following land uses should be permitted in the Rural Low zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Commercial greenhouses (retail)
 - Cemeteries
 - Child day care center
 - Home based industries
 - Mineral extraction
 - Outdoor oriented recreational activity
 - Primitive campgrounds
 - Churches
 - Private schools with less than 50 students
 - RV parks in the western half of the straits regional comprehensive planning area
 - Research facilities
 - Veterinarian clinics/kennels
3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Low zoning district:
 - Airports
 - Asphalt plants
 - Business parks
 - Commercial storage
 - Gas stations
 - Grocery stores
 - Lodges
 - Medical service facilities
 - Mobile home parks
 - Motels
 - Multiple family dwellings
 - Planned unit developments
 - Professional offices
 - Race tracks

- Restaurants
- Retail stores
- RV parks
- Schools
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Wood manufacturing
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 4.8 acres or 1/128 of a standard section subdivision.
5. Minimum Lot Size: One acre.
6. Minimum Lot Width: 75 feet
7. Maximum Width to Depth Ratio: 1/5 (0.20)
8. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
 - From Resource Zone - 50 feet (20 feet for accessory structures).

Section 33.10.030

RURAL MODERATE (R2). The purpose of the Rural Moderate (R2) zone is to provide areas having a moderate density rural setting free from commercial, industrial, and high density residential developments.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Moderate zoning district:
 - Agricultural activities
 - Bed and breakfast inns
 - Commercial greenhouses (wholesale)
 - Duplex¹
 - Home enterprises
 - Family child care home
 - Single family dwellings
 - Timber harvesting

¹ Maximum residential density applies to this use (a duplex requires a minimum of 4.8 acres).

2. Conditional Land Uses - The following land uses should be permitted in the Rural Moderate zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Cemeteries
 - Commercial greenhouses (retail)
 - Child day care center
 - Home based industries
 - Horse arenas
 - Mineral extraction
 - Churches
 - Outdoor oriented recreation activity

- Primitive campgrounds
- Private schools with less than 50 students
- Research facilities
- RV parks in the western half of the straits regional comprehensive planning area
- Veterinarian clinics/kennels

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Moderate zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial storage
- Gas stations
- Grocery stores
- Lodges
- Medical service facilities
- Mobile home parks
- Motels
- Multiple family dwellings
- Professional offices
- Planned unit developments
- Race tracks
- Restaurants
- Retail stores
- RV parks
- Schools
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Wood manufacturing
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 2.4 acres or 1/256 of a standard section subdivision.

5. Minimum Lot Size: One acre.

6. Minimum Lot Width: 75 feet

7. Maximum Width to Depth Ratio: 1/5 (0.20)

8. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

From Resource Zones - 50 feet (20 feet for accessory structures).

Section 33.10.040

RURAL (R1). The purpose of the Rural zone is to provide areas having a suburban/rural density setting free from commercial and industrial developments.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural zoning district:

- Agricultural activities
- Bed and breakfast inns
- Commercial greenhouses (wholesale)
- Duplex¹
- Home enterprises

¹ Maximum residential density applies to this use (a duplex requires a minimum of 2 acres).

- Family child care home
- Planned unit developments
- Single family dwellings
- Timber harvesting

2. Conditional Land Uses - The following land uses should be permitted in the Rural zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Cemeteries
- Commercial greenhouses (retail)
- Child day care center
- Home based industries
- Horse arenas
- Outdoor oriented recreational activity
- Primitive campgrounds
- Private schools with less than 50 students
- Research facilities
- Churches
- Veterinarian clinics/kennels

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural zoning district:

- Asphalt plants
- Airports
- Business parks
- Commercial storage
- Gas stations
- Grocery stores
- Lodges
- Medical service facilities
- Mineral extraction
- Mobile home parks
- Motels
- Multiple family dwellings
- Professional offices
- Race tracks
- Restaurants
- Retail stores
- RV parks
- Schools
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Wood manufacturing
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per acre.

5. Minimum Lot Size: One acre.

6. Minimum Lot Width: 75 feet

7. Maximum Width to Depth Ratio: 1/5 (0.20)

8. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

From Resource Zones - 50 feet (20 feet for accessory structures).

RURAL CHARACTER CONSERVATION 5 ZONE (RCC5) - PURPOSE. The purpose of the RCC5 zone is to conserve and enhance the rural character of Clallam County by providing for the retention of large rural lot sizes allowing productive woodlots, pasture lands and other rural uses typically requiring more than 5 acres. The RCC5 zone preserves open land, sensitive natural areas, and rural community character that would be lost under conventional development while allowing developers to reduce road and utility costs.

1. Allowed Land Uses - The following land uses should be allowed outright in the RCC5 zoning district:
 - Agricultural activities
 - Bed and breakfast inns
 - Cemeteries
 - Family child care home
 - Home Enterprises
 - Non-commercial horse arenas
 - Planned Unit Developments
 - Rural Character Conservation Developments
 - Single family dwellings
 - Timber harvesting

2. Conditional Land Uses - The following land uses should be allowed in the RCC5 zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Child day care center
 - Churches
 - Commercial greenhouses
 - Commercial horse arenas
 - Home based industries
 - Mineral extraction
 - Outdoor oriented recreational activity
 - Primitive campgrounds
 - Research facilities requiring a rural location
 - Veterinarian clinics/kennels

3. Prohibited Land Uses - The following land uses should be prohibited in the RCC 5 zoning district:
 - Airports
 - Asphalt plants
 - Business parks
 - Commercial storage
 - Duplexes
 - Gas stations
 - Grocery stores
 - Lodges
 - Medical service facilities
 - Mobile home parks
 - Motels/Hotels
 - Multiple family dwellings
 - Professional offices
 - Race tracks
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Shooting ranges
 - Taverns
 - Timber labor camps
 - Tourist shops
 - Vehicular repair
 - Wood manufacturing
 - Wrecking yards

4. Maximum Residential Density: One dwelling unit per 10 acres or 1/64 of a standard section subdivision, except as provided in Section 33.10.050 (9) of this chapter.

5. Minimum Lot Size: 10 acres, except as provided in Section 33.10.050 (9) of this chapter.
6. Minimum Lot Width: 400 feet, except as provided in Section 33.10.050 (9) of this chapter.
7. Maximum Lot Width to Depth Ratio: 1/3 (0.33), except as provided in Section 33.10.050 (9) of this chapter.
8. Setbacks (except as provided in Section 33.10.050 (9) of this chapter):
 - Front yard - 60 feet
 - Side yard - 25 feet
 - Rear yard - 30 feet
9. Special Development Standards for Cluster Developments.
 - a. Maximum Residential Density: One dwelling unit per 4.8 acres.
 - b. Minimum Lot Size (lots within the development portion of the parcel): 1/2 acre
 - c. Minimum Lot Size (remainder lots):
 - i. Parcels of less than 19 acres in area - N/A
 - ii. Parcels greater than 19 acres and less than 60 acres in area -
Seventy percent (70%) of the gross parcel size before development.
 - iii. Parcels greater than 60 acres and less than 100 acres in area -
Sixty percent (60%) of the gross parcel size before development.
 - iv. Parcels greater than 100 acres -
Fifty five percent (55%) of the gross parcel size before development.
 - d. Maximum Lot Size (lots within the development portion of the parcel):
 - i. Parcels of less than 11 acres in area which were created prior to February 27, 1995 - 1.5 acres
 - ii. Parcels greater than 11 acres and less than 19 acres in area - one acre
 - iii. Parcels greater than 19 acres - N/A
 - e. Minimum Lot Width: 75 feet
 - f. Maximum Lot Width to Depth Ratio: 1/4 (0.25)
 - g. Setbacks:
 - Front yard -
30 feet from Private Roads
100 feet from County Roads or State Highways
 - Side yard - 25 feet
 - Rear yard - 30 feet

- h. At the sole discretion of the land divider, the remainder lot may be identified as an open space lot which may be under the ownership of an homeowner's association.
- i. Parcels of land which were under a single contiguous ownership prior to February 27, 1995, may not be further divided except at the density provided by Section 33.10.050 (4) of this chapter.
- j. Lots within the cluster portion of the development must meet the following minimum standards:
 - i. No more than 9 adjacent lots may be clustered without providing at least 200 feet of separation between cluster areas.
 - ii. No lot shall contain any floodplain, wetlands, landslide hazard areas, or areas within an Open Space Overlay Corridor.
 - iii. There shall be not more than two lots for every 1,000 feet of frontage along a public street, provided that parcels with less than 1,000 feet of frontage may have two frontage lots.
 - iv. Each lot shall be adjacent to the remainder lot or other open space areas.
 - v. No lot shall be located closer than 100 feet to a public road, unless the development creates fewer than 5 lots.
- k. Remainder lots shall be located and designed to maximize common boundaries with open land on adjacent tracts, as shown in the Open Space Overlay Zone, and shall consist of large contiguous areas not less than 100 feet in width.

Section 33.10.060

RURAL CHARACTER CONSERVATION 3 ZONE (RCC3) - PURPOSE. The purpose of the RCC3 zone is to conserve and enhance the rural character of Clallam County by providing for the retention of large rural lot sizes allowing productive woodlots, pasture lands and other rural uses typically requiring more than 5 acres. The RCC3 zone preserves open land, sensitive natural areas, and rural community character that would be lost under conventional development while allowing developers to reduce road and utility costs.

- 1. Allowed Land Uses - The following land uses should be allowed outright in the RCC5 zoning district:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Agricultural activities • Bed and breakfast inns • Cemeteries • Family child care home • Home Enterprises • Non-commercial horse arenas | <ul style="list-style-type: none"> • Planned Unit Developments • Rural Character Conservation Developments • Single family dwellings • Timber harvesting |
|--|--|

2. Conditional Land Uses - The following land uses should be allowed in the RCC 5 zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Child day care center
- Churches
- Commercial greenhouses
- Commercial horse arenas
- Home based industries
- Mineral extraction
- Outdoor oriented recreational activity
- Primitive campgrounds
- Research facilities requiring a rural location
- Veterinarian clinics/kennels

3. Prohibited Land Uses - The following land uses should be prohibited in the RCC 5 zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial storage
- Duplexes
- Gas stations
- Grocery stores
- Lodges
- Medical service facilities
- Mobile home parks
- Motels/Hotels
- Multiple family dwellings
- Professional offices
- Race tracks
- Restaurants
- Retail stores
- RV parks
- Schools
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Wood manufacturing
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 10 acres or 1/64 of a standard section subdivision, except as provided in Section 33.10.060 (9) of this chapter.

5. Minimum Lot Size: 10 acres, except as provided in Section 33.10.060 (9) of this chapter.

6. Minimum Lot Width: 400 feet, except as provided in Section 33.10.060 (9) of this chapter.

7. Maximum Lot Width to Depth Ratio: 1/3 (0.33), except as provided in Section 33.10.060 (9) of this chapter.

8. Setbacks (except as provided in Section 33.10.060 (9) of this chapter):

Front yard - 60 feet

Side yard - 25 feet

Rear yard - 30 feet

9. Special Development Standards for Cluster Developments.

a. Maximum Residential Density: One dwelling unit per 2.4 acres.

b. Minimum Lot Size (lots within the development portion of the parcel): 1/2 acre

- c. Minimum Lot Size (remainder lots):
 - i. Parcels of less than 19 acres in area - N/A
 - ii. Parcels greater than 19 acres and less than 60 acres in area -
Seventy percent (70%) of the gross parcel size before development.
 - iii. Parcels greater than 60 acres and less than 100 acres in area -
Sixty percent (60%) of the gross parcel size before development.
 - iv. Parcels greater than 100 acres -
Fifty five percent (55%) of the gross parcel size before development.
- d. Maximum Lot Size (lots within the development portion of the parcel):
 - i. Parcels of less than 11 acres in area which were created prior to February 27, 1995 - 1.5 acres
 - ii. Parcels greater than 11 acres and less than 19 acres in area - one acre
 - iii. Parcels greater than 19 acres - N/A
- e. Minimum Lot Width: 75 feet
- f. Maximum Lot Width to Depth Ratio: 1/4 (0.25)
- g. Setbacks:
 - Front yard -
 - 30 feet from Private Roads
 - 100 feet from County Roads or State Highways
 - Side yard - 25 feet
 - Rear yard - 30 feet
- h. At the sole discretion of the land divider, the remainder lot may be identified as an open space lot which may be under the ownership of an homeowner's association.
- i. Parcels of land which were under a single contiguous ownership prior to February 27, 1995, may not be further divided except at the density provided by Section 33.10.060 (4) of this chapter.
- j. Lots within the cluster portion of the development must meet the following minimum standards:
 - i. No more than 9 adjacent lots may be clustered without providing at least 200 feet of separation between cluster areas.
 - ii. No lot shall contain any floodplain, wetlands, landslide hazard areas, or areas within an Open Space Overlay Corridor.
 - iii. There shall be not more than two lots for every 1,000 feet of frontage along a public street, provided that parcels with less than 1,000 feet of frontage may have two frontage lots.

- iv. Each lot shall be adjacent to the remainder lot or other open space areas.
- v. No lot shall be located closer than 100 feet to a public road, unless the development creates fewer than 5 lots.
- k. Remainder lots shall be located and designed to maximize common boundaries with open land on adjacent tracts, as shown in the Open Space Overlay Zone, and shall consist of large contiguous areas not less than 100 feet in width.

Section 33.10.070

RURAL LOW MIXED (RLM) - PURPOSE. The purpose of the RLM zone is to conserve and enhance the rural character of the eastern portion of the Straits Regional Planning Area by providing for the retention of large rural lot sizes allowing productive woodlots, pasture lands and other rural uses typically requiring more than 5 acres. The RLM zone preserves open land, sensitive natural areas, and rural community character that would be lost under conventional development while allowing developers to reduce road and utility costs.

1. **Allowed Land Uses -** The following land uses should be allowed outright in the RCC5 zoning district:

- Agricultural activities
- Bed and breakfast inns
- Cemeteries
- Family child care home
- Home Enterprises
- Non-commercial horse arenas
- Planned Unit Developments
- Rural Character Conservation Developments
- Single family dwellings
- Timber harvesting

2. **Conditional Land Uses -** The following land uses should be allowed in the RCC 5 zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Child day care center
- Churches
- Commercial greenhouses
- Commercial horse arenas
- Home based industries
- Mineral extraction
- Outdoor oriented recreational activity
- Primitive campgrounds
- Research facilities requiring a rural location
- Veterinarian clinics/kennels

3. **Prohibited Land Uses -** The following land uses should be prohibited in the RCC 5 zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial storage
- Duplexes
- Gas stations
- Grocery stores
- Lodges
- Medical service facilities
- Mobile home parks
- Motels/Hotels
- Multiple family dwellings
- Professional offices
- Race tracks

- Restaurants
- Retail stores
- RV parks
- Schools
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Wood manufacturing
- Wrecking yards

4. Maximum Residential Density: One dwelling unit per 5 acres or 1/128 of a standard section subdivision, except as provided in Section 33.10.070 (9) of this chapter.
5. Minimum Lot Size: 5 acres or 1/128 of a standard section subdivision, except as provided in Section 33.10.070 (9) of this chapter.
6. Minimum Lot Width: 400 feet, except as provided in Section 33.10.070 (9) of this chapter.
7. Maximum Lot Width to Depth Ratio: 1/3 (0.33), except as provided in Section 33.10.070 (9) of this chapter.
8. Setbacks (except as provided in Section 33.10.070 (9) of this chapter):
 - Front yard - 60 feet
 - Side yard - 25 feet
 - Rear yard - 30 feet
9. Special Development Standards for Cluster Developments.
 - a. Maximum Residential Density: One dwelling unit per 2.4 acres.
 - b. Minimum Lot Size (lots within the development portion of the parcel): 1/2 acre
 - c. Minimum Lot Size (remainder lots):
 - i. Parcels of less than 19 acres in area - N/A
 - ii. Parcels greater than 19 acres and less than 60 acres in area - Seventy percent (70%) of the gross parcel size before development.
 - iii. Parcels greater than 60 acres and less than 100 acres in area - Sixty percent (60%) of the gross parcel size before development.
 - iv. Parcels greater than 100 acres - Fifty five percent (55%) of the gross parcel size before development.
 - d. Maximum Lot Size (lots within the development portion of the parcel):
 - i. Parcels of less than 11 acres in area which were created prior to February 27, 1995 - 1.5 acres
 - ii. Parcels greater than 11 acres and less than 19 acres in area - one acre
 - iii. Parcels greater than 19 acres - N/A
 - e. Minimum Lot Width: 75 feet

- f. Maximum Lot Width to Depth Ratio: 1/4 (0.25)
- g. Setbacks:
 - Front yard -
 - 30 feet from Private Roads
 - 100 feet from County Roads or State Highways
 - Side yard - 25 feet
 - Rear yard - 30 feet
- h. At the sole discretion of the land divider, the remainder lot may be identified as an open space lot which may be under the ownership of an homeowner's association.
- i. Parcels of land which were under a single contiguous ownership prior to February 27, 1995, may not be further divided except at the densities provided by Section 33.10.070 (4) of this chapter.
- j. Lots within the cluster portion of the development must meet the following minimum standards:
 - i. No more than 9 adjacent lots may be clustered without providing at least 200 feet of separation between cluster areas.
 - ii. No lot shall contain any floodplain, wetlands, landslide hazard areas, or areas within an Open Space Overlay Corridor.
 - iii. There shall be not more than two lots for every 1,000 feet of frontage along a public street, provided that parcels with less than 1,000 feet of frontage may have two frontage lots.
 - iv. Each lot shall be adjacent to the remainder lot or other open space areas.
 - v. No lot shall be located closer than 100 feet to a public road, unless the development creates fewer than 5 lots.
- k. Remainder lots shall be located and designed to maximize common boundaries with open land on adjacent tracts, as shown in the Open Space Overlay Zone, and shall consist of large contiguous areas not less than 100 feet in width.

Chapter 33.13 - Urban Zones

Section 33.13.010

URBAN RESIDENTIAL HIGH DENSITY (URH). The purpose of the Urban Residential High zoning district is to provide areas of high density multiple family residential development free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Residential High zoning district:
 - Agricultural activities
 - Child day care center
 - Duplexes
 - Home enterprises
 - Family child care home
 - Mobile home parks
 - Multiple family dwellings
 - Planned unit developments
 - Single family dwellings
 - Timber harvesting
 - Bed and breakfast inns
 - Churches
 - Lodges
 - Schools
2. Conditional Land Uses - The following land uses should be permitted in the Urban Residential High zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Cemeteries
 - Grocery stores
 - Home based industries
 - Medical service facilities
 - Outdoor oriented recreational activity
 - Restaurants
3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Residential High zoning district:
 - Airports
 - Asphalt plants
 - Business parks
 - Commercial greenhouses
 - Commercial storage
 - Gas stations
 - Horse arenas
 - Mineral extraction
 - Motels
 - Professional offices
 - Race tracks
 - Research facilities
 - Retail stores
 - RV parks
 - Shooting ranges
 - Taverns
 - Timber labor camps
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Wood manufacturing
 - Wrecking yards
 - Primitive campgrounds
4. Maximum Residential Density: One dwelling unit per 12,500 square feet.
5. Maximum Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 5 acres and capable of being redivided.
6. Minimum Lot Size: 7,000 square feet

7. Setbacks:
- Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

Section 33.13.020

URBAN RESIDENTIAL LOW DENSITY (URL). The purpose of the Urban Residential Low zoning district is provide areas of urban density, multiple family residential development free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Residential Low zoning district:
 - Agricultural activities
 - Child day care center
 - Duplexes
 - Home enterprises
 - Family child care home
 - Mobile home parks
 - Multiple family dwellings
 - Planned unit developments
 - Single family dwellings
 - Timber harvesting
 - Bed and breakfast inns
 - Churches
 - Lodges
 - Home based industries
 - Schools

2. Conditional Land Uses - The following land uses should be permitted in the Urban Residential Low zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Cemeteries
 - Grocery stores
 - Medical service facilities
 - Outdoor oriented recreational activity
 - Restaurants
 - RV parks

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Residential Low zoning district:
 - Airports
 - Asphalt plants
 - Business parks
 - Commercial greenhouses
 - Commercial storage
 - Gas stations
 - Horse arenas
 - Mineral extraction
 - Motels
 - Professional offices
 - Race tracks
 - Research facilities
 - Retail stores
 - Shooting ranges
 - Taverns
 - Timber labor camps
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Wood manufacturing
 - Wrecking yards
 - Primitive campgrounds

4. Maximum Residential Density: One dwelling unit per 21,500 square feet.

5. Maximum Lot Size: 43,000 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.
6. Minimum Lot Size. 12,500 square feet.
7. Minimum Lot Width: 50 feet
8. Maximum Width to Depth Ratio: 1/5 (0.20)
9. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
10. Neighborhood Grocery Stores:
 - The structure must be less than 10,000 square feet in area.
 - Total lot coverage is limited to 35% (20% for the structure and 15% for all related improvements, including parking).
 - All permitted signs shall be located on the wall of the main structure.

Section 33.13.030

URBAN VERY LOW DENSITY (VLD). The purpose of the Urban Very Low Density zoning district is to provide for single family housing at very low urban densities in areas with development limitations and to establish areas where residential development is free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Very Low Density zoning district:
 - Agricultural activities
 - Child day care center
 - Duplexes
 - Home enterprises
 - Family child care home
 - Planned unit developments
 - Single family dwellings
 - Timber harvesting
 - Bed and breakfast inns
 - Churches
 - Lodges
2. Conditional Land Uses - The following land uses should be permitted in the Urban Very Low Density zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Cemeteries
 - Home based industries
 - Public outdoor oriented recreational activity
 - Schools
 - Commercial greenhouses and plant nurseries

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Very Low Density zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial storage
- Gas stations
- Grocery stores
- Horse arenas
- Medical service facilities
- Mineral extraction
- Motels
- Mobile home parks
- Multiple family dwellings
- Professional offices
- Race tracks
- Research facilities
- Restaurants
- RV parks
- Retail stores
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Wood manufacturing
- Wrecking yards
- Primitive campgrounds

4. Maximum Residential Density: One dwelling unit per 21,500 square feet.

5. Maximum Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.

6. Minimum Lot Size. 12,500 square feet.

7. Minimum Lot Width: 50 feet

8. Maximum Width to Depth Ratio: 1/5 (0.20)

9. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

10. Open Space Overlay: When Urban Very Low Density zoning districts contain contiguous critical areas they are identified by an Open Space Overlay (OS) designation which identifies them as an area from which development rights may be transferred.

Section 33.13.040

URBAN LOW DENSITY (LD). The purpose of the Urban Low Density zoning district is to provide areas of low density urban development consisting of a mix of single family residences, duplexes and multiple family residential land uses which are free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Low Density zoning district:

- Agricultural activities
- Child day care center
- Duplexes
- Home enterprises
- Family child care home
- Mobile home parks
- Multiple family dwellings
- Planned unit developments
- Schools
- Single family dwellings

- Timber harvesting
- Bed and breakfast inns
- Churches
- Lodges

2. Conditional Land Uses - The following land uses should be permitted in the Urban Low Density zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Cemeteries
- Home based industries
- Outdoor oriented recreational activity

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Low Density zoning district:

- | | |
|------------------------------|--------------------------------|
| • Airports | • Research facilities |
| • Asphalt plants | • Retail stores |
| • Business parks | • RV parks |
| • Commercial greenhouses | • Restaurants |
| • Commercial storage | • Shooting ranges |
| • Gas stations | • Taverns |
| • Grocery stores | • Timber labor camps |
| • Horse arenas | • Tourist shops |
| • Medical service facilities | • Vehicular repair |
| • Mineral extraction | • Veterinarian clinics/kennels |
| • Motels | • Wood manufacturing |
| • Professional offices | • Wrecking yards |
| • Race tracks | • Primitive campgrounds |

4. Maximum Residential Density: Nine dwelling units per acre.

5. Maximum Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.

6. Minimum Lot Size: 4,840 square feet

7. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

URBAN VERY LOW DENSITY/URBAN LOW DENSITY (VLD/LD). The purpose of the Urban Very Low Density/Urban Low Density zoning district is to provide areas of very low density urban development which provide the opportunity to increase per acre urban densities up to an additional seven units per acre through the purchase of development rights. This zoning district provide areas for a mix of single family residences, duplexes and multiple family residential development which is free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Very Low Density/Urban Low Density zoning district:

- Agricultural activities
- Child day care center
- Duplexes
- Home enterprises
- Family child care home
- Mobile home parks
- Multiple family dwellings
- Planned unit developments
- Single family dwellings
- Timber harvesting
- Bed and breakfast inns
- Churches
- Lodges

2. Conditional Land Uses - The following land uses should be permitted in the Urban Very Low Density/Urban Low Density zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Cemeteries
- Home based industries
- Public outdoor oriented recreational activity
- Schools

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Very Low Density/Urban Low Density zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial greenhouses
- Commercial storage
- Gas stations
- Grocery stores
- Horse arenas
- Medical service facilities
- Mineral extraction
- Motels
- Professional offices
- Race tracks
- Research facilities
- Restaurants
- Retail stores
- RV parks
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Wood manufacturing
- Wrecking yards
- Primitive campgrounds

4. Maximum Residential Density:

Two dwelling units per acre without purchase of development rights.

Nine dwelling units per acre with purchase of development rights.

5. Maximum Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.

6. Minimum Lot Size: 4,840 square feet

7. Setbacks:
- Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

8. Purchase of development rights.

A development right is established by the density of development allowed in a zoning district. For example, every 5 acres of land in a 5 acre zoning district within an Open Space Overlay district or an Open Space Overlay Corridor has one development right. Development rights may be purchased from any urban property located within an Open Space Overlay zone or any rural property located within an Open Space Overlay Corridor. . Development rights may be utilized to increase densities in the VLD/LD zoning district. Limiting development of critical areas and habitats by allowing owners of critical areas to sell their development rights results in further protection of critical areas and serves to compensate owners of critical areas for loss of development rights.

A transfer of development rights can occur when a property owner of property located within an Open Space Overlay district or an Open Space Overlay Corridor agrees to sell one or more of his/her development rights to an owner of property within a VLD/LD zoning district. A development right shall be transferred by placing a notice to title on the property selling the development rights and recording a notice on the plat of the subdivision receiving the development rights. Both notices shall be in a recordable form approved by the Department of Community Development. The notice to title shall limit the future construction of dwelling units in the open space overlay zones or corridors to the total number of development rights established by the zoning of the property minus all development rights transferred. The transfer of development rights shall be recorded on the plat of the subdivision and in the land records of Clallam County and shall indicate the number of development rights transferred to the property to increase the density of the development.

The base density of the VLD/LD zoning district shall not be increased above 9 dwelling units per acre.

A request to utilize development rights shall be in the form of a preliminary subdivision plan. An sales agreement will document the number and location of the development rights being transferred.

Section 33.13.060

URBAN MODERATE DENSITY (MD). The purpose of the Urban Moderate Density zoning district is provide areas of moderately high density urban development within urban growth areas. This zone allows single family residences, duplexes and multiple family residential development which is free from encroachment of commercial and industrial activities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Urban Moderate Density zoning district:
- Agricultural activities
 - Child day care center
 - Duplexes
 - Home enterprises
 - Family child care home
 - Mobile home parks

- Multiple family dwellings
- Planned unit developments
- Schools
- Single family dwellings
- Timber harvesting
- Bed and breakfast inns
- Churches
- Lodges

2. Conditional Land Uses - The following land uses should be permitted in the Urban Moderate Density zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Cemeteries
- Home based industries
- Outdoor oriented recreational activity

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Moderate Density zoning district:

- Airports
- Asphalt plants
- Business parks
- Commercial greenhouses
- Commercial storage
- Gas stations
- Grocery stores
- Horse arenas
- Medical service facilities
- Mineral extraction
- Motels
- Professional offices
- Race tracks
- Research facilities
- Retail stores
- RV parks
- Restaurants
- Shooting ranges
- Taverns
- Timber labor camps
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Wood manufacturing
- Wrecking yards
- Primitive campgrounds

4. Maximum Residential Density: Fifteen dwelling units per acre.

5. Maximum Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.

6. Minimum Lot Size: 4,840 square feet

7. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

Section 33.13.070

OPEN SPACE OVERLAY/OPEN SPACE CORRIDORS (OS). The purpose of the Open Space Overlay zoning district and the Open Space Overlay Corridor is to identify areas which have development rights which may be purchased in order to further protect the critical areas or habitats identified by these overlay designations. Land Uses, densities, lot sizes and setbacks are those allowed in the underlying zoning district. A development right in an Open Space Overlay/Open Space Corridors is established by the density of development allowed in the underlying zoning district. For example, every 5 acres of land

in a Rural Low (R5) zoning district within an Open Space Overlay district or an Open Space Overlay Corridor has one development right. These development rights may be purchased as specified in Section 33.13.050 (8).

Chapter 33.15 - Commercial Zones

Section 33.15.010

RURAL COMMERCIAL (RC). The purpose of the Rural Commercial (RC) zoning district is to provide limited, low impact, neighborhood commercial activities in rural areas.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Commercial zoning district:
 - Agricultural activities
 - Business parks
 - Bed and breakfast inns
 - Churches
 - Commercial greenhouses
 - Commercial storage
 - Child day care center
 - Duplexes
 - Grocery stores
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Lodges
 - Medical service facilities
 - Mini-child day care center
 - Motels
 - Multiple family dwellings
 - Outdoor oriented recreational activity
 - Planned unit developments
 - Primitive campgrounds
 - Professional offices
 - Research facilities
 - Retail stores
 - RV parks
 - Schools
 - Single family dwellings
 - Small Scale Wood Manufacturing
 - Taverns
 - Timber harvesting
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Gas stations
 - Wood manufacturing
 - Limited industrial uses
 - Restaurants
2. Conditional Land Uses - The following land uses should be permitted in the Rural Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Asphalt plants
 - Cemeteries
 - Mineral extraction
 - Mobile home parks
3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Commercial zoning district:
 - Airports
 - Shooting ranges
 - Timber labor camps
 - Race tracks
 - Wrecking yards
4. Maximum Residential Density: The maximum density for dwelling units is one dwelling unit per half acre.
5. Minimum Lot Size: The minimum lot area for all uses is one acre.
6. Minimum Lot Width: 50 feet
7. Maximum Width to Depth Ratio: 1/5 (0.20)

8. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
9. Other Performance Standards:

In keeping with their rural location, neighborhood scale grocery stores, retail stores, medical service facilities, professional offices , multiple family dwellings, research facilities, taverns, tourist shops, vehicular repair shops, veterinarian clinics/kennels, gas stations and restaurants shall be no larger than 6,500 square feet. Motels shall be smaller than 60 units in size.
10. Maximum Height: The maximum height is 40 feet.

Section 33.15.020

RURAL VILLAGE (RV). The purpose of the Rural Village (RV) zoning district is to provide a variety of low-intensity, tourist related, commercial and residential activities, and the Village Commercial area of the Carlsborg neighborhood.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Village zoning district:
 - Agricultural activities
 - Bed and breakfast inns
 - Cemeteries
 - Churches
 - Commercial greenhouses
 - Child day care center
 - Duplexes
 - Gas stations
 - Grocery stores
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Lodges
 - Medical service facilities
 - Family child care home
 - Motels
 - Outdoor oriented recreational activity
 - Planned unit developments
 - Primitive campgrounds
 - Professional offices
 - Retail stores
 - RV parks
 - Schools
 - Single family dwellings
 - Small Scale Wood Manufacturing
 - Taverns
 - Timber harvesting
 - Tourist shops
 - Veterinarian clinics/kennels
 - Restaurants
 - Vehicular repair
2. Conditional Land Uses - The following land uses should be permitted in the Rural Village zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Business parks
 - Mineral extraction
 - Multiple family dwellings
 - Research facilities
 - Wrecking yard

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Village zoning district:
 - Airports
 - Asphalt plants
 - Commercial storage
 - Mobile home parks
 - Race tracks
 - Shooting ranges
 - Timber labor camps
 - Wood Manufacturing
4. Maximum Residential Density: One dwelling unit per 12,500 square feet.
5. Minimum Lot Size: 12,500 square feet.
6. Minimum Lot Width: 50 feet
7. Maximum Width to Depth Ratio: 1/5 (0.20)
8. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a rear street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
9. Other Performance Standards:
 - Commercial or industrial activities shall take place in a single structure no greater than 6,500 square feet in area.
10. Maximum Height: The maximum height is 40 feet.

Section 33.15.030

COMMERCIAL (GC). The purpose of the Commercial zone is to allow a wide range of commercial goods and services to the entire region.

1. Allowed Land Uses - The following land uses should be allowed outright in the General Commercial zoning district:
 - Agricultural activities
 - Business parks
 - Cemeteries
 - Churches
 - Commercial greenhouses
 - Commercial storage
 - Child day care center
 - Gas stations
 - Grocery stores
 - Horse arenas
 - Lodges
 - Medical service facilities
 - Mineral extraction
 - Motels
 - Outdoor oriented recreational activity
 - Primitive campgrounds
 - Professional offices
 - Race tracks
 - Research facilities
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Taverns
 - Timber harvesting
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Wood manufacturing

2. Conditional Land Uses - The following land uses should be permitted in the General Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Airports
 - Asphalt plants
 - Wrecking yards
3. Prohibited Land Uses - The following land uses should be prohibited in the General Commercial zoning district:
 - Bed and breakfast inns
 - Duplexes
 - Home based industries
 - Home enterprises
 - Family child care home
 - Mobile home parks
 - Multiple family dwellings
 - Planned unit developments
 - Single family dwellings
 - Shooting ranges
 - Timber labor camps
4. Minimum Lot Size: The minimum necessary to provide adequate potable water and sewage disposal for the proposed use.
5. Maximum Width to Depth Ratio: 1/5 (0.20)
6. Setbacks: The setbacks in the General Commercial zone are those required by the Uniform Building Code, except that no structure shall be located closer than 50 feet from the centerline of a fronting, side, or rear street.
7. Other Performance Standards:

In keeping with their rural location, all uses shall be limited to a single structure no larger than 20,000 square feet. Motels shall be smaller than 60 units in size.
8. Maximum Height: The maximum height is 50 feet.

Section 33.15.040

RURAL CENTER (CEN). The purpose of the Rural Center (RC) zone is to allow a wide range of commercial goods and services and residential development.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Center zoning district:
 - Agricultural activities
 - Business parks
 - Bed and breakfast inns
 - Cemeteries
 - Churches
 - Commercial greenhouses
 - Commercial storage
 - Child day care center
 - Duplexes
 - Gas stations
 - Grocery stores
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Lodges
 - Medical service facilities
 - Family child care home
 - Mobile home parks
 - Motels
 - Multiple family dwellings
 - Outdoor oriented recreational activity
 - Planned unit developments
 - Primitive campgrounds
 - Professional offices
 - Research facilities
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Single family dwellings
 - Taverns
 - Timber harvesting
 - Tourist shops

- Vehicular repair
 - Veterinarian clinics/kennels
 - Small Scale Wood Manufacturing
2. Conditional Land Uses - The following land uses should be permitted in the Rural Center zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
- Asphalt plants
 - Mineral extraction
 - Race tracks
 - Wrecking yards
3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Center zoning district:
- Airports
 - Shooting ranges
 - Timber labor camps
 - Wood manufacturing
4. Maximum Residential Density: The maximum density for dwelling units is one dwelling unit per 1/2 acre.
5. Minimum Lot Size:
- Commercial Uses - The minimum necessary to provide adequate potable water and sewage disposal for the proposed use.
- Residential Uses - 9,000 square feet.
6. Minimum Lot Width: 50 feet
7. Maximum Width to Depth Ratio: 1/5 (0.20)
8. Setbacks: The setbacks in the Rural Center zone are those required by the Uniform Building Code, except that no structure shall be located closer than 50 feet from the centerline of a fronting, side, or rear street.
9. Other Performance Standards:
- In keeping with their rural location, neighborhood scale grocery stores, retail stores, medical service facilities, professional offices, multiple family dwellings, research facilities, taverns, tourist shops, vehicular repair shops, veterinarian clinics/kennels, gas stations, restaurants and other commercial and industrial land uses shall be limited to a single structure no larger than 6,500 square feet. Motels shall be smaller than 60 units in size.
10. Maximum Height: The maximum height for commercial uses is 50 feet.

Section 33.15.050

RURAL NEIGHBORHOOD COMMERCIAL (RNC). The purpose of the Rural Neighborhood Commercial zoning district is to provide limited, low impact, neighborhood commercial activities in rural areas.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Neighborhood Commercial zoning district:
- Agricultural activities
 - Bed and breakfast inns
 - Churches
 - Commercial greenhouses
 - Commercial storage
 - Child day care center
 - Gas stations
 - Grocery stores
 - Home based industries
 - Home enterprises
 - Horse Arenas
 - Lodges

- Medical service facilities
- Mini-child day care center
- Motels/Hotels
- Outdoor oriented recreational activity
- Primitive campgrounds
- Professional offices
- Research facilities
- Restaurants
- Retail stores
- RV parks
- Schools
- Single family dwellings
- Small Scale Wood Manufacturing
- Taverns
- Timber harvesting
- Tourist shops
- Veterinarian clinics/kennels

2. Conditional Land Uses - The following land uses should be permitted in the Rural Neighborhood Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Asphalt plants
- Cemeteries
- Mineral extraction
- Vehicular repair

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Neighborhood Commercial zoning district:

- Airports
- Business parks
- Duplex
- Mobile home park
- Multiple family dwelling
- Planned unit development
- Race tracks
- Wrecking yards
- Shooting ranges
- Timber labor camps
- Wood manufacturing

4. Maximum Residential Density: The maximum density is one dwelling unit per acre.

5. Minimum Lot Size: The minimum lot area for all uses is one acre.

6. Minimum Lot Width: 50 feet

7. Maximum Width to Depth Ratio: 1/5 (0.20)

8. Setbacks:

Front yard - 45 feet from a local access street

50 feet from a arterial street

60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from centerline of the right-of-way of a rear street).

9. Other Performance Standards:

Neighborhood scale grocery stores, retail uses, professional offices and other commercial and industrial land uses shall be no larger than 10,000 square feet.

Access to businesses or industrial uses should be from frontage roads to limit traffic impacts to Scenic Highway 101.

10. Maximum Height: The maximum height is 40 feet.

RURAL LIMITED COMMERCIAL (RLC). The purpose of the Rural Limited Commercial (RLC) zoning district is to provide for a mix of industrial uses and limited, low impact, neighborhood commercial activities in rural areas where these types of uses are already well established. The Rural Limited Commercial zone allows industrial uses which would normally not be found outside urban growth areas but limits the potential for industrial growth outside of urban growth areas by specifying only two locations for this type of development and by allowing no expansion in size for this zoning district.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Limited Commercial zoning district:

- Agricultural activities
- Commercial greenhouses
- Commercial storage
- Grocery stores
- Lodges
- Medical service facilities
- Outdoor oriented recreational activity
- Professional offices
- Research facilities requiring a rural location
- Retail stores
- RV parks
- Single family dwelling¹
- Taverns
- Timber harvesting
- Timber labor camps
- Tourist shops
- Vehicular repair
- Veterinarian clinics/kennels
- Gas stations
- Wood manufacturing
- Limited industrial uses
- Restaurants

¹ Associated with an established commercial use.

2. Conditional Land Uses - The following land uses should be permitted in the Rural Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Asphalt plants
- Business parks
- Horse arenas
- Mineral extraction
- Race tracks
- Wrecking yards

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Commercial zoning district:

- Airports
- Bed and breakfast
- Duplexes
- Cemeteries
- Child day care center
- Churches
- Family child care home
- Home based industries
- Home enterprises
- Mobile home parks
- Motels
- Multiple family dwellings
- Primitive campground
- Planned unit development
- Schools
- Single family dwellings

4. Minimum Lot Size: The minimum lot area for all uses is one acre.

5. Minimum Lot Width: 50 feet

6. Maximum Width to Depth Ratio: 1/5 (0.20)

7. **Setbacks:**
 Front yard - 45 feet from a local access street
 50 feet from an arterial street
 60 feet from a highway
 Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
8. **Other Performance Standards:**
 Neighborhood scale grocery stores, retail uses and professional offices shall be no larger than 10,000 square feet.
 Access to businesses or industrial uses should be from frontage roads to limit traffic impacts to Scenic Highway 101.
9. **Maximum Height:** The maximum height is 40 feet.
10. **Other Zone Limitations:**
 No expansion of this zone shall be permitted but existing uses may intensify their operation and new uses within present boundaries may be constructed.
 Proposed uses shall not require expansion of urban services such as sewer.

Section 33.15.070

URBAN NEIGHBORHOOD COMMERCIAL (UNC). The purpose of the Urban Neighborhood Commercial zone is to provide a mix of limited, low impact, neighborhood commercial activities and moderately high density urban residential development within urban growth areas.

1. **Allowed Land Uses -** The following land uses should be allowed outright in the Urban Neighborhood Commercial zoning district:
 - Agricultural activities
 - Cemeteries
 - Churches
 - Commercial greenhouses
 - Child day care center
 - Duplexes
 - Gas stations
 - Grocery stores
 - Lodges
 - Medical service facilities
 - Motels/hotel
 - Mobile home parks
 - Multiple family dwellings
 - Outdoor oriented recreational activity
 - Planned unit development
 - Primitive campgrounds
 - Professional offices
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Taverns
 - Timber harvesting
 - Tourist shops
 - Vehicular repair
 - Veterinarian clinics
2. **Conditional Land Uses -** The following land uses should be permitted in the Urban Neighborhood Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Bed and breakfast inns
 - Business park
 - Commercial storage
 - Kennels

3. Prohibited Land Uses - The following land uses should be prohibited in the Urban Neighborhood Commercial zoning district:
 - Airports
 - Asphalt plants
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Mineral extraction
 - Family child care home
 - Research facilities
 - Race tracks
 - Single family dwelling
 - Timber labor camps
 - Wood manufacturing
 - Wrecking yards

4. Minimum Lot Size: The minimum necessary to provide adequate potable water and sewage disposal for the proposed use.

5. Maximum Width to Depth Ratio: 1/5 (0.20)

6. Commercial Setbacks: The setbacks for commercial structures in the Urban Neighborhood Commercial zone are those required by the Uniform Building Code, except that no structure shall be located closer than 50 feet from the centerline of a fronting, side, or rear street.

7. Maximum Height: The maximum height is 50 feet.

8. Maximum Residential Density: Fifteen dwelling units per acre.

9. Maximum Residential Lot Size: 21,500 square feet, unless the remaining lot in a subdivision is greater than 10 acres and capable of being redivided.

10. Residential Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 8 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
 - Highway 101 Frontage - 100 feet from the centerline of Highway 101.

11. Other Performance Standards:
 - Commercial setbacks shall apply to all second story residential units located above commercial businesses.
 - Neighborhood scale grocery stores, retail uses, professional offices and other commercial and industrial land uses shall be limited to a single structure no larger than 10,000 square feet. Motels shall be smaller than 60 units in size.

URBAN REGIONAL COMMERCIAL (URC). The purpose of the Urban Regional Commercial zone is to allow for large scale malls, retail stores entertainment complexes or auto malls which sell commercial goods, entertainment and services to the entire region. Minimum lot sizes are large for existing lots over 5 acres in size in order to preserve the large lot sizes required by large scale regional serving businesses.

1. Allowed Land Uses - The following land uses should be allowed outright in the General Commercial zoning district:
 - Airports
 - Agricultural activities
 - Auto malls
 - Business parks
 - Commercial greenhouses (wholesale)
 - Gas stations
 - Grocery stores
 - Medical service facilities
 - Motels
 - Outdoor oriented recreational activity
 - Retail/wholesale malls
 - Primitive campgrounds
 - Professional offices
 - Research facilities
 - Restaurants
 - Retail stores
 - RV parks
 - Taverns
 - Timber harvesting
 - Timber labor camps
 - Tourist shops
 - Veterinary clinics/kennels

2. Conditional Land Uses - The following land uses should be permitted in the General Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Commercial greenhouses (retail)
 - Wood manufacturing
 - Vehicular repair

3. Prohibited Land Uses - The following land uses should be prohibited in the General Commercial zoning district:
 - Asphalt plants
 - Bed and breakfast inns
 - Cemeteries
 - Churches
 - Commercial storage
 - Child day care center
 - Duplexes
 - Home based industries
 - Home enterprises
 - Horse arenas
 - Lodges
 - Mineral extraction
 - Family child care home
 - Mobile home parks
 - Multiple family dwellings
 - Planned unit developments
 - Race tracks
 - Schools
 - Single family dwellings
 - Wrecking yards

4. Minimum Lot Size: The minimum lot size shall be 15 acres provided that lots smaller than 5 acres created prior to the adoption of the Port Angeles Regional Comprehensive plan and which are not a portion of a larger common ownership shall be allowed to divide to the minimum size necessary to provide adequate potable water and sewage disposal for the proposed use.

5. Maximum Width to Depth Ratio: 1/5 (0.20)

6. Setbacks: The setbacks in the Urban Regional Commercial zone are those required by the Uniform Building Code, except that no structure shall be located closer than 50 feet from the centerline of a fronting, side, or rear street.

7. Maximum Height: The maximum height is 50 feet.

URBAN CENTER (UC). The purpose of the Urban Center zoning district is to allow a mix of residential, low impact commercial and limited industrial activities in the remote urban growth areas of Joyce and Clallam Bay where a range of services and business opportunities are needed to serve the surrounding communities.

1. Allowed Land Uses - The following land uses should be allowed outright in the Rural Limited Commercial zoning district:

- Agricultural activities
- Airports
- Bed and breakfast
- Business parks
- Child day care center
- Commercial greenhouses
- Commercial storage
- Cemeteries
- Churches
- Duplexes
- Family day care home
- Grocery stores
- Home based industries
- Home enterprises
- Horse Arenas
- Lodges
- Medical service facilities
- Outdoor oriented recreational activity
- Mobile home parks
- Motels
- Multiple family dwellings
- Professional offices
- Primitive campground
- Research facilities
- Retail stores
- Planned unit developments
- Schools
- Single family dwellings
- Taverns
- Timber harvesting
- Timber labor camps
- Tourist shops
- Veterinarian clinics/kennels
- Gas stations
- Restaurants

2. Conditional Land Uses - The following land uses should be permitted in the Rural Commercial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- RV parks
- Vehicular repair
- Wood manufacturing
- Limited industrial uses

3. Prohibited Land Uses - The following land uses should be prohibited in the Rural Commercial zoning district:

- Asphalt plants
- Mineral extraction
- Car wrecking yards
- Race tracks

4. Minimum Lot Size:

The minimum lot area for single family dwellings is 7,000 square feet.

The minimum lot area for duplexes is 9,000 square feet.

The minimum lot area for tri-plexes is 14,000 square feet.

The minimum lot area for four-plexes is 18,000 square feet.

The minimum lot area for five or more dwelling units is 19,500 square feet for a five unit structure plus 1,000 square feet for each dwelling unit which exceeds five units.

The minimum lot area for RV park lot units is 5,000 square feet.

5. Minimum Lot Width: 50 feet
6. Maximum Width to Depth Ratio: 1/5 (0.20)
7. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway
 - Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).
 - Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
8. Other Performance Standards:
 - Neighborhood scale grocery stores, retail uses, professional offices and other commercial land uses shall take place within a single building of no larger than 10,000 square feet.
10. Maximum Height: The maximum height is 40 feet.

Chapter 33.17 - Industrial Zones

Section 33.17.010

INDUSTRIAL (M). The purpose of the Industrial zoning district is to reserve areas primarily for industrial uses pursuant to the industrial goals of the County Comprehensive Plan.

1. Allowed Land Uses - The following land uses should be allowed outright in the Industrial zoning district:
 - Agricultural activities
 - Asphalt plants
 - Business parks
 - Commercial greenhouses
 - Commercial storage
 - Gas stations
 - Industrial uses
 - Mineral extraction
 - Professional offices
 - Research facilities
 - Timber harvesting
 - Timber labor camps
 - Vehicular repair
 - Veterinarian clinics/kennels
 - Wood manufacturing
 - Wrecking yards
2. Conditional Land Uses - The following land uses should be permitted in the Industrial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:
 - Race tracks
3. Prohibited Land Uses - The following land uses should be prohibited in the Industrial zoning district:
 - Airports
 - Bed and breakfast inns
 - Cemeteries
 - Child day care center
 - Churches
 - Duplexes
 - Family child care home
 - Grocery stores
 - Home based industries
 - Home enterprises
 - Horse Arenas
 - Lodges
 - Medical service facilities
 - Mobile home parks
 - Motels
 - Multiple family dwellings
 - Outdoor oriented recreational activity
 - Planned unit developments
 - Primitive campgrounds
 - Restaurants
 - Retail stores
 - RV parks
 - Schools
 - Single family dwellings
 - Taverns
 - Tourist shops
4. Minimum Lot Size: The minimum lot area for all uses is the minimum necessary to support the proposed use.
5. Maximum Width to Depth Ratio: 1/5 (0.20)
6. Setbacks:
 - Front yard - 45 feet from a local access street
 - 50 feet from a arterial street
 - 60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

7. Maximum Height: The maximum height is 50 feet.

Section 33.17.020

LIGHT INDUSTRIAL (LI). The purpose of the Light Industrial zoning district is to allow for certain low nuisance, low intensity industrial uses within urban growth areas.

1. Allowed Land Uses - The following land uses should be allowed outright in the Industrial zoning district:

- Agricultural activities
- Business parks
- Commercial greenhouses
- Commercial storage
- Gas stations
- Mineral extraction
- Professional offices
- Research facilities
- Timber harvesting
- Timber labor camps
- Vehicular repair
- Wood manufacturing
- Wrecking yards
- Veterinarian clinics/kennels
- Limited industrial uses

2. Conditional Land Uses - The following land uses should be permitted in the Industrial zoning district through a special permitting process with public input and a determination that the proposed use is consistent with applicable land use regulations and the character of the neighborhood:

- Asphalt plants
- Horse Arenas
- Medical service facilities
- Race tracks
- Restaurants
- Retail stores

3. Prohibited Land Uses - The following land uses should be prohibited in the Industrial zoning district:

- Airports
- Bed and breakfast inns
- Cemeteries
- Churches
- Child day care center
- Duplexes
- Grocery stores
- Home based industries
- Home enterprises
- Lodges
- Family child care home
- Mobile home parks
- Motels
- Multiple family dwellings
- Outdoor oriented recreational activity
- Primitive campgrounds
- RV parks
- Schools
- Single family dwellings
- Taverns
- Tourist shops
- Planned unit developments

4. Minimum Lot Size: The minimum lot area for all uses is the minimum necessary to support the proposed use.

5. Maximum Width to Depth Ratio: 1/5 (0.20)

6. Setbacks:

Front yard - 45 feet from a local access street

50 feet from an arterial street

60 feet from a highway

Side yard - 10 feet (40 feet from the centerline of the right-of-way of a side street).

Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).

7. Maximum Height: The maximum height is 50 feet.

Chapter 33.23 - Planned Unit and Cluster Developments

Section 33.23.010

PLANNED UNIT AND CLUSTER DEVELOPMENTS - PURPOSE AND CRITERIA. The purpose of this chapter is to encourage subdivisions of land which involve the careful application of design to achieve a more functional, aesthetically pleasing and harmonious living environment within the County. A Planned Unit or Cluster Development allows flexibility in meeting the intent of the Comprehensive Plan and Zoning Code through the waiver of development standards of the underlying zoning district. This chapter applies to residential Planned Unit Developments, Agricultural Cluster Developments, and Forest Land Cluster Developments.

The applicant for a Planned Unit or Cluster Development shall demonstrate compliance and consistency with all of the following criteria, in addition to the minimum standards of this chapter, the comprehensive plan and all other applicable state and county regulations:

1. The Planned Unit or Cluster Development is designed and arranged to relate to surrounding properties and to minimize adverse impacts of noise, traffic and incompatible land uses.
2. The Planned Unit or Cluster Development is designed and situated to minimize alteration of significant natural features.
3. The Planned Unit or Cluster Development promotes compatibility among land uses within the development and outside the development.
4. The Planned Unit or Cluster Development results in a positive contribution to the community which could not be achieved through standard platting and zoning procedures.
5. The Planned Unit or Cluster Development is consistent with the spirit and intent of the Clallam County Comprehensive Plan, Zoning Code, Shoreline Master Program, Land Division Code, Floodplain Management Code, Environmental Policy Code, 6-Year Road Plan, Health, Building and Fire Codes and other applicable state and county codes.

Section 33.23.020

PERMITTED USES. All allowed or conditional uses in the zone for which the Planned Unit or Cluster Development application is made and such other accessory uses which are permitted in the underlying zone are permitted in a Planned Unit or Cluster Development if consistent with an approved Master Site Plan.

Section 33.23.030

MINIMUM STANDARDS. The following minimum standards apply to all Planned Unit or Cluster Developments:

1. A Planned Unit or Cluster Development, when approved in accordance with this chapter, is established as a permitted use within the existing zoning designation and as such, does not alter the existing, underlying zoning designation. Development standards of this chapter shall, as applied to an approved Planned Unit or Cluster Development, supersede those of the underlying zone.
2. The minimum lot area, width, frontage and yard requirements, setback standards, street standards, and building heights otherwise applying to development in the underlying zone(s) may be modified consistent with the Planned Unit or Cluster Development.

3. A visual buffer shall be established along all boundaries adjacent to residential zoning districts of the Planned Unit or Cluster Developments to assure that the development is compatible to abutting property through appropriate screening and/or setbacks. The width of the visual buffer shall be at least equal to the underlying zone setbacks for rear, front or side yards, whichever is appropriate. The visual buffer shall be consist with the landscaping standards in Chapter 33.53 of this title.
4. Cluster Developments in Agricultural or Commercial Forest/Mixed Use zoning districts shall retain at least 70% of the site in agricultural or timber management uses, respectively.
5. The tract or tracts of land included in a proposed Planned Unit or Cluster Development must be in one ownership or control or subject of a joint application by the owners of all the property included.

Section 33.23.040

PROCEDURE FOR COUNTY ACTION ON A PLANNED UNIT OR CLUSTER DEVELOPMENT.

1. **Hearing Examiner Action.** As part of the public hearing on the underlying subdivision of land pursuant to the Clallam County Land Division Code, Title 29 Clallam County Code, the Hearing Examiner shall consider the proposed Planned Unit or Cluster Development, and shall forward a recommendation to the Board of Clallam County Commissioners.
 - a. The Hearing Examiner shall recommend approval of the proposed Planned Unit or Cluster Development if the examiner finds that:
 - i. The proposed action is consistent with the spirit and intent of the Clallam County Comprehensive Plan.
 - ii. The proposed action is consistent with this title, including the standards of this chapter.
 - iii. The proposed action will have no unreasonable adverse impact on the general public, health, safety and welfare.

In making a recommendation of approval, the Hearing Examiner may recommend conditions of approval as may be necessary to assure that the proposal will comply with the criteria for approval.
 - b. If the Hearing Examiner finds that the Preliminary Master Site Plan does not substantially comply with the criteria for approval, the Hearing Examiner may recommend denial of the proposal.
2. **Board of Commissioners Review and Decision:** The Board shall review the recommendation of the Hearing Examiner at a public meeting at the same time it considers the recommendation from the examiner regarding the subdivision of land pursuant to the Clallam County Land Division Code, Title 29 Clallam County Code. After consideration of the recommendation, the application, public testimony, and other relevant evidence presented to it, shall determine if the application is consistent with the criteria for approval.

The Board may accept the Hearing Examiner recommendation to approve, approve with conditions, or deny the application along with the findings of fact and conclusions of law adopted by the Hearing Examiner.

If the Board rejects the Hearing Examiner recommendation, it may remand the matter back to the Hearing Examiner for further consideration or it may overturn the recommendation and approve, approve with conditions, or deny the

application. The Board shall adopt findings of fact and conclusions of law based on the hearing record before the Hearing Examiner which support its decision.

Chapter 33.25 - Master Planned Resorts

Section 33.25.010

PURPOSE. The purpose of a Master Planned Resort is to enhance and diversify the recreational and economic opportunities in Clallam County through the development of Master Planned Resorts that complement the natural and cultural attractiveness of the area without significant adverse affect on environmental and natural features, cultural or historic resources and their settings, existing residential developments, and other significant resources. The Master Planned Resort chapter allows for the development of planned destination resorts which provide a designed mixture of visitor-oriented accommodations, including a variety of residential, recreational, and commercial facilities, consistent with the comprehensive plan.

It is the intent of this section to establish procedures and standards for developing large scale recreational communities while ensuring that all applicable land use requirements are achieved and available resources are used productively and efficiently. The aim of this code section is to encourage imaginative design and layout of recreational and residential facilities in a manner that:

1. Reflects sensitivity to the natural environment;
2. Preserves open space and wildlife habitat;
3. Promotes compatibility among land uses within the development;
4. Utilizes the highest quality architectural design and a harmonious use of materials; and
5. Results in a positive and aesthetic contribution to the community.

Section 33.25.020

PERMITTED USES. The following uses are permitted provided the uses are part of an approved Master Planned Resort pursuant to this chapter:

1. Visitor-oriented accommodations such as lodges, hotels, motels, bed and breakfast facilities, rental homes and cabins, rental condominiums, rental townhouses, time-share units, similar transient lodging facilities, convention and conference facilities, and appropriate support facilities.
2. Residential dwellings such as single-family dwellings, multi-family dwellings, condominiums, townhouses, time-share units, and other residential dwellings compatible with the purposes of this section.
3. Developed recreational facilities such as golf courses, clubhouses, pro-shops, and sports and spa facilities, and undeveloped recreational areas.
4. Boat docks and marinas compatible with the purposes of this section and the Clallam County Shoreline Master Program.
5. Commercial facilities and services such as restaurants, barber shops, beauty salons, specialty shops, real estate and other professional offices, grocery stores, pet boarding and care facilities, and other such services which provide for the needs of the community's residents and visitors and which are compatible with the purposes of this section.
6. Open space areas such as lakes, wetlands, golf courses, green belts, buffers, and wildlife preserves.

7. Facilities necessary for public safety such as fire and security stations, waste disposal, and utilities within the Master Planned Resort or the County, notwithstanding any limiting provision of this chapter to the contrary.
8. Transportation related facilities, emergency medical facilities, and storage structures and areas, provided these uses are ancillary to the Master Planned Resort.
9. Cultural community and entertainment facilities such as theaters, amphitheaters, galleries, arts and craft centers, and interpretive centers which are compatible with the purposes of this section.

Section 33.25.030

MINIMUM STANDARDS. The following minimum standards apply to all Master Planned Resorts:

1. A Master Planned Resort, when approved in accordance with this chapter, is established as an overlay zone and as such, does not alter the existing, underlying zoning designation. Development standards of this chapter shall, as applied to an approved Master Planned Resort, supersede those of the underlying zone.
2. Master Planned Resorts must be located outside urban growth areas.
3. The resort, including buffers and open space under the control of the development, is sited on parcels of land no less than two hundred-forty (240) acres.
4. Existing state or county roads are adequate, or need minimal improvements, to serve the development.
5. Community water and sewage systems are provided on-site.
6. At least forty percent (40%) of the total of the acreage for all approved Master Planned Resorts, shall be dedicated to a mixture of permanent open space, natural areas, and/or active recreational areas, excluding streets and parking areas.
7. Active recreational uses such as golf courses, pools, tennis courts and playing fields shall be provided to adequately meet the needs of the residents and guests of the Master Planned Resort.
8. The maximum density for residential dwellings including hotel and motel units shall not exceed two units per gross acre of the overall Master Planned Resort. Residential dwellings for long term occupancy shall be limited to no more than ten percent of the total number of residential units.
9. Parking shall be provided for in accordance with a transportation management plan as submitted with the application and approved for the project.
10. The minimum lot area, width, frontage and yard requirements, setback standards, street standards, and building heights otherwise applying to development in the underlying zone(s) may be modified consistent with the Master Planned Resort, as approved in conformance with this chapter.
11. The tract or tracts of land included in a proposed Master Planned Resort must be in one ownership or control or the subject of a joint application by the owners of all the property included.
12. All uses within the Master Planned Resort shall be harmonious with each other through the use of special design, placement, or screening.

13. Unless otherwise approved in accordance with applicable sign regulations, on-premise signs and off-premise signs shall be designed and erected in conformance with design guidelines, as submitted and approved with the project and off-premise signs shall be limited to those necessary for directional purposes.
14. Commercial services provided as part of the Master Planned Resort shall be contained within the development and shall be oriented to serve the Master Planned Resort. The protection of public views shall be considered in orienting such commercial services.

Section 33.25.040

PUBLIC HEARING IS REQUIRED. The Hearing Examiner shall hold a public hearing before taking action on any Master Planned Resort, and notice of such hearing shall be given as provided in Section 33.37.010. Section 33.25.050 **HEARING EXAMINER ACTION.**

1. Following the public hearing, the Hearing Examiner shall consider all submitted information, recommendations, and testimony and shall review the proposed Master Planned Resort's consistency with the standards of this chapter.
2. The Hearing Examiner shall recommend approval of the application if the Hearing Examiner finds that:
 - a. The proposed Master Planned Resort is consistent with the spirit and intent of the Clallam County Comprehensive Plan.
 - b. The proposed Master Planned Resort is consistent with this title, including the standards of this chapter.
 - c. The proposed Master Planned Resort will have no unreasonable adverse impact on the general public, health, safety and welfare.
3. In making recommendation to the Board of Clallam County Commissioners, the Hearing Examiner may recommend conditions of approval as may be necessary to assure that the proposed Master Planned Resort will comply with the criteria for approval.
4. If the Hearing Examiner finds that the proposed Master Planned Resort does not substantially comply with the criteria for approval, the Hearing Examiner may recommend denial of the proposal.

Section 33.25.060

BOARD OF COMMISSIONERS REVIEW AND DECISION. The Board shall review the recommendation of the Hearing Examiner at a public meeting and, after consideration of the recommendation, the application, public testimony, and other relevant evidence presented to it, shall determine if the application is consistent with the criteria for approval.

The Board may accept the Hearing Examiner recommendation to approve, approve with conditions, or deny the application along with the findings of fact and conclusions of law adopted by the Hearing Examiner.

If the Board rejects the Hearing Examiner recommendation, it may remand the matter back to the Hearing Examiner for further consideration or it may overturn the recommendation and approve, approve with conditions, or deny the application. The Board shall adopt findings of fact and conclusions of law based on the hearing record before the Hearing Examiner which support its decision.

Section 33.25.070

APPROVED MASTER PLANNED RESORT.

1. The approved Master Planned Resort binds the project proponents and their successors to the proposed project as approved, applicable development standards of this chapter, and conditions of approval, if any. Approval of the Master Planned Resort confirms that the proposal is consistent with the purpose of and provisions for Master Planned Resorts and the comprehensive plan and provides the basis upon which subsequent permits, including building permits, may be reviewed and issued.
2. The Master Planned Resort approval shall remain valid for fifteen (15) years, provided the first phase of development has been approved and construction begun within five (5) years of the Master Planned Resort approval.

Section 33.25.080

DEVELOPMENT PURSUANT TO AN APPROVED MASTER PLANNED RESORT.

Following approval of the Master Planned Resort, subsequent development requests shall be reviewed for consistency with the approved Master Planned Resort prior to issuance. Applications which are not consistent with the approved Master Planned Resort shall not be issued.

Chapter 33.27 - Conditional Use Permits

Section 33.27.010 APPLICATION. Forms for application for conditional use permits shall be supplied by the Administrator. Applications shall include the minimum information found in Section 33.37.020.

Section 33.27.020 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.

The date for the public hearing shall be not later than 60 days after receipt of the completed application by the Administrator, or not later than 30 days following completion of a final environmental impact statement pursuant to Clallam County Environmental Policy Code, Chapter 27.01 Clallam County Code. The Administrator or his authorized agent shall provide notice of such hearing pursuant to Section 33.37.010.

Section 33.27.030 PUBLIC HEARING REQUIRED. A public hearing before the Hearing Examiner as authorized in Chapter 26.04 Clallam County Code is required on all conditional use permits pursuant to this chapter.

Section 33.27.040 HEARING EXAMINER ACTION.

1. 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 Hearing Examiner shall approve the application if the Hearing Examiner finds that:

- a. The proposed action is consistent with the spirit and intent of the Clallam County Comprehensive Plan.
- b. The proposed action is consistent with this title.
- c. The proposed action is consistent with land uses within the zoning district in which it is located and in the vicinity of the subject property.
- d. The proposed action will have no unreasonable adverse impact on the surrounding land uses which can not be mitigated through the application of reasonable conditions.

2. The Hearing Examiner may attach to any permit approval such reasonable conditions as may be necessary to assure that development will comply with the criteria for approval. 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 the County Environmental Policy Code, Chapter 27.01 Clallam County Code.

3. When the Hearing Examiner 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 Hearing Examiner shall take action on the application.

Section 33.27.050

EFFECTIVENESS OF A CONDITIONAL USE PERMIT. A conditional use permit approval shall cease effectiveness if the use is not completely developed within three years of the date of issuance unless the applicant requests and the Hearing Examiner provides for a longer period of effectiveness based on a finding that the use is a phased developed 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 Hearing Examiner 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 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 Hearing Examiner 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 Hearing Examiner shall deny the extension request if it finds that substantial progress has not been made on the project.

Section 33.27.060

EFFECTIVENESS OF CONDITIONAL PERMIT EXTENSION. The Hearing Examiner's extensions granted in accordance with the procedures set out in Section 33.27.050 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 33.27.070

APPEAL OF THE HEARING EXAMINER ACTION. The action of the Hearing Examiner 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 Hearing Examiner's action, by mail.

Consideration of the appeal by the Board of County Commissioners shall be limited to the Hearing Examiner's records and findings. The Board shall relate the Hearing Examiner's action to the criteria set forth in Section 33.27.040. If the Board finds that the Hearing Examiner erred, it may reverse its decision. If the Board finds that the Hearing Examiner erred in its procedure, it shall remand the application back to the Hearing Examiner 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.

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 or Hearing Examiner's decision as it relates to the criteria in Section 33.27.040 of this chapter.

Section 33.27.080

ISSUANCE OF CONDITIONAL USE PERMIT. Conditional use permits shall be issued not earlier than ten (10) days following approval by the Hearing Examiner provided that no appeal has been filed pursuant to Section 33.27.070.

Section 33.27.090

INCLUSION OF FINDINGS OF FACT. The Hearing Examiner 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 33.27.100

AMENDMENT OF A CONDITIONAL USE PERMIT. A conditional use permit may be amended as outlined below:

1. Applications for amendments to a conditional use permit shall be made on a form prescribed by the Administrator and shall be accompanied by a filing fee in the amount established under Chapter 33.30 Clallam County Code.
2. Amendments to conditional use permits may be granted by the Hearing Examiner at a public meeting only upon a finding that the amendment is within the scope and intent of the original permit and meets the following criteria:
 - a. ground area coverage and height of each structure may be increased a maximum of ten percent from the provisions of the original permit;
 - b. additional separate structures may not exceed a total ten percent of the total area of structures permitted under the original permit;
 - c. the amendment does not authorize development to exceed height, lot coverage, setback, or any other requirements of this title or any other county code;
 - d. additional landscaping is consistent with conditions (if any) attached to the original permit and with this title;
 - e. the use authorized pursuant to the original permit is not changed;
 - f. no substantial adverse environmental impact will be caused by the project revision; and
 - g. no change in conditions to the original conditional use permit is proposed.
3. The Administrator shall notify any parties of record of any action taken on amendment of a conditional use permit. The notice shall state that an aggrieved party may appeal action on the amendment to the Board of County Commissioners in the same manner as outlined in Section 33.27.070.

Section 33.27.110

BURDEN OF PROOF. At every stage of the conditional use permit process, the burden of demonstrating that any proposed development 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 33.27.120

CONDITIONAL WITHIN SHORELINES AND CRITICAL AREAS. Conditional uses locating within a shoreline of the state and requiring shoreline permits or within a critical area and requiring a permit pursuant to the Critical Areas Code, Chapter 27.12, Clallam County Code, shall apply only for said permit and such application shall also be regarded a conditional use application for the purposes of this title. All other provisions of this title shall apply to said application.

Chapter 33.30 - Variances

Section 33.30.010 VARIANCES - APPLICATION. A request for a variance shall be made on forms provided by the Administrator and shall contain the information found in Section 33.37.020. 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 Hearing Examiner for their consideration no later than six days prior to the Hearing Examiner's consideration of the application. The Director shall coordinate review of the application with public agencies that have an interest in the application.

Section 33.30.020 APPLICABILITY. A variance may be granted from the minimum standards of this regulation provided that a variance 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 higher density.

Section 33.30.030 REQUIRED SHOWING FOR A VARIANCE - APPROVAL. Before a variance shall be granted, it shall be shown:

1. 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.
2. That the granting of the variances will not be materially detrimental to the public health or injurious to property or improvements thereon.
3. 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
4. That approval of the variance will not constitute a grant of special privilege.

The Hearing Examiner shall approve of the variance request if it finds that all of the above circumstances apply to the request. Upon approval by the Hearing Examiner of any variance, the Hearing Examiner may attach such conditions including, but not limited to, those specified in Section 33.27.040 (2) 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.

Section 33.30.040 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 Hearing Examiner. Written notice thereof shall be provided as specified in Section 33.37.010.

Section 33.30.050 APPEAL OF THE HEARING EXAMINER ACTION. The action of the Hearing Examiner 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 Hearing Examiner's action, by mail.

Consideration of the appeal by the Board of County Commissioners shall be limited to the Hearing Examiner's records and findings. The Board shall relate the Hearing Examiner's

action to the criteria set forth in Section 33.30.030. If the Board finds that the Hearing Examiner erred, it may reverse its decision. If the Board finds that the Hearing Examiner erred in its procedure, it shall remand the application back to the Hearing Examiner 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 variances.

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 variance 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 or Hearing Examiner's decision as it relates to the criteria in Section 33.30.030 of this chapter. Section 33.30.050 INCLUSION AND FINDINGS OF FACT. The Hearing Examiner 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.

Chapter 33.33 - Review of Administrator's Action

Section 33.33.010

REVIEW OF ADMINISTRATOR'S ACTION - APPLICATION. Unless appeal procedures are specified elsewhere in this title, the Hearing Examiner 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 Hearing Examiner 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 Hearing Examiner's decision may be appealed to Superior Court.

Section 33.33.020

HEARING EXAMINER ACTION - GUIDELINES. The Hearing Examiner 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 Hearing Examiner 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.

Chapter 33.35 - Amendment

Section 33.35.010 ZONING CODE MAY BE AMENDED. Whenever public necessity, convenience and general welfare require, the boundaries of the zones established on the official zoning map by this title, 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 the amendment of the official zoning map referred to as a rezone.

Section 33.35.020 INITIATION OF AMENDMENT. Amendments of this title may be initiated by one of the following methods:

1. The application of the majority of the owners of 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;
4. By adoption of a motion by the Planning Commission; or
5. By initiation of the amendment by the planning agency as specified in Chapter 26.01 Clallam County Code.

Section 33.35.030 INITIATION OF AMENDMENT APPLICATION. An application to amend this chapter shall be filed 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 a majority of 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.

Section 33.35.040 PUBLIC HEARING IS REQUIRED. The Commission shall hold a public hearing before taking action on any amendment to this title, and notice of such hearing shall be given as provided in Section 33.37.010. If, for any reason, testimony on any matter set for public hearing, or being heard, cannot be completed on the date set for such hearing, the planning commission may, before adjournment or recess of such matters under consideration, publicly announce the time and place of the continued hearing and no further notice is required.

Section 33.35.050 DECISION ON APPLICATION - TIME LIMIT FOR. Amendments can occur no more frequently than once every year. All proposals shall be considered by the Planning Commission concurrently so the cumulative effect of the various proposals can be ascertained. The County may adopt amendments or revisions to the Zoning Code whenever an emergency exists.

Applications can be filed at any time during the year. The Planning Director shall prepare a report to the Planning Commission in January of each year as to proposed amendments. The Planning Commission shall review the amendments and make

recommendations to the Board of Commissioners no later than April of the same year. The Commission shall make available those findings of fact upon which its action is based regarding approval or denial of the amendment application.

Section 33.35.060

NOTICE OF COMMISSION'S DECISION. When the Commission's action is to recommend approval or denial of an amendment, the Administrator 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. Action on all amendments to the zoning text or official maps, whether such action is a denial or approval, by the planning commission, shall be recommendations to the Board of County Commissioners with the final decision resting with the Board.

Section 33.35.070

BOARD TO CONSIDER ORDINANCE. At the next regular public meeting of the Board of County Commissioners following receipt of the Commissioner's recommended approval of any amendment, the Board shall consider adoption of an ordinance which adopts the recommendations of the Commission.

Section 33.35.080

DECISION OF THE BOARD. Enactment of an ordinance by the Board of 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 finding shall be forwarded to the Administrator to be attached to the permanent file of the case and the Administrator shall notify the applicant of the final action and finding of the Board. The Board shall make its findings available to the public upon request.

Section 33.35.090

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 title.
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.
5. There has been a change in circumstances from the time the property was originally zoned which warrants consideration of a different zoning district.

Chapter 33.37 - Public Notice and Application Requirements

Section 33.37.010

PUBLIC HEARING NOTICE REQUIREMENTS. The Administrator shall provide notice of required public hearings and applications as follows:

1. A notice of public hearing or application shall 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, if required.
2. A notice of public hearing or application shall be sent by mail not less than ten (10) days prior to the date of the hearing, if required, to the owners of the property subject to the application and to all owners of property within:
 - a. Three hundred (300) feet of the boundary of the subject property if it is identified as being within an Urban Growth Area by the Clallam County Comprehensive Plan.
 - b. Six hundred (600) feet of the boundary of the subject property if it is identified as being a rural zone by the Clallam County Comprehensive Plan.
 - c. One Thousand (1,000) feet of the boundary of the subject property if it is identified as Commercial Forest, Commercial Forest/Mixed Use, or Agricultural by the Clallam County Comprehensive Plan.

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.

3. A notice of public hearing or application provided by the County shall be posted by the applicant on the property subject to the application not more than ten (10) days after the application is deemed complete nor less than ten (10) days prior to the date of the hearing, if required.

Failure to provide posted notice due to unauthorized removal of duly posted signs beyond the control of the applicant shall not invalidate any proceedings required in this chapter.

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

Section 33.37.020

APPLICATION REQUIREMENTS. All permit applications submitted pursuant to this title shall contain the following 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 or Hearing Examiner to review and take action on the permit application.
9. An environmental checklist if required by Clallam County Environmental Policy Code, Chapter 27.01 Clallam County Code.
10. A filing fee in an amount as established under Chapter 3.30 Clallam County Code.

Chapter 33.40 - General Requirements

- Section 33.40.010 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 33.40.020 EXCEPTIONS TO MINIMUM STANDARDS. The following exception to the minimum standards automatically apply in the zones specified herein.
1. The minimum front, rear and side yard setbacks specified in all residential zones shall not apply to the common lot line of two adjacent parcels which are integrated under a common ownership through the filing of a zoning lot covenant, provided that the home developed thereon shall otherwise comply with all zoning code setback requirements applicable to individual lots.
 2. Within all zoning districts, reduced setbacks are allowed for mobile homes which are located in approved Planned Unit Developments and mobile home park subdivisions.
The reduced setbacks shall be:
Front yard: 35 feet from the centerline of a private fronting street.
Side yard: 6 feet from the property line.
Rear yard: 6 feet from the property line.
 3. Within all zoning districts, reduced setbacks are allowed for mobile homes which are located in pre-existing, non-conforming mobile home parks. Setbacks shall be consistent with those required by the Uniform Building Code.
 4. Within rural zones the setbacks for pre-existing, non-conforming lots of 1/2 acre or less in area shall be as follows:
Front yard - 45 feet from a local access street
50 feet from a arterial street
60 feet from a highway
Side yard - 8 feet (40 feet from the centerline of the right-of-way of a rear street).
Rear yard - 15 feet (40 feet from the centerline of the right-of-way of a rear street).
- Section 33.40.030 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 33.40.040 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 33.40.050 AUTHORIZATION OF SIMILAR USES. The Hearing Examiner 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.

Section 33.40.060

PRIVATE OWNERSHIPS WITHIN THE OLYMPIC NATIONAL PARK AND OLYMPIC NATIONAL FOREST. All land within the Olympic National Park and Olympic National Forest which is privately owned shall be zoned Commercial Forest unless specifically designated otherwise on the zoning map of this title. Such land shall be subject to the requirements of this chapter pertaining to lands zoned Commercial Forest.

Section 33.40.070

SOLID WASTE DISPOSAL. Solid and liquid waste disposal facilities requiring approval of the County or State health agencies shall be conditional uses in all Commercial Forest zoning districts.

Section 33.40.080

HAZARDOUS WASTE TREATMENT AND STORAGE FACILITIES. On-premise hazardous waste treatment and storage facilities designed to serve a use on the same property which generates hazardous waste are allowed as an accessory use in any zoning district which allows land uses which can generate hazardous waste zoning districts. Treatment and storage facilities allowed under this section shall meet the criteria for siting of hazardous waste facilities as developed by the Washington State Department of Ecology pursuant to Section 70.105.210 RCW.

Section 33.40.090

ACCESS TO STATE ROUTE 101. In all zoning districts fronting on State Route 101, uses shall be subject to the following access requirements:

1. Establishment of allowed uses: No direct access to State Route 101 shall be allowed unless the property does not have legal access to a County or private road. New uses that do not have County road access shall combine accesses with neighboring properties to the maximum extent possible to reduce the number of access points to State Route 101. Where access to State Route 101 is permitted by the State and Clallam County and the access point is not at a signalized intersection access shall be right turn in at ingress and right turn out at egress points.
2. Subdivisions and Short Subdivisions: No direct access to State Route 101 shall be allowed from new subdivisions or short subdivisions with legal access to a County or private road. If no County or private road is available, the subdivision or short subdivision shall include a road which:
 - a. Provides access to each lot within the plat.
 - b. Intersects with Highway 101 at only one specific location approved by the State Highway Department.
 - c. Is designed to allow for future extension of road service to adjacent properties fronting Highway 101.

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 or single family dwelling will be occupied by a person who is caring for or being cared for by the person occupying the second dwelling on the same parcel.
2. One of the occupants of the hardship dwelling or dwelling specified in item (1) above requires care by the care-giver living on the parcel due to a documented medical hardship.
3. The mobile home will be removed following termination of the medical hardship.

Chapter 33.43 - Status of Non-conforming Use, Parcels, and Pre-existing Uses

- Section 33.43.010 INTENT. It is the intent of this Chapter to permit non-conformities to continue and be maintained.
- Section 33.43.020 NON-CONFORMING LOT SIZE. If an undeveloped, pre-existing lot or parcel 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. In zoning districts which permit multi-family dwellings, such multi-family structures shall be permitted only on a lot meeting the minimum standards of this title regarding minimum area required for multi-family dwellings.
- Section 33.43.030 CONTINUATION OF PRE-EXISTING, NON-CONFORMING USE. A pre-existing use which is non-conforming with the standards of this title may be continued and maintained provided it is not enlarged, or altered in any way which increases its non-conformity unless a conditional use permit is granted by the Board of Adjustment or Hearing Examiner pursuant to the requirements of Chapter 33.27.
- Section 33.43.040 CONTINUATION OF PRE-EXISTING, NON-CONFORMING STRUCTURE. A pre-existing structure which is non-conforming with the standards of this code may be continued, maintained, remodeled, or reconstructed provided that the new construction does not further intrude into the required setbacks. New construction or related activity shall not be considered further intruding into a required setback so long as the footprint of the structure lying within the setback is not increased by more than 1,000 square feet and no portion of the structure is located closer to the property lines than the original footprint of the structure.
- Section 33.43.050 NON-CONFORMING COMMERCIAL AND INDUSTRIAL USES - ACCESS TO STATE AND FEDERAL HIGHWAYS. Non-conforming commercial and industrial uses located adjacent to any state or federal highway shall not add new access points to such highways to serve said existing, non-conforming use.
- Section 33.43.060 CONVERSION OF PRE-EXISTING, NON-CONFORMING USE. A pre-existing, non-conforming use shall not be converted to another non-conforming use unless a conditional use permit is granted by the Board of Adjustment or Hearing Examiner pursuant to the requirements of Chapter 33.27.
- Section 33.43.070 CONVERSION OF CONFORMING USE WITHIN A NON-CONFORMING STRUCTURE. A conforming use established prior to adoption of this code located in a pre-existing, non-conforming structure may be converted to another conforming use provided all applicable standards are complied with such as adequate parking, compliance with density and sign standards and SEPA requirements.
- Section 33.43.080 DESTRUCTION OF A NON-CONFORMING STRUCTURE.
1. Partial Destruction. When a non-conforming structure is damaged by natural causes, but the extent of damage is less than fifty percent (50%) of the replacement cost of the structure, the non-conforming structure may be reconstructed to the configurations existing immediately prior to the time the

structure was damaged. Such reconstruction must be completed within 18 months of said damage.

2. Substantial Destruction. When a non-conforming structure is damaged by natural causes to an extent exceeding fifty percent (50%) of the replacement cost of the entire building, it shall not be repaired or reconstructed unless it is done so to conform to the development requirements of the zone in which the structure is located, unless a variance is issued by the Board of Adjustment or Hearing Examiner.

The extent of damage shall be determined upon review of construction estimates by the Zoning Administrator.

Section 33.43.090 **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 the State of Washington prior to the effective date of this title may be developed as set forth in said permit without this title. If said permit becomes invalid prior to development of said improvements or uses, the provisions of this title shall then be in full force and effect on the subject property.

Section 33.43.110 **DETERMINATION OF NON-CONFORMING STATUS.** 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 burden of proof shall fall on the person requesting the determination. Proof shall consist of utility records, photos, assessor's records, title and legal description. The Administrator shall make a determination as to the conformity of such use and/or structure within 15 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 or Hearing Examiner in writing.

Section 33.43.120 **CESSATION OF A NON-CONFORMING USE.** If a non-conforming use ceases, it shall be continued not later than 18 months following cessation in order to maintain its status as a legal non-conforming use. If the non-conforming use is not continued within 18 months, subsequent use shall be in compliance with the minimum standards of the zone which is applicable.

Section 33.43.130 **NORMAL MAINTENANCE AND REPAIR OF NON-CONFORMING STRUCTURES.** Normal maintenance of existing non-conforming structures includes those usual acts to prevent a decline or lapse, or cessation from a lawfully established condition. Examples of normal maintenance shall be painting, re-roofing and those actions to maintain safe building requirements according to the Uniform Building Code. Normal re-construction means to restore a structure to a state comparable to its original condition prior to damage from natural causes not to exceed fifty percent (50%) of the replacement cost of the structure.

Chapter 33.45 - Review of Energy Developments

- Section 33.45.010 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 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 the Clallam County Environmental Policy Code, Chapter 27.01 Clallam County Code, 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 33.45.020 of this chapter.
- Section 33.45.020 ENERGY INDUSTRIES WITH HIGH ENERGY AND WATER REQUIREMENTS. Based on the findings and conclusions 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 33.45.030 INTER-COUNTY AND INTER-STATE GAS 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 33.27 of this title 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 33.45.040 SUBSURFACE MATERIALS EXPLORATION. Exploration for subsurface materials is permitted in all zones consistent with applicable state exploration laws.

Chapter 33.47 - Home Enterprise and Home Based Industry Standards

Section 33.47.010

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 business lives in the residential structure as his or her primary residence.
3. The business 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 structure. Additionally, if the business involves work with vehicles or machinery, there shall be no storage or work performed on such vehicles or machinery outside the structure.
5. The business 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 the normal residence which can be detected off premise or in some way adversely effect neighboring property.
6. The business does not significantly increase local vehicular traffic.
7. Only one sign is used for identification purposes and is attached to the residential structure, provided that if the sign cannot be seen from the road if attached to the house, and cannot reasonably serve as identification because of special features like unusually deep setbacks, extensive vegetative buffering or other features, the sign may be placed in the front yard or along the fronting road. Such sign is unlighted and does not exceed six square feet.
8. One commercial vehicle, including log trucks and construction vans may be parked outside when associated with a home enterprise or home based industry.

Section 33.47.020

HOME BASED INDUSTRY MINIMUM STANDARDS. Home based industries locating in non-commercial, non-industrial zones are subject to the following minimum standards:

1. The business is consistent with the standards found in Section 33.47.010 (2) through (8) for a home enterprise.
2. The industry is located in a fully enclosed building no larger than 2,000 square feet.
3. The business is limited to no more than two part time or full time employees other than the owner and his family.

Chapter 33.50 - Accessory Dwelling Units Standards

Section 33.50.010

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

1. The rural property on which the accessory dwelling is located is at least one and one-half (1 1/2) acres unless served by a community sewage disposal system and property located within an urban growth area which is large enough to support more than one dwelling unit without violating the maximum residential density of the urban zone.
2. The single family dwelling within which an accessory dwelling is located must have at least 1,200 square feet of gross floor area, exclusive of garage space.
3. An accessory dwelling unit located within a single family dwelling may not occupy more than 35 percent of the single family dwelling floor area.
4. The total floor area of separate structure utilized for an accessory dwelling unit shall not exceed 800 square feet. This shall include areas for closets, bathrooms, lofts, or second stories and kitchens, but shall not include areas for garages, shops, or other non-living areas.

Chapter 33.53 - Landscaping Requirements

Section 33.53.010

LANDSCAPING DEFINITIONS.

1. Visual Screen - Evergreen and deciduous trees (no more than 50% deciduous) planted 20 feet on center, two shrubs planted between each pair of trees, groundcover, and a solid fence of new materials.
2. Visual Buffer - Evergreen and deciduous trees (no more than 75% deciduous) planted 30 feet on center, two shrubs planted between each pair of trees, and groundcover.

Section 33.53.020

PLANT STANDARDS.

1. Deciduous trees must be 1 1/2 inches diameter at breast height (4.5 feet from ground level) and must have a survivability rate of 100 percent after one year and 80% after two years of planting.
2. Evergreen trees must be four feet in height and may be either broadleaf or conifer and must have a survivability rate of 100 percent after one year and 80% after two years of planting.
3. Ground cover is low evergreen or deciduous plantings at three foot spacing in all directions.
4. Shrubs must be a minimum of 30 inches in height or four gallons and must have a survivability rate of 100 percent after one year and 80% after two years of planting.
5. The retention of existing natural vegetation in place of new plants is encouraged and allowed.

Section 33.53.030

SCREENING STANDARDS.

1. New or expanding commercial or industrial land uses within commercial or industrial zones shall provide a 10 foot visual buffer along all street frontages and a 10 foot visual screen along any property line abutting a residential zoning district.
2. New or expanding commercial or industrial land uses operating under a conditional use permit in a residential zoning district shall provide a 5 foot visual screen along all street frontages and a 5 foot visual buffer along all other property lines.
3. New multi-family dwellings over 4 dwelling units shall provide a 5 foot visual buffer along all street frontages.

Chapter 33.55 - Parking Standards

Section 33.55.010

PARKING STANDARDS.

1. Commercial and industrial land uses in a structure which is less than 12,000 square feet in gross floor area shall provide parking as follows:
 - a. Retail Commercial Uses - one car space for every 200 square feet of usable retail area, provided that for every five bicycle spaces in a rack the number of required car spaces is reduced by one. One bicycle space in a rack for every 2,000 square feet of net retail area, provided that no more than 20 bicycle space need be provided.
 - b. Service Commercial - one car space per 400 square feet of service area, provided that for every five bicycle spaces in a rack the number of required car spaces is reduced by one. One bicycle space in a rack for every 2,000 square feet of net retail area, provided that no more than 20 bicycle space need be provided.
 - c. Industrial - adequate to serve the proposed use.
 - d. At the applicant's discretion, a parking plan pursuant to Section 33.55.010 (2) may be prepared and, if approved, provide the number of parking spaces required by the plan.
2. Commercial and industrial land uses in a structure which is greater than 12,000 square feet in gross floor area shall provide parking as follows:
 - a. The applicant shall submit, as part of environmental documents required by the State Environmental Policy Act, a parking plan which establishes the number of spaces to be provided by the proposed development. The plan shall include justification for the proposed number of spaces.
 - b. The County shall review the plan for consistency with the *Parking Generation Manual* prepared by Institute of Transportation Engineers (ITE). The parking plan shall be approved if the plan generally conforms to the standards of the Manual.
3. A parking space is a 9 foot by 18 foot stall with up to 30% compact (8 feet by 16 feet) and handicap spaces that meet the Americans with Disabilities Act (ADA).

Chapter 33.59 - Enforcement

- Section 33.59.010 ENFORCEMENT. The purpose of this chapter is to establish procedures for enforcing the provisions of this title, the *Clallam County Zoning Code*.
- Section 33.59.020 DEFINITIONS. As used in this chapter, unless the context otherwise requires, 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.
1. Administrative Warrant - A warrant to enter private property issued by a Court of Competent Jurisdiction based on probable cause to believe that a violation of county regulations has occurred.
 2. Permit - Any permit required pursuant to this title, the *Clallam County Zoning Code*.
 3. Property Owner - The title owner of a parcel of land, as defined by the *Clallam County Zoning Code*, Title 33 *Clallam County Code*.
- Section 33.59.030 RIGHT OF ENTRY. Whenever necessary to make an inspection to enforce the provisions of this title, the Administrator may enter such structure, property, or portions thereof at all reasonable times to inspect the same. The Administrator may enter such structure, property, or portions thereof only upon issuance of an administrative warrant.
- Section 33.59.040 ORDER TO CEASE AND DESIST. The Administrator shall have the authority to serve upon a property owner a cease and desist order if an activity being undertaken on property within Clallam County is in violation of this title, the *Clallam County Zoning Code*.
1. Content of order. The order shall set forth and contain:
 - a. A description of the specific nature, extent, and time of violation; and
 - b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time period. A civil penalty pursuant to Section 33.59.050 may be issued with the order.
 - c. Where a notice in writing is served to require corrective action, the administrator shall specify that corrective action must be initiated within 30 days of notification and completed within a specified time period established by the Administrator.
 2. Notice of order. An order to cease and desist shall be imposed by a notice in writing, either by personal service or by certified mail with return receipt requested, to the person incurring the same from the Administrator.
 3. Effective date. The cease and desist order issued under this section shall become effective immediately upon service upon the person to whom the order is directed.
 4. Compliance. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.

Section 33.59.050

CIVIL PENALTY. A person who fails to conform to the terms of a permit issued pursuant to this title, who undertakes a development or use within the County without first obtaining a permit required pursuant to this title, who undertakes a development or use within the County in non-compliance of this title, or who fails to comply with a cease and desist order issued under this chapter may be subject to a civil penalty. The purpose of issuing a penalty is to obtain compliance with regulations.

1. Amount of penalty. The penalty for any person found to have willfully engaged in activities in violation of this title shall be three hundred twenty five dollars (\$325); PROVIDED, that the fine for the third identical and all subsequent identical violations in any five year period shall be one thousand six hundred and twenty five dollars (\$1625).

The penalty for any person who fails to conform to the terms of a permit or approval issued pursuant to this title, or who unknowingly engaged in activities in violation of this title, or who fails to comply with an order to cease and desist shall be one hundred fifty dollars (\$150).

Violations of more than one provision of this title shall, for the purpose of issuing a civil penalty, constitute a single violation.

2. Notice of penalty. A civil penalty shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the Administrator. The notice shall describe the violation, approximate the date(s) of violation, and shall order the acts constituting the violation to cease and desist, or, in appropriate cases, require necessary corrective action within a specific time. The notice shall also describe the right to apply for remission or mitigation within 10 days of the date of service, the right to appeal the penalty within 30 days of the date of service, and shall contain a statement that failure to contest the notice of civil penalty or to appear at a hearing conducted pursuant to the appeal will result in a final decision that a violation has occurred, and the penalties imposed pursuant to the notice are final.
3. Application for remission or mitigation. Any person incurring a penalty may apply in writing within ten days of service of the penalty to the Administrator for remission or mitigation of such penalty. Upon receipt of the application, the Administrator may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty.

Section 33.59.060

APPEAL OF CIVIL PENALTY.

1. Right of appeal. Any person incurring a penalty imposed by the Administrator may appeal the same to the Board pursuant to the following procedures:
 - a. Appeals shall be made to the Clerk of the Board and to the Administrator on forms provided by the Administrator and shall state the factual and legal basis for the appeal.
 - b. At its first regular meeting after the receipt of the appeal, the Board shall establish a date to hear the appeal. At the appeal hearing, the appellant shall be afforded the opportunity to present his appeal to the Board of Clallam County Commissioners. Testimony at the appeal hearing shall be limited to the appellant or a representative, the Administrator, and any witnesses called by either party.
 - c. Within thirty (30) days of the hearing on the appeal, the Board shall affirm, modify, or reverse the decision of the Administrator on the

imposition of a civil penalty. The Board should waive or reduce a civil penalty if, prior to the hearing date, the violation is corrected.

2. Timing of appeal. Appeals shall be filed within thirty days of service of notice of penalty unless an application for remission or mitigation is made to the Administrator. If such application is made, appeals shall be filed within ten days of receipt of the Administrator's decision regarding the remission or mitigation.
3. Penalties due.
 - a. Penalties imposed under this section shall become due and payable thirty days after service of notice imposing the same unless application for remission or mitigation is made or an appeal is filed. Whenever an application for remission or mitigation is made, penalties shall become due and payable thirty days after service of the Administrator's decision regarding the remission or mitigation. Whenever an appeal of a penalty is filed, the penalty shall become due and payable upon completion of all review proceedings and upon the issuance of a final decision confirming the penalty in whole or in part.
 - b. If the amount of a penalty owed is not paid within thirty days after it becomes due and payable, the Clallam County Prosecuting Attorney, upon request of the department, may bring an action in the name of Clallam County to recover such penalty.
 - c. If the person subject to the civil penalty fails to remit payment when due, the Board may order that such penalty be assessed against the property and cause the same to be recorded on the assessment roll. Thereafter, said assessment shall constitute a special assessment against and a lien upon the property. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll and shall become delinquent and shall bear interest at the rate of seven percent (7%) per annum from and after said date. Certified copies of the assessment shall be given to the assessor, who shall add the amount of the assessment to the next regular tax bill levied against the parcel.

Section 33.59.070

CRIMINAL PENALTIES. The Clallam County Prosecuting Attorney shall bring such injunctive, declaratory, or other actions as are necessary to insure that no uses are made of property in the County in conflict with this title, and to otherwise enforce the provisions of this chapter.

Section 33.59.080

MORATORIUM ON FURTHER PERMITS, SUSPENSION OF PERMITS, REVOCATION OF PERMITS.

1. Clallam County shall not issue any permit, license, or other development approval on a development proposal site subject to an enforcement order under this chapter, PROVIDED, however, that Clallam County shall issue such permits needed to rectify or correct violations pursuant to an enforcement order.
2. The Administrator may temporarily suspend any permit issued pursuant to County regulations for a development or use on a development proposal site subject to an enforcement order under this chapter for failure to comply with the requirements of this title or the terms and conditions of the permit or for failure to comply with any notice and order issued pursuant to this chapter.
3. The Administrator may permanently revoke any permit issued pursuant to County regulations for a development or use on a development proposal site subject to an enforcement order under this chapter for failure to comply with the

requirements of this title, failure to comply with any order issued pursuant to this chapter, interference with the Administrator in the performance of his or her duties, or discovery by the Administrator that a permit was issued based on incorrect or false information supplied to the County.

Section 33.59.090

LIABILITY FOR DAMAGE RESULTING FROM VIOLATION. Any person who violates this title or the provisions of a permit or approval issued pursuant to this title shall be liable for all damage to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to such violation.

Chapter 33.60 - Administration

Section 33.60.010

ADMINISTRATION.

1. 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.
2. 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.
3. Permit Applications. Permit and other applications made pursuant to this title shall be submitted to the Clallam County Department of Community Development, Planning Division. 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.
4. Appeals. Any decision made pursuant to this title shall be final and conclusive upon exhaustion of all appeal procedures specified in this title unless review is sought in Superior Court.

Section 33.60.020

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 33.60.030

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.

Section 33.60.040

EFFECTIVENESS. This ordinance is necessary for the immediate preservation of the public's peace, health and safety and shall take full force and effect 10 days after adoption by the Board of Clallam County Commissioners.

ADOPTED this 19 day of December, 1995

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dorothy Duncan
Dorothy Duncan, Chair

Dave Cameron
Dave Cameron

voted no
Phillip Kitchel

ATTEST:

Heather McElroy Deputy
Karen Flores,
Clerk of the Board

cc: Community Development
minutes
file

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732652

910
2/1/00

Nichols Rezone Nunc Pro Tunc Ord. 575, & 581 1995

SW 1/4
Section 9
Township 30 N
Range 5 WWM

Scale 1:5,000 (1"=500')

0 100 200 300 400 500 Feet

Amendment of the Clallam County Comprehensive Plan Map, Title 31, Clallam County Zoning Map, Title 33, Clallam County Code.

Pursuant to Ordinances 575 and 581, 1995 and the clear record of the Planning Commission and Board of County Commissioners proceeding leading to adoption of Ord. 575 and 581, that the property attached on this map is located in the SW 1/4 of Section 9, Township 30 North, Range 5 West, Clallam County, Washington. The property is shown on the Regional Comprehensive Plan Map and as Rural (R1) on the Clallam County Zoning Map.

The property is described as the southeast quarter of the northeast quarter of the northwest quarter of the southwest quarter of Section 9, Township 30 North, Range 5 West, W. M., Clallam County Washington and the northeast quarter of the southeast quarter of the northwest quarter of the southwest quarter of Section 9, Township 30 North, Range 5 West, W. M., Clallam County Washington and all that portion of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 100 foot right-of-way falling within the southeast quarter of the northeast quarter of the northwest quarter of the southwest quarter of Section 9, Township 30 North, Range 5 West, W. M., Clallam County Washington.

Nunc Pro Tunc this 15th day of February, 2000.

BOARD OF CLALLAM COUNTY COMMISSIONERS

[Signature]
Howard V. Sherry, Jr., Chair

[Signature]
Carole J. Swanson

[Signature]
Stephan F. Tharinger

ATTEST:
[Signature]
Trish Perrott
Tish Perrott
Clerk of the Board

