

Ordinance 780

Amending Clallam County Code, Chapter 33.35, Amendment, as it pertains to the procedures for text and map amendments

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. 33.35.010, Zoning Code may be amended, is amended to read:

~~The purpose of this chapter is to establish procedures and timelines for amending the Zoning Code this Title, including text and maps, through the annual Comprehensive Plan review process, as an emergency amendment, or as a minor amendment. The Growth Management Act (Chapter 36.70A RCW) generally allows amendments to comprehensive plans, comprehensive plan maps and associated development regulations only once per year, except in emergencies, in order to allow communities to consider the cumulative impacts of the proposed revisions. As the Comprehensive Plan is a twenty (20) year plan for coordinated development of the County, and the Zoning Code is one of the major implementation tools of the Comprehensive Plan, amendments to the Plan and Zoning Code require careful review of a community wide need for the proposed amendment. This chapter distinguishes between those types of minor text amendments which clarify or simplify the that are consistent with and implement the comprehensive plan Zoning Code and whose impacts have already been evaluated in existing environmental documents from those types of applications for text or map amendments that require an amendment of the comprehensive plan in which the cumulative impacts must be evaluated pursuant to RCW 36.70A.130.~~

~~Whenever 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 consistent with the procedures and criteria in the following sections.~~

Section 2. 33.35.015, Type of amendments, is amended to read:

Clallam County has identified three (3) types of amendments which are further described below. The determination of the type of amendment shall be made by the Administrator.

(1) Type A revisions to the official comprehensive plan and zoning map to correct map errors shall be considered a Type A amendment. Type A amendments must demonstrate consistency with all goals, policies, and mapping criteria of the comprehensive plan. Type A amendments may be initiated at any time by the property owner, the Board of Clallam County Commissioners, the Clallam County Planning Commission, or by the Administrator. Type A amendments require an amendment to the official comprehensive plan map pursuant to the comprehensive plan amendment procedures of Chapter 31.08 CCC.

(2) Type B revisions to the development standards or other provisions of this Title that do not require a change to the comprehensive plan, including the official comprehensive plan and zoning map, shall be considered a Type B amendment. Type B amendments include correcting errors, clarifying or revising development standards, and adopting new development standards that are consistent with and implement the comprehensive plan. Type B amendments may be initiated at any time by the Board of Clallam County Commissioners, Clallam County Planning Commission, or the Administrator.

(3) Type C revisions, except as otherwise provided in this section, all other proposals to amend this Title, including the official comprehensive plan and zoning map, shall be considered a Type C amendment. Type C amendments require an amendment to the comprehensive plan pursuant to the comprehensive plan amendment procedures of Chapter 31.08 CCC.

___ (1) Type A amendments are those applications submitted by an individual or group that do not require annual docketing for the annual amendment process. Type A amendments are minor in nature, are proposed to correct obvious map errors or minor zoning boundary relocations to match property lines, are consistent with all Comprehensive Plan policies and the impacts of the change have already been evaluated by existing environmental documents. Type A amendments may be initiated at any time during the year and are scheduled for public hearing on a quarterly basis by the Administrator to be processed with other Type A amendments; except for the case of an emergency, as determined by the Board of Commissioners, which shall be processed as directed by the Board of Commissioners. All applicants for a Type A amendment must complete a pre-application conference with the Administrator prior to filing an application.

___ (2) Type B amendments are similar to Type A minor amendments except that they are proposed by Clallam County in accordance with CCC 31.35.020. Type B amendments include any minor text amendments for the purposes of clarification of text of the Zoning Code. (3) Type C amendments are proposals that do not qualify for Type A or B amendments and generally involve major changes in text, addition or deletion of uses in zoning districts, and any change to a zoning map designation and/or its associated zoning classification. Type C amendments must be received by the end of September in any given year in order to be scheduled for annual review in the following year. No Type C map amendment will be accepted by the Administrator unless it meets the minimum zone size requirement for the zone requested, if applicable. All applicants for a Type C amendment must complete a pre-application conference with the Administrator prior to filing an application.

Section 3. 33.35.020, Initiation of amendment, is deleted entirely.

Section 4. 33.35.030, Initiation of amendment application, is deleted entirely.

Section 5. 33.35.040, Public hearing is required, is amended to read: **Planning Commission public hearing.**

The Planning Commission shall hold at least one public hearing to review amendments. The hearing shall be noticed by publication in the newspaper of record of the County at least 10 days prior to the date of the hearing. The public notice shall include at a minimum: a description of the proposed amendment; the date, time, and place of the public hearing; and the location and hours where the public information files containing the proposed amendments can be viewed. The Planning 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 CCC 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. Clallam County may take other steps to notify the public, other jurisdictions, and agencies to amendments under review.

Section 6. 33.35.050, Decision on application – Time limit for, is deleted entirely.

Section 7. 33.35.060, Notice of Commission's decision, is amended to read: **Planning Commission recommendation.**

The Planning Commission shall develop findings and conclusions to support its recommendation to the Board of County Commissioners on amendments to this Title. When the Commission's action is to recommend approval or denial of an amendment, the Administrator shall

Section 15. Effective Date, is created to read:

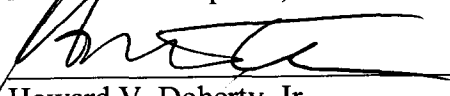
This ordinance shall take effect 10 days after adoption.

ADOPTED this sixth day of September 2005

BOARD OF CLALLAM COUNTY COMMISSIONERS



Michael C. Chapman, Chair



Howard V. Doherty, Jr.

ATTEST:



Trish Perrott, CMC, Clerk of the Board

Excused Absence

Stephen P. Tharinger