

Ordinance 785

An ordinance amending Clallam County Code, Chapter 33.19, Sequim Urban Growth Area, to make duplexes an allowed use within residential zones I and II; and to clarify standards for transfer of development rights from agricultural lands to residential zones I, II, III, and IV

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. .040 Use tables, is amended to read:

This section establishes whether a specific use is an allowed, conditional, or prohibited land use under the various land use zones established under CCC 33.19.020 and 33.19.030. Allowed, conditional, and prohibited land uses are represented as “A,” “C,” and “X,” respectively, as shown in Table 33.19.040(A).

(1) With the exception of conditional land uses, as regulated in Chapter 33.27 CCC, only those allowed land uses appearing in the use table of this section are deemed to be consistent with the comprehensive plan and in the interests of public health, safety, and general welfare of residents of the unincorporated Sequim urban growth area.

(2) No land, building, or structure shall be used and no building or structure shall be erected which is intended or designed to be used, in whole or in part, for any of the uses listed as “conditional land uses” without the specific approval of Clallam County pursuant to Chapter 33.27 CCC.

(3) Any person may request that an unclassified use be authorized as similar to an allowed or conditional land use pursuant to CCC 33.40.050. Unclassified uses may be allowed through the issuance of a conditional land use pursuant to CCC 33.05.010.

(4) The administrator may determine that a proposed unclassified use is prohibited based on a written finding that such use is similar to a prohibited land use and does not meet the purpose of the land use zone under CCC 33.19.030. Affected parties may request a review of the administrator’s action pursuant to Chapter 33.33 CCC.

Table 33.19.040(A)

Zoning District Use	S(R-I)	S(R-II)	S(R-III)	S(R-IV)	S(BC)	S(NC)	S(GC)	S(LM)	S(MU)
Agriculture	A	A	A	A	A	A	A	A	A
Airport	X	X	X	X	X	X	X	X	X
Asphalt plant	X	X	X	X	X	X	X	C	X
Bed and breakfast	A	A	A	A	A	A	A	X	C
Business park	X	X	X	X	C	C	A	X	A
Cemetery	C	C	C	C	X	C	C	X	C
Child daycare center	C	C	C	C	X	C	C	X	C
Church	C	C	C	C	C	C	C	C	C
Commercial greenhouse	X	X	X	X	A	A	A	A	A
Commercial horse facility	C	C	X	X	X	X	X	X	X
Commercial storage	X	X	X	X	X	X	X	A	A
Communication relay facilities	C	C	C	C	C	C	C	C	C
Duplex	EA ¹	EA ¹	A	A	X	C	C	X	C
Family daycare provider	A	A	A	A	X	A	A	X	A
Gas station	X	X	X	X	A	A	A	X	C
Grocery store	C	C	C	C	A	A	A	X	C
Group homes (16 or fewer persons)	C	C	C	C	X	C	C	X	A
Group homes (17 or more persons)	C	C	C	C	X	C	C	X	C
Home-based industry	C	C	C	C	X	A	A	X	A
Home enterprise	A	A	A	A	X	A	A	X	A

Industrial use	X	X	X	X	X	X	X	X	X
Limited industrial uses	X	X	X	X	C	X	X	A	C
Lodge	C	C	C	C	X	A	A	X	A
Medical service facility	C	C	C	C	X	A	A	X	C
Mineral extraction	X	X	X	X	X	X	X	X	X
Mobile home park	A	A	A	A	X	X	X	X	X
Motel	X	X	X	X	C	X	A	X	C
Multiple-family dwelling	C	C	A	A	X	C	C	X	C
Outdoor-oriented recreation facility	C	C	C	C	C	C	C	X	C
Outdoor shooting range	X	X	X	X	X	X	X	X	X
Planned unit development	A	A	A	A	A	A	A	A	A
Primitive campground	X	X	X	X	X	X	X	X	X
Professional office	X	X	X	X	X	A	A	X	A
Race track	X	X	X	X	X	X	X	X	X
Research facility	X	X	X	X	X	X	A	A	A
Retail use (not listed)	X	X	X	X	C	C	A	C	C
RV park	C	X	X	X	A	X	C	X	X
School	C	C	C	C	X	A	A	X	C
Single-family dwelling	A	A	A	A	X	C	C	X	C
Tavern	X	X	X	X	X	C	C	X	C
Timber harvesting	A	A	A	A	A	A	A	A	A
Timber labor camp	X	X	X	X	X	X	X	X	X
Tourist shop	X	X	X	X	A	C	A	X	C
Vehicular repair	X	X	X	X	A	A	A	A	A
Veterinarian clinic/kennels	X	X	X	X	X	A	A	A	A
Wholesale commercial use	X	X	X	X	X	C	A	A	A
Wood manufacturing	X	X	X	X	X	X	X	C	C
Wood manufacturing, small-scale	X	X	X	X	X	X	A	A	A
Wrecking yard	X	X	X	X	X	X	X	C	C

A – Allowed Land Use C – Conditional Land Use X – Prohibited Land Use

[¹New duplexes require a conditional use on a parcel that either does not share a common property line with property containing an existing duplex or multi-family dwelling, or does not share a common street frontage with a parcel located within 200 feet that contains an existing duplex or multi-family dwelling.](#)

Section 2. .050 Bulk and dimensional standards, is amended to read:

(1) Bulk and Dimensional Purpose. In recognition of the varied topography and geographical relationships within the Sequim urban growth area, and for the safety and general welfare of the citizens, bulk, dimensional and general requirements for the zoning districts shall be required as a necessary part of the development and use of land. All permitted uses and conditional uses, except as otherwise established in an approved planned unit development, shall comply with the requirements of this section.

(2) Bulk, Dimensional and General Requirements. Bulk, dimensional, and general requirements are herewith established and shall be provided in accordance with the minimum standards hereinafter set forth in Tables (A) and (B) of this subsection. Bulk and dimensional standards measure the spatial, four-dimensional limitations of the site, including height, width, depth, and coverage. Lot size and residential density is also subject to subsection (3) of this section and CCC 33.19.060(1).

Table 33.19.050(2)(A) – Bulk, Dimensional and General Requirements: Residential Zones

Zone

Zone	Minimums							Maximums			
	Lot Size	Lot Width	Required Setbacks ¹				Side (each)	Rear	Lot Coverage	Building Height	Residential Density
			Access Road	Collector Road	Arterial	Front					
S(R-I)	one-half acre	50'	25'	30'	40'	10'	15'	20%	35'	2 du/acre	
S(R-II)	9,000 square feet	50'	20'	25'	35'	10'	15'	50%	35'	2-4 du/acre without +TDR ² OR up to 5 du/acre with TDR	
S(R-III)	9,000 square feet for single-family 9,000 square feet plus 2,000 square feet per additional unit for duplex and multifamily residences regardless of the number of buildings	50'	20'	25'	35'	10'	15'	50%	35'	4 du/acre without TDR ³² OR Up to 10 du/acre with TDR	
S(R-IV)	6,000 square feet for single-family 6,000 square feet plus 2,000 square feet per additional unit for duplex and multifamily residences regardless of the number of buildings	50'	20'	25'	35'	10'	15'	50%	50'	4 du/acre without TDR ³² OR up to 16 du/acre with TDR	

¹Setbacks are measured as per subsection (5) of this section. Where required setbacks under the Uniform Building Code adopted by Clallam County differ from the minimum setbacks established in Table 33.19.050(2)(A), the more restrictive regulation shall apply.

²~~Residential Clallam County will allow for a maximum residential densities density of up to two (2) four dwelling units per acre are allowed without the purchase or transfer of development rights from lands zoned Agricultural Retention. Residential density greater than four dwelling units per acre up to the maximum allowed residential density of the zone (see above) shall require transfer of development rights from an Agricultural Retention zoned lot(s) pursuant to CCC 33.19.050(3). The requirement for the purchase or transfer of development rights shall not apply to the construction of up to one two dwelling units on a legal lot of record created established prior to May 28, 1996, that is less than one-half (0.5) acre or on a similar size lot that is part of a valid preliminary plat under CCC Title 29 approved prior to May-July 28, 1996.~~

³~~Residential densities up to four (4) dwelling units per acre are allowed without the purchase or transfer of development rights. The requirement for the purchase or transfer of development rights shall not apply to the construction of up to two (2) dwelling units on a legal lot of record established prior to May 28, 1996, that is less than one half (0.5) acre or on a similar size lot that is part of a valid preliminary plat under CCC Title 29 approved prior to May 28, 1996.~~

Table 33.19.050(2)(B) – Bulk, Dimensional and General Requirements:
Commercial/Manufacturing/Mixed Use Zones **Zone**

Zone	Lot Size	Lot Width	Minimums					Maximums		
			Required Setbacks ¹					Lot Coverage	Building Height	Residential Density
			Front			Side (each)	Rear			
Access Road	Collector Road	Arterial								
S(BC)	None	None	25'	30'	35'	5'	5'	85%	35'	Not applicable
						From residential zones or uses: 20' 20'				
S(NC)	None	None	25'	30'	35'	5'	5'	85%	35'	None
						From residential zones or uses: 20' 20'				
S(GC)	None	None	0'	0'	0'	0'	10'	75%	35'	None
For zero foot front and side yard setbacks, the development must be consistent with the City of Sequim Streetscape Plan or CCC 33.19.060(3) where the Streetscape Plan is not applicable.										
S(LM)	10,000 sq. ft.	100'	25'	30'	50'	20'	20'	80%	35'	Not applicable
S(MU)	10,000 sq. ft.	100'	20'	30'	50'	5'	10'	45%	35'	None
	duplex and multifamily: 6,000 sq. ft. + 2,000 sq. ft. additional. unit	50'	20'	25'	30'	10'	20'	50%	35'	

¹Setbacks are measured as per subsection (5) of this section. Where required setbacks under the Uniform Building Code adopted by Clallam County differ from the minimum setbacks established in Table 33.19.050(2)(B), the more restrictive regulation shall apply.

(3) Transfer of Development Rights. This chapter designates the S(R-II), S(R-III), and S(R-IV) residential zones as receiving areas of transferable development rights from lands designated Agricultural on the Official Sequim-Dungeness Regional Comprehensive Plan Map, as amended, consistent with CCC 31.03.230(6)(a), Comprehensive Plan Policy No. 10. Table 33.19.050(2)(A) establishes the residential density for which transfer and/or purchase of transferable development rights shall be required within the S(R-II), S(R-III), and S(R-IV) zones. The actual transfer and/or purchase of transferable development rights shall follow the requirements as set forth under Chapter 33.26 CCC.

(4) Exceptions. The bulk, dimensional and general requirements set forth in subsection (2) of this section shall apply to specifically permitted and conditional uses tabulated in CCC 33.19.040, excepting the following:

(a) The maximum building height provided in subsection (2) of this section shall not apply to antennas; provided, that antennas are set back from all exterior property lines at a minimum ratio of one foot of setback for every ~~three (3)~~ feet of vertical height as measured from grade.

(b) Antennas, satellite dishes, or other communication devices shall not be located in the front setback area.

(c) No structures excepting fences and berms, shall be placed within the front setback area.

(d) Planned unit developments approved consistent with this title and CCC Title 29, Clallam County Land Division Code, may specifically delineate setback, bulk, height or dimensional requirements which differ from these standards.

(5) Measurement of Setbacks. All setbacks shall be measured from the lot line to the foundation of any building as defined in Chapter 33.03 CCC.

(6) Sight Clearance. In all zones, corner lots, shall maintain, for safety purposes, a triangular area in which no physical obstruction, such as a structure, fence, tree or shrub higher than ~~thirty-six~~ (36) inches above grade shall be permitted. Such triangular area shall have one angle formed by the front lot line and the side lot line separating the lot from the side street, the length of which lot line sides of the triangle shall be ~~fifteen~~ (15) feet. The third side of the triangle shall be a line connecting the two (2) lot lines at the ~~fifteen~~ (15) foot point on each.

(7) Road Classifications. The purpose of establishing road classifications is to clarify the setbacks for development activities consistent with the requirements of this section. The following road designations shall apply to the following streets maintained by either City of Sequim, Clallam County, or Washington Department of Transportation that are within the Sequim urban growth area; all roads not specifically listed shall be classified as an access road:

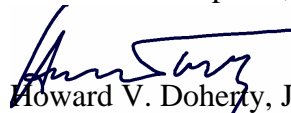
Arterials	Collectors
SR 101 By-Pass	N. Brown Road
Existing Highway 101	Hendrickson Road
Old Olympic Highway	Keeler Road
Sequim-Dungeness Way	Miller Road
North Sequim Avenue	Port Williams Road
Priest Road	River Road
SR 101 By-Pass South Frontage Road	Still Avenue
Third Avenue	West Sequim Bay Road

ADOPTED this thirteenth day of December 2005

BOARD OF CLALLAM COUNTY COMMISSIONERS



Michael C. Chapman, Chair



Howard V. Doherly, Jr.

ATTEST:



Trish Perrott, CMC, Clerk of the Board



Stephen P. Tharinger