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12/19/06

Ordinance 806

An ordinance amending portions of Clallam County Code Chapter 31.08, Implementation

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

**Section 1. Section .305, Type of amendments, paragraph (2) is amended to read as follows:**

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.

(2) Type B amendments ~~are similar to Type A minor amendments except that they are proposed by Clallam County in accordance with CCC 31.08.310. Type B amendments~~ include any minor text amendments for the purposes of correcting obvious errors or clarification of text of the comprehensive plan. Type B amendments may only be initiated by Clallam County in accordance with CCC 31.08.310.

**Section 2. Section .320, Initiation of amendment application, is amended to read as follows:**

An application to amend this title shall be filed with the Department of Community Development on forms prescribed by the Administrator, and shall include fees required under ~~Chapter 3.30~~ CCC 5.100, Consolidated Fee Schedule. If the application is for an amendment to the official Comprehensive Plan map, it shall include a legal description and a map showing the location of the property to be redesignated. A map amendment application must be signed by a majority of the owners of properties proposed to be redesignated.

Applications for a comprehensive plan map amendment shall include the tax parcel numbers, names and addresses of all owners of property proposed to be redesignated or "rezoned" and such other information which the Administrator deems necessary for the Planning Commission and the Board of County Commissioners to make a well reasoned decision. A completed application shall be processed by the Administrator in a manner prescribed by the County Code in accordance with State law.

**Section 3. Section .340, Notice of Commission's decision, is amended to read as follows:**

When the Planning Commission's action is to recommend approval or denial of an amendment, the Administrator shall notify the applicant by mailing a notice of the action of the Commission to the applicant at the address shown on the application. Other persons requesting notice of the action shall be notified in the same manner as the applicant. A copy of the action together with the findings adopted by the Commission shall be forwarded to the Board of County Commissioners within ~~ten~~ (104) days of said action. The findings shall be made available to the public upon request. Action on all amendments to the Comprehensive Plan or comprehensive land use 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 4. Section .360, Decision of the Board, is amended to read as follows:**

After the receipt of the report and recommendations of the Planning Commission, the Board of County Commissioners shall hold a duly advertised public hearing in accordance with the Clallam County Charter and shall take action on the recommendation in the manner set forth in State law and the Clallam County Charter. If the initiator of the amendment withdraws the application prior to the

public hearing, the Board of Commissioners shall cancel the public hearing and take no further action on the application.

**Section 5. Section .370, Required showing for an amendment, is amended to read as follows:**

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) The proposed amendment is consistent with the spirit and intent of this title.
  - (2) The proposed amendment is consistent with the spirit and intent of CCC Title 33, Zoning, and with interlocal agreements, transportation, parks and recreation, capital facility, utility, watershed, ~~all other County road, utility, and other applicable~~ land use and environmental plans and policies adopted by the County.
  - (3) The proposed amendment will not be detrimental to the public health, safety, and welfare.
  - (4) The proposed amendment is necessary due to changed conditions or circumstances from the time the property was given its present designation which warrants consideration of a different land use designation. This criterion only applies to comprehensive plan and zoning map amendments.
  - (5) The proposed amendment will not result in probable significant adverse impacts to the adequacy of public facilities and services including, but not limited to transportation, sewer, water, storm water, utilities, and parks required to meet urban or rural needs, and will not place uncompensated burdens upon existing and planned services.
- (56) The cumulative effects of all proposed amendments have been assessed and determined to be consistent with the spirit and intent of this title

ADOPTED this nineteenth day of December 2006



BOARD OF CLALLAM COUNTY COMMISSIONERS

Howard V. Doherty, Jr.  
Howard V. Doherty, Jr., Chair

Stephen P. Tharinger  
Stephen P. Tharinger

ATTEST:

Trish Holden  
Trish Holden, CMC, Clerk of the Board

Excused Absence  
Michael C. Chapman