

Ordinance 827

An ordinance amending Clallam County Code, Chapter 31.02, Countywide Comprehensive Plan, to add a new section to formally identify certain local land areas as limited areas of more intensive rural development (LAMIRDs)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section .263, Limited areas of more intensive rural development is created to read as follows:

The purpose of this section is to designate specific existing zoning classifications of the Clallam County Countywide and Regional Comprehensive Plans as limited areas of more intensive rural development (LAMIRDs) under the Growth Management Act (GMA) provisions of RCW 36.70A.070(5)(d), and to identify the corresponding development regulations for and restrictions on expansion of LAMIRDs.

The following findings of fact and conclusions of law support the designation of the LAMIRDs identified herein:

(1) Clallam County is a rural county, as defined by the state legislature and identified by the state Office of Financial Management, based on population.

(2) Under the GMA, the legislature found that rural counties must have flexibility to create opportunities for business development to retain and enhance the job base in rural areas (RCW 36.70A.011). The rural element of the comprehensive plan may allow for limited areas of more intensive rural development and the GMA provides for three separate categories of such more intensive rural lands (LAMIRDs) (RCW 36.70A.070(5)(d)). In addition, the GMA recognizes that circumstances vary from county to county and therefore it provides that in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals of RCW 36.70A.020 and the requirements of the Act (RCW 36.70A.070(5)(a)).

(3) The County has thoroughly evaluated each of the LAMIRDs designated herein and finds that they comport with the purpose and intent of the GMA provisions for limited areas of more intensive rural development.

(a) The boundaries of the existing zoning designations, hereinafter LAMIRDs, are consistent with the GMA criteria for logical outer boundaries for LAMIRDs, RCW 36.70A.070(5)(d)(iv).

(b) The identified zoning designations and their boundaries are based upon local circumstances and policies that support the County's comprehensive plan rural element, as demonstrated in the "Clallam County 2006 LAMIRD Report", as supplemented. The "LAMIRD Report" explains how these designated LAMIRDs, as a component of the County's rural element, act in harmony with the planning goals of RCW 36.70A.020 and meet the requirements of the GMA.

(c) In the event and to the extent that any particular LAMIRD designated herein were found to contravene GMA criteria for LAMIRDs (RCW 36.70A.070(5)(d)), the County finds that they enjoy an independent legal basis to continue with the present zoning, based upon the written record of: local circumstances that supported their zoning classifications as established in 1995 or subsequently; how these LAMIRDs contribute to the fabric of Clallam County's rural character; and the valuable role played by these areas in providing a necessary land base for rural business development and as a rural job and employment base, in support of the County's economic policies.

(d) The LAMIRD designations are an appropriate exercise of its authority under the GMA to adopt flexible provisions for rural business opportunities that support the County’s vision of a rural element that enables its residents to live and work in a rural environment (RCW 36.70A.011), and which also provide important recreation opportunities for residents and visitors alike.

(3) The Planning Commission, after public hearings and workshops, recommended establishing certain areas of more intensive rural development as LAMIRDs. The Board of Commissioners, following an additional public hearing, has modified the list to include those areas designated in this Ordinance.

(4) The County finds that this LAMIRD designation requires no change to the Comprehensive Plan maps or policies nor does it require a change to the implementing development regulations.

(5) Identification.

(a) This section formally identifies and recognizes those local land areas which were previously designated for more intensive rural development (“local land areas”) as “limited areas of more intensive rural development” (“LAMIRDs”), as that term is defined at RCW 36.70A.070(5)(d), which subsection was added by the legislature to Chapter 36.70A RCW, Growth Management, in 1996. These local land areas were originally designated in the Countywide and Regional Comprehensive Plans for more intensive rural development to reflect existing commercial, industrial, residential, or mixed-use areas, local circumstances, and County policies. To remain in compliance with Chapter 36.70A RCW, as amended, this section recognizes these local land areas as LAMIRDs and adopts policies to control their expansion. The policies contained in this section supplement and, to the extent they contradict, supersede any policies contained elsewhere in this Comprehensive Plan and the respective Regional Plans and associated with the various LAMIRDs identified in this section.

(b) The local land areas that are henceforth identified as LAMIRDs, and subject to the policies of this section, are identified as each of those areas with the following zoning designations on the regional zoning maps (which thereby constitute part of the County General Comprehensive Plan Map and Regional Comprehensive Plan Land Use Maps). These LAMIRDs are described in more detail in the "2006 Clallam County LAMIRDs Report", as supplemented (“LAMIRDs Report”), which is hereby incorporated by reference:

Zoning Designation	LAMIRD Report Identification
Sequim/Dungeness Planning Region (SDPR): R1 (Rural) RSC (Rural Suburban Community) URL (Urban Residential Low) DPA (Diamond Point Airport) URH (Urban Residential High) RV (Rural Village) RC (Rural Commercial) M (Industrial)	Sequim Dungeness Planning Area: SDPRLamird1 Diamond Point SDPRLamird2 Sunland SDPRLamird3 Bell Hill SDPRLamird4 NE Carlsborg SDPRLamird5 SW Carlsborg SDPRLamird6 Dungeness Village SDPRLamird7 E. Anderson SDPRLamird8 Lotzgesell SDPRLamird9 Dryke SDPRLamird10 Sequim Lodge SDPRLamird11 Miller Peninsula
Port Angeles Planning Region (PAPR) R1 (Rural)	Port Angeles Planning Region PAPRLamird1 Lake Sutherland

Zoning Designation	LAMIRD Report Identification
RLC (Rural Limited Commercial) RNC (Rural Neighborhood Commercial) GC (General Commercial)	PAPRlamird2 Granny's Cafe PAPRlamird3 Place Road PAPRlamird4 Laird's Corner PAPRlamird5 4 Seasons PAPRlamird6 Deer Park PAPRlamird7 Lake Farm PAPRlamird8 Cedar Glen PAPRlamird9 O'Brien PAPRlamird10 The Bluffs PAPRlamird11 Indian Creek
Straits Planning Region (SPR) R1 (Rural) RNC (Rural Neighborhood Commercial)	Straits Planning Region SPRlamird1 Crescent Beach SPRlamird2 Whiskey Creek SPRlamird3 Lyre River SPRlamird4 Silver King SPRlamird5 Hoko River East SPRlamird6 Hoko River West SPRlamird7 Straits SPRlamird8 Bullman SPRlamird9 Camp Hayden SPRlamird10 Clallam River
Western Planning Region (WPR) RW1 (Western Region Rural) QR (Quillayute Residential) TC (Tourist Commercial) WRC (Western Region Rural Center)	Western Planning Region WPRlamird1 Snider WPRlamird2 Bear Creek WPRlamird3 Sappho WPRlamird4 Old Beaver WPRlamird5 Lake Pleasant WPRlamird6 Beaver WPRlamird7 Maxfield WPRlamird8 Whitcomb/Dimmel WPRlamird9 Bogachiel Bridge WPRlamird10 Three Rivers WPRlamird11 Quillayute River WPRlamird12 Quillayute Airport WPRlamird13 Quillayute Prairie WPRlamird14 Little Quillayute Prairie

- (6) Authority. These local land areas were designated as LAMIRDS based on the following:
- (a) The criteria set forth at RCW 36.70A.070(5)(c) and (d), as amended, and applied to each land area in the LAMIRDS Report; and/or
 - (b) The County's local circumstances, which are described and harmonized to the planning goals of RCW 36.70A.020, as amended, in the Comprehensive Plan and respective Regional Plans, as supplemented by the LAMIRDS Report and the 2006 Clallam County Rural Lands Report, as supplemented ("Rural Lands Report"), pursuant to RCW 36.70A.070(5)(a); and/or

(c) The County's rural nature, which requires flexibility to create opportunities for economic development and/or expansion pursuant to RCW 36.70A.011, as described in the Comprehensive Plan and respective Regional Plans, as supplemented by the LAMIRDs Report and the Rural Lands Report.

(7) Uses and boundaries.


(a) The allowable uses within and other substantive development regulations for each LAMIRD shall be as prescribed in the zoning code for the controlling zoning designation.

(b) The boundaries of the respective zoning designations that define each LAMIRD shall constitute the logical outer boundaries of the LAMIRD. Infill, development, and redevelopment within these areas shall not extend beyond the boundaries of the LAMIRDs.

(c) Any request for a change in LAMIRD boundaries must demonstrate consistency with the state Growth Management Act, RCW Chapter 36.70A and with this Title.

ADOPTED this twenty-eighth day of August 2007

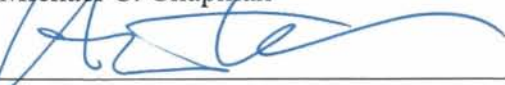
BOARD OF CLALLAM COUNTY COMMISSIONERS



Stephen P. Tharinger, Chair



Michael C. Chapman



Howard V. Doherty, Jr.

ATTEST:



Trish Holden, CMC, Clerk of the Board