

HA  
10/28/08

Ordinance 836

Establishing "Interim Official Controls" on Certain Sequim Urban Growth Area Lands  
Pending Rural Re-designation under the Annual Comprehensive Plan Review,  
Pursuant to RCWs 36.70A.390, 36.70.795, 35.63.200, and 36.70A.130(2)(b);  
and all upon a Declaration of Emergency

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

**Section 1. Interim Official Controls is created to read as follows:**

**.010 Incorporation of testimony and records.**

The Board of County Commissioners adopts and incorporates herein the public record of the referenced County compliance proceedings in response to the recent Growth Management Hearings Board rulings, the recitals made by staff, and public testimony and documents received at the public meetings and hearings associated with the said compliance proceedings as to the mapped areas, discussed below.

**.020 Incorporation of resolution of specific findings and attachments.**

The Board adopts and incorporates herein the Resolution of Specific Findings and Attachments hereto defining and delineating the interim official controls in response to the referenced compliance proceedings. The Clallam County Department of Community Development shall be working to permanently address the rural re-designation for the attached mapped areas, as discussed below.

**.030 Receipt and acceptance of applications for land divisions.**

With the exception of acceptance of applications for land use development as discussed below, no applications for a division of land under Title 29 Clallam County Code (CCC) including short plats, plats, large lot subdivisions, and binding site plans, will be accepted nor will be permitted in the mapped areas of the Sequim urban growth area (UGA), as referenced under the Sequim-Dungeness Regional Plan and the respective portions of the Official Comprehensive Land Use and Zoning Map and Development Regulations of the Clallam County Code, and which mapped areas are attached hereto and incorporated herein. Any application for a development that was received by the Clallam County Department of Community Development after the time and date of adoption hereunder, and that does not qualify as one of the below-inscribed exceptions, shall be returned upon request along with a refund of the application fees.

**.040 Exception as to divisions in the development process.**

These interim controls shall not affect proposals for a division of land for which a complete application has been accepted by the Department of Community Development prior to the effective date of this ordinance. For any applications which have been submitted prior to the effective date of this ordinance, but which have not been reviewed for completeness under by the Department of Community Development, the applicant will have 30 days from the date of the completeness review letter from the Department to submit a complete application in order to vest. Those applications for which a completeness letter was previously issued shall have 6 months from the date of the completeness letter to vest.

**.050 Definitions.**

For purposes of these interim controls, "divisions" or "applications" and "land use development" shall mean any application or permitting submission or request for land use review, approvals, or authorizations by the County or its Board of Health as to short plats, plats, large lot subdivisions, and binding site plans under Title 29 CCC, and as those terms are applied within Chapters 36.70A and 36.70B RCW, and otherwise within the County Code. For purposes of these interim controls, "official interim controls" shall mean "official controls" as defined under RCW 36.70.020(11), to wit: "legislatively defined and enacted policies, standards, precise detailed maps, or other criteria."

**.060 Amendment and savings clause.**

This interim ordinance addresses only those portions of the referenced mapped areas of the Sequim UGA. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid at law, such decision shall not affect the validity of the remaining portions of this Ordinance.

**.070 Public Hearing.**

The Clerk of the Board is instructed to schedule a public hearing on this emergency enactment within 60 days following the effective date of this Ordinance. The Department of Community Development is requested to develop a work plan for presentation at hearing of the County's efforts to review adoption of rural re-designations of a portion of the Sequim UGA.

**.080 Sunsetting and effective date.**

These interim official controls shall automatically expire 60 days from their effective date unless the Board, following a public hearing, rescinds, extends, or modifies this Ordinance under the above-noted statutory provisions. Because it is necessary to preserve the public peace, health and safety for the reasons set forth in the accompanying Resolution, the Board declares an emergency and that the effective date of this Ordinance shall be the date of adoption.

ADOPTED this twenty-eighth day of October 2008

BOARD OF CLALLAM COUNTY COMMISSIONERS

  
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Michael C. Chapman, Chair

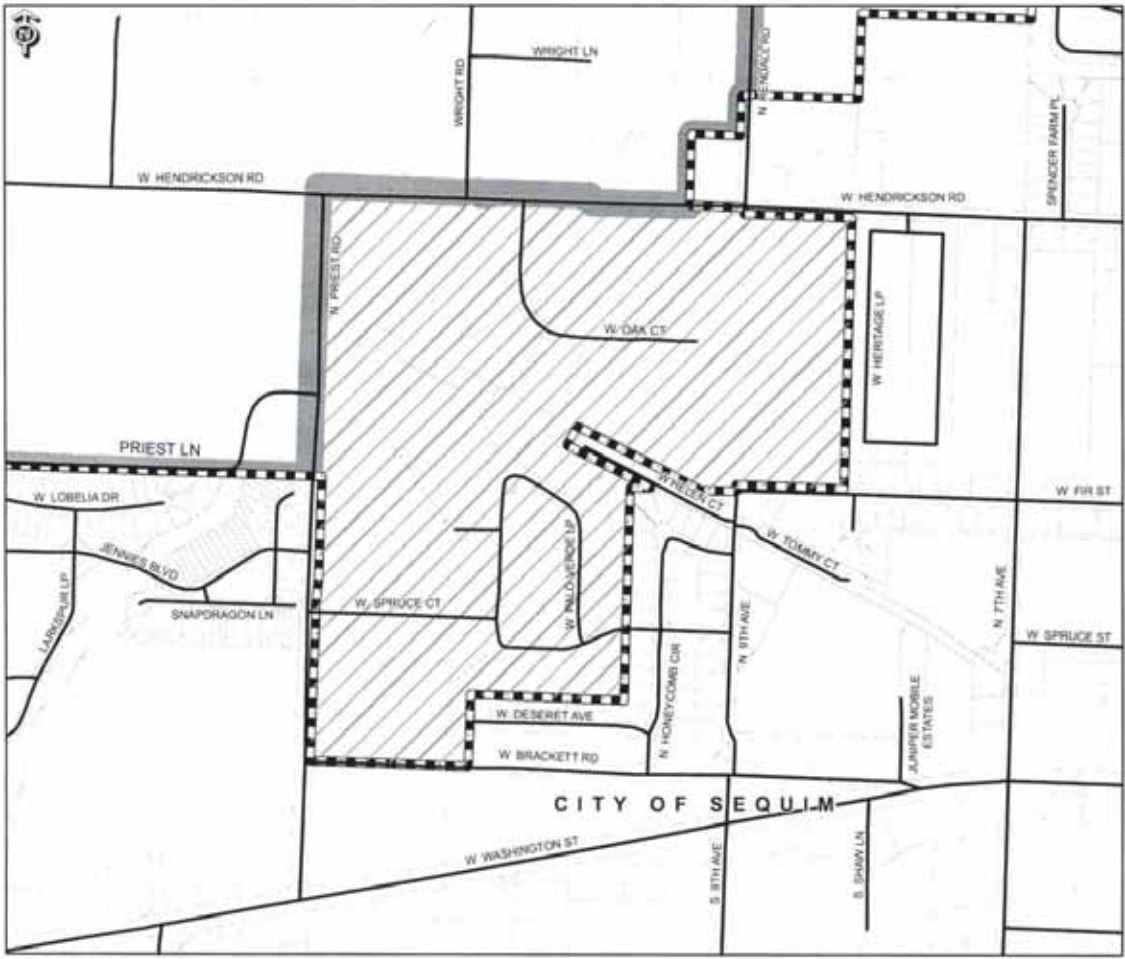
  
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Howard V. Doherty, Jr.

  
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Stephen P. Tharinger







ATTEST:

  
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Trish Holden, CMC, Clerk of the Board



**Area Affected By Emergency Interim Controls**

October 28, 2008

-  Area Affected By Emergency Interim Controls
-  City of Sequim
-  Sequim UGA Boundary
-  Parcel Boundaries



CITY OF SEQUIM