BEFORE THE PACIFIC COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. 129

AN ORDINANCE ESTABLISHING AND ORGANIZING THE PACIFIC COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT; AND AMENDING PRIOR ORDINANCES WHICH REFERRED OR DELEGATED LAND-USE POLICY IMPLEMENTATION TO THE DEPARTMENT OF PLANNING, THE BUILDING (COMMUNITY DEVELOPMENT) DIVISION OF THE DEPARTMENT OF PUBLIC WORKS, AND THE ENVIRONMENTAL HEALTH DIVISION AND WATER QUALITY SECTION OF THE DEPARTMENT OF HEALTH (AND HUMAN SERVICES) TO CHANGE SUCH REFERENCE OR DELEGATION TO THE NEWLY-FORMED DEPARTMENT.

WHEREAS, with the approval of Resolutions 92-129 and 92-130 the 3rd day of November, 1992, the Board of Pacific County Commissioners and the Pacific County Board of Health found that:

1. The Legislature of the State of Washington, through the Revised Codes of Washington, requires counties to make and enforce resolutions or provide for the public good (Chapter 36.43 RCW), issue building permits (Chapter 19.27 RCW), provide for the public health (Chapter 70.05 RCW and RCW 43.20.050) and engage in land-use planning (Chapter 36.70 RCW and 36.70A RCW).

2. The Board of Pacific County Commissioners, together with its administrative agents, is responsible for managing community development regulations including, but not limited to: comprehensive land-use plans and zoning ordinance(s), subdivision code, fire code, building code, sewage disposal code, floodplain management regulations, water supply regulations, solid and hazardous waste management, and drainage regulations.

3. The Board of Pacific County Commissioners as the ex-officio Pacific County Board of Health and the Pacific County Health Officer are responsible for enforcing the public health statutes and regulations and maintaining health and sanitary measures for the protection of the public health within the county as provided under Chapter 70.05 RCW and RCW 43.20.050.

4. It is essential for the public welfare, safety, and benefit to provide timely and thorough regulatory permit processing; administer codes and regulations in the areas of planning, building, public health, and resource management and to maintain procedures to assure timely and coordinated processing and review of permits by all appropriate county departments and other agencies of jurisdiction.

5. The consolidation of development-related regulatory departments within Pacific County government under a single departmental administration was in the best interest of the general public, and would promote inter-departmental communication, efficiency and thoroughness of permit review.

6. The majority of permit-related activities are housed within the existing Pacific County Planning Department, existing Building (Community Development) Division of the Pacific County Department of Public Works, and the Environmental Health Division and Water Quality Section of the existing Pacific County Health and Human Services Department.

7. After diligent examination, the Board of Pacific County Commissioners and County staff had determined that a Department of Community Development consisting of a Building Subdepartment, Planning Subdepartment, Environmental Health Subdepartment, and a Support Services Subdepartment, was the most viable and best option for the County to respond to land-use permitting needs; and

WHEREAS, numerous County ordinances and resolutions related to land-use policies and regulations have delegated administrative authority to the previously existing Planning Department, Building (Community Development) Division of the Department of Public Works, and the Environmental Health Division and Water Quality Section of the existing Health and Human Services Department; and

WHEREAS, successful management of the new Department of Community Development is connected to its ability to administer various County land-use policies, ordinances and resolutions administered previously by the Planning Department, the Building (Community Development) Division of the Department of Public Works, and the Environmental Health Division and Water Quality Section of the existing Health and Human Services Department; now, therefore,

BE IT IS HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF PACIFIC, STATE OF WASHINGTON, in consideration of the above findings of fact and previous less formal action by resolution, that there is hereby established a Department of Community Development which will be organized and function as any other department of the County in accordance with the following special provisions:

I. NAME

The department will be known as the "Pacific County Department of Community Development".

II. ORGANIZATION

The Department shall be organized and function as subdepartments as prescribed below, but may be modified at a later date as the Board of County Commissioners deems appropriate:

A. Administration/Support: comprised of the Director, the Assistant Director and necessary support staff. The Administration/Support Subdepartment will provide clerical support for the other subdepartment, fiscal management, data and information systems management, records management, departmental administration, and monitor permit coordination and review.

B. Building: comprised of the County Building Official and necessary technical staff. The Building Subdepartment will administer the Uniform Building, Mechanical and Plumbing Codes, the Uniform Fire Code, the State Energy Code, and related codes and requirements. This Subdepartment will also provide coordinated enforcement and assistance with other Subdepartments and Departments.

C. Environmental Health: comprised of the Environmental Health Director and necessary technical staff. The Environmental Health Subdepartment will administer and enforce state and local environmental health programs, rules and regulations as directed by the County Board of Health and the County Health Officer including, but not be limited to the following specific programs: Water Supply, Solid Waste, Hazardous Waste, On-site Sewage Disposal, Living Environment (plats, schools, pools, parks and camps), Vector Control, Food Sanitation, Chemical and Physical Hazards, and other programs as may be assigned.

D. Planning: comprised of the County Planner and necessary technical staff. The Planning Subdepartment will administer the comprehensive land-use plans, zoning codes, subdivision codes, SEPA/NEPA and local environmental policy regulations, shoreline management programs, floodplain regulations, long-range planning, resource planning and related management programs, special research and study projects, and regional coordination.

III. HEALTH OFFICER

The Department of Community Development will maintain a close working relationship with the County Health Officer to ensure the duties and powers of 70.05.070 RCW are properly exercised by the Environmental Health Subdepartment. The County Health Officer will function with the Department as follows:

A. Perform those duties set forth in RCW 70.05.070 under the direction of the County Board of Health and coordinate enforcement efforts with the Director of Community Development regarding environmental health regulations.

B. Provide the Director of Community Development with a periodic evaluation of the Environmental Health Subdepartment's professional personnel with respect to their technical competence and the Subdepartment's ability to enforce environmental health regulations as specified in RCW's 43.20.050 and 70.05 and as directed by the Pacific County Board of Health.

C. Assist the Environmental Health Director and Director of Community Development with the preparation and implementation of the Environmental Health Subdepartment's goals, objectives, and budget.

D. Confirm the hiring of Environmental Health professional personnel and the promotion or termination thereof based on professional competence evaluations in coordination with the Director of Community Development.

IV. MISSION AND GOALS

A. The mission of the Department is to educate the citizens of Pacific County and to assist them, under the direction of the Board of Pacific County Commissioners and the County Board of Health, in resolving land-use policy issues concerning the management of county growth and resources, protection of public health, maintenance of environmental quality, and encouragement of public participation in departmental policy development; and to ensure compliance with the land-use laws and regulations of the State of Washington and Pacific County in the areas of building, environmental heath, and planning.

B. The department will accomplish the mission by:

1. Developing a coordinated permit administration program which provides efficient and cost-effective service to the public and facilitates orderly land development and environmental protection, pursuant to adopted county plans and codes.

2. Assisting with the development of long range plans, goals and objectives which will provide the public with an effective program for the orderly development of the County.

3. Establishing and maintain a record storage and retrieval system for all development applications, plats, and other land use contracts with appropriate cross references to facilitate access to stored information.

4. Establishing a harmonious working relationship among the department's sections in order to promote orderly and timely inter- and intra-departmental review of development applications.

5. Effecting the sharing of personnel time and equipment to maximize efficient service to the public consistent with the goals and objectives set forth herein.

6. Establishing a customer service capability within the structure of the department including project intake, complaint tracking, customer feedback mechanisms, and case management.

V. IMPLEMENTATION

A. The Department of Community Development was established and recognized the 3rd day of November, 1992, and will become fully operational on the 1st day of January, 1993.

B. The Director of Community Development, appointed by and serving "at the will of" the Board of Pacific County Commissioners, will manage the Department and oversee one of the operating subdepartments. The Assistant Director of Community Development, confirmed by and serving "at the will of" the Board of Pacific County Commissioners, will assist with the management of the Department and oversee one of the other operating Subdepartments. The County Health Officer is appointed by and serves "at the will of" the County Board of Health.

C. References to, or administrative authority delegated to, the "Department of Planning" or the "Director of Planning", the "Building (Community Development) Division of the Department of Public Works" or the "Director of Public Works", or the "Environmental Health Division" or "Water Quality Section of the Health and Human Services Department" or the "Administrator (Director) of Health (and Human Services)", as the case may be, by the numerous, previously approved County land-use ordinances, resolutions, policies and regulations are hereby amended to reference , or are delegated to, the "Department of Community Development" or the "Director of Community Development, or his/her designee".

The following is a list representing most of the previously approved documents requiring amendment but is not intended to be a complete listing. These specific amendments are hereby approved:

1. Ordinances:
   a. 23(A-C) - Use & Sale of Fireworks
   b. 31(A-B) - Plats and Subdivisions
   c. 34(A-D) - Buildings & Structures
   d. 48(A-C) - Short Plats & Subdivisions
   e. 88 - County Planning Department
   f. 95(A-F) - Zoning
   g. 100(A-B) - Health Department Regulations
   h. 110(A) - Seaview Ad Hoc Community Council
   i. 111 - Litter Control
   j. 112 - Fish & Shellfish
   k. 114 - Hazardous Chemicals
   l. 116(A) - Flood Control
   m. 117 - Sewage Disposal
   n. 118 - Nuisance Control
   o. 119 - Mobile Home
   p. 121(A) - S.E.P.A.
   q. 122 - Oysterville District

2. Resolutions
   a. 84-052 - Minimizing Flood Hazards adopted 05/15/84
   b. 84-053 - Building Floor Elevations
   c. 90-128 - Willapa Bay Water Quality Coordinating Council

3. Plans
   a. Long Beach Comprehensive Plan Adopted 02/28/89
   b. Seaview Sub Area Comprehensive Plan Adopted 04/28/92 by Resolution No. 92-052
   c. Dunes Management Plan - Adopted June 1989
   d. Pacific County Shoreline Master Program Adopted 04/08/75 - Revised 08/28/86

D. A special revenue fund has been established as Fund #116 within the County Treasury to account for the operational finances of the "Pacific County Department of Community Development". Such fund shall be managed by the Director of Community Development or his/her designee(s), in accordance with the statutes of the State of Washington, the guidelines prescribed by the State Auditor, and/or the policies and directives of the Board of Pacific County Commissioners.

E. The Board of Pacific County Commissioners and the County Administrative Officer shall conduct operation and performance evaluations of the Department of Community Development to determine if the goals and objectives are being met and that the Department is operating in an efficient manner.

VI. SEVERABILITY

If any section, subsection, portion or part of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

VII. EFFECTIVE DATE

This ordinance shall become effective upon approval and signature hereto but not before the 1st day of January, 1993.

APPROVED AS TO FORM:

Bruce Davis for
Michael J. Sullivan,
Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Pat Hamilton
Chairman

Jon C. Kaino Jr.
Commissioner

Robert M. Wilson
Commissioner

ATTEST:

Kathy Noren
Kathy Noren, Deputy Clerk of the Board