

**AN ORDINANCE REVISING  
THE ZONING ORDINANCE OF GARFIELD COUNTY,  
WASHINGTON**

#13869

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WHEREAS, Garfield County is required by the Growth Management Act to update its ZONING ORDINANCE and Development Regulations; and,

WHEREAS, the County Commissioners have considered the following Findings of Fact; and,

WHEREAS, a number of typographic issues have been found in the current adopted Zoning Ordinance; and,

WHEREAS, Garfield County Staff and the Garfield County Planning Commission have determined that the revisions necessary to correct these typographic issues are not substantive in nature; and,

WHEREAS, the Board of Commissioners has fully considered all public testimony and the entire public record, as well as the requirements of the Growth Management Act (GMA); and,

WHEREAS, the proposed revisions to, and content of, the ZONING ORDINANCE are necessary to protect the health, safety and general welfare of the community and its residents; and,

WHEREAS, Garfield County did allow for and encourage public participation in the review and update process of the ZONING ORDINANCE; and,

WHEREAS, the proposed ZONING ORDINANCE does not produce a significant adverse environmental impact; and,

WHEREAS, the Garfield County Planning Commission has reviewed the proposed ZONING ORDINANCE revisions and recommended adoption of said document;

**NOW, THEREFORE, the Board of Commissioners of GARFIELD COUNTY does hereby ORDAIN to revise the existing adopted Garfield County Zoning Ordinance by including the following changes in their respective listed sections.**

1.01.030 Definitions.

"Sanitary Landfill" A parcel of land which is intended for the long-term placement of waste items and complies with applicable Department of Ecology ~~and other~~ regulations.

*Is revised to read:* "Sanitary Landfill" A parcel of land which is intended for the long-term placement of waste items and complies with applicable Department of Ecology regulations.

1.05.010 Authorization to grant or deny conditional uses. Uses designated in this title as conditional uses may be permitted, enlarged, or otherwise altered by the Hearings Examiner. In permitting a conditional use, or the modification of an existing conditional use, the Board of Adjustment or the Hearings Examiner may impose, in addition to those standards and requirements expressly specified by this title, any additional conditions which it considers necessary to protect the best interest of the surrounding property or the county as a whole.

*Is revised to read:* 1.05.010 Authorization to grant or deny conditional uses. Uses designated in this title as conditional uses may be permitted, enlarged, or otherwise altered by ***the Board of Adjustment or*** the Hearings Examiner. In permitting a conditional use, or the modification of an existing conditional use, the Board of Adjustment or the Hearings Examiner may impose, in addition to those standards and requirements expressly specified by this title, any additional conditions which it considers necessary to protect the best interest of the surrounding property or the county as a whole.

1.05.050 Findings of fact. In this section, there were a number of times where the words Hearings Examiner and the following verb were attached as one long word. These have been revised to read as normal sentences.

1.05.080 Wind Power Generators, Solar, and Fuel Cell Energy (7) Setbacks (B)

Historical District Impact Area. Lands within the Historical District Impact Area are excluded from the siting of Wind Energy Towers. These lands include all of Section 36, T. 12 N., R. 41 E., W.M.; All of Sections 31 and 32, T. 12 N., R. 42 E., W.M., North half of Section 1, T. 11 N., R. 41 E., W.M.; North half of Sections 5 and 6, T. 12 N., R. 41 E., W.M.

*Is revised to read:* 1.05.080 Wind Power Generators, Solar, and Fuel Cell Energy (7) Setbacks (B) Historical District Impact Area. Lands within the Historical District Impact Area are excluded from the siting of Wind Energy Towers. These lands include all of Section 36, T. 12 N., R. 41 E., W.M.; All of Sections 31 and 32, T. 12 N., R. 42 E., W.M., North half of Section 1, T. 11 N., R. 41 E., W.M.; ***North half of Sections 5 and 6, T. 11 N., R. 42 E., W.M.***

1.05.090 Telecommunication Facilities. *Is revised to read:* 1.05.090 Telecommunication Facilities.

1.05.090 Telecommunication Facilities. (f) Evidence demonstrating to the satisfaction of the County that use of an existing support structures are not possible pursuant to Section X. *Is revised to read:* 1.05.090 Telecommunication Facilities. (f) Evidence

demonstrating to the satisfaction of the County that use of an existing support structures are not possible pursuant to Section 1.05.150.

1.05.100 Telecommunication Facilities Definitions. Is revised to read: 1.05.100 Telecommunication Facilities Definitions.

1.05.110 Minimum Conditions for Telecommunications. Is revised to read: 1.05.110 Minimum Conditions for Telecommunications.

1.05.120 Exemptions for Telecommunications. Is revised to read: 1.05.120 Exemptions for Telecommunications.

1.05.130 Design Standards for Telecommunications. Is revised to read: 1.05.130 Design Standards for Telecommunications.

1.05.140 Height Standards for Telecommunications. Is revised to read: 1.05.140 Height Standards for Telecommunications.

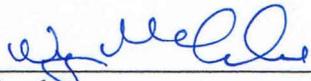
1.05.150 Co-Location of Telecommunications. Is revised to read: 1.05.150 Co-Location of Telecommunications.

1.10.070 (3) Appeals of Board of Adjustment final decisions. This subsection is deleted as it is not consistent with 1.09.035 Appeal from Decision of the Board of Adjustment which states that appeals from Board of Adjustment actions go to the Superior Court, not to the Hearings Examiner.

This ordinance shall be in full force and effect upon adoption.

ADOPTED this 26 day of May, 2009.

  
Chair

  
Member

  
Member

ATTEST:

APPROVED AS TO FORM:

