

**Department of Public Services**

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MEMO

July 2, 2020

To: Board of County Commission members

From : Jane Hewitt, Principle Planner

RE: Revision to previously adopted Shoreline Master Program

Attached is the revision to the previously adopted Ordinance 453. Prior to transmittal to the Washington Department of Ecology staff noticed an Ecology-required edit had been incorrectly made to the document.

From K. Van Zwalenburg's review matrix dated 11/22/2019 **Attachment B – Required changes – Item 2:**

1.5.1

- A. A. Developments and uses within shoreline jurisdiction requiring a Reasonable Use Exception or variance to locate within any critical area buffer shall be subject to the variance provisions under Section 7 of this Master Program and not the provisions in GHCC Chapter 18.06.040.

What the adopted document states is:

- A. Developments and uses within shoreline jurisdiction requiring a variance to locate within any critical area buffer shall be subject to the variance provisions under Section 7 of this Master Program and not the provisions in GHCC 18.06.

This is a typo, not in any way intended to be a refusal by Grays Harbor to make this required change. I would argue that a Reasonable Use Exception is a type of variance. My concern was that making the change could exceed my authority to make the correction as a scrivener's error. (Senior Prosecuting Attorney Norma Tillotson determined that revising the ordinance formally was merited.)