

BCCM 1.1

AGENDA ITEM MTG. DATE: October 28, 2014 SUBJECT: Ordinance amendments to create a Hearings Examiner System MEMO DATE: October 21, 2014 Prepared By: Michael Shuttleworth	TYPE OF ACTION NEEDED Execute Contract Pass Resolution X Pass Ordinance X Pass Motion Other	Consent Agenda Public Meeting Public Hearing X
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BACKGROUND INFORMATION

The Benton County Planning Department is presenting to the Board of County Commissioners a number of ordinances to create a hearings examiner system in Benton County. In Benton County a hearings examiner would replace the Benton County Board of Adjustment. The hearings examiner would conduct hearings on Special Permits; Conditional Use Permits; Variances; Shoreline Conditional Use Permits; Shoreline Variances; and Appeals of the Planning Managers Decisions. The ordinances will also direct some of the appeals that are currently considered by the Board of County Commissioners to the Hearings Examiner. All of the proposed ordinances have an effective date of January 1, 2015, to give time to contract with a hearings examiner and modify existing applications and procedures. The Planning Commission considered the proposed ordinances at a public hearing and voted to recommend the adoption of the ordinances.

The Benton County Board of Commissioners will be conducting a public hearing on October 28, 2014 at 9:00 a.m. to review and discuss proposed ordinances.

SUMMARY

The Benton County Planning Department is proposing that the Benton County adopt a hearing examiner system to handle land use applications requiring a public hearing with the Board of Adjustment. The Benton County Planning Commission has conducted a public hearing on the draft ordinances and recommended that the ordinances be adopted by the Board of County Commissioner. A public hearing has been scheduled for October 28, 2014.

RECOMMENDATION

It is the recommendation of the Benton County Planning Commission that the proposed ordinances be approved and adopted by the Benton County Board of County Commissioners.

FISCAL IMPACT

The cost of contracting with a hearings examiner. The Planning Department included the projected costs of a hearing examiner in its 2015-2016 budget. .

MOTION

After considering the information received at the public hearing on October 28, 2014, the Planning Department recommends the following motion: The Board approve the amendments to the Benton County Code as proposed in the ordinances shown in PCM 1.2 through PCM 1.25 and adopt the Planning Commission findings of fact and conclusions as our own.