

Date Approved: _____

MINUTES

Clallam County Planning Commission

*Regular Meeting of July 1, 2009
Clallam County Courthouse
223 East Fourth Street, Suite 5
Port Angeles, WA 98362-3015
6:30 PM*

- A. CALL TO ORDER: The meeting was called to order at 6:30 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Montgomery, Don Myers, Ben Cappa, Gary Gleason and Mel Rudin. Leo Leonard, Ron Bell, Robert Miller and Nancy Esteb were not present. Steve Gray, Planning Manager; and Carol Creasey, Planner III; represented staff from the Department of Community Development.
- D. WELCOME: Chair Montgomery welcomed all in attendance.
- E. APPROVAL OF MINUTES: June 17, 2009 Meeting Minutes.

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Commissioner Gleason questioned the context of Doug Jensen’s statement. Staff will review the audio and report back to the Commission via e-mail.

F. ANNOUNCEMENTS:

On June 30, 2009, the Board of County Commissioners passed and adopted Resolution 63, 2009 and Ordinance 851, *Continuing, in Part, the “Interim Controls” on Lands Subject to Non-compliance and Invalidity, Pursuant to RCWs 36.70A.390, 36.70.795, 35.63.200, and 36.70A.130(2)(b); and Excepting Development Allowed Under RCW 36.70A.302(3)(B)*, extending the Interim Controls for six (6) months.

The Board of County Commissioners conducted a public hearing regarding the Rural Lands R2/RW2, and extended the public comment period to July 10, 2009. The Board will render its Decision on July 20, 2009.

At the Board of County Commissioners’ public hearing of June 23, 2009, the Board adopted recommendations set forth by the Planning Commission as part of Resolution 62, 2009, *Adopting Specific Findings for Ordinance 850 Re: Clallam County Compliance Response to the Growth Management Hearings Board Final Decision and Order dated January 30, 2009, Case No. 07-02-0018C*.

The Department of Community Development received Judge Ken Williams’ Memorandum Opinion on June 26, 2009, regarding the County’s appeals to Superior Court. A Final Order will follow.

As per the Commission’s request, staff provided hand-out materials regarding Timber Management Plans relating to Current Use Assessments.

Commissioner Gleason noted that at a WRIA 18 meeting he attended last week, discussion was had regarding potential development capacity of water systems already installed. The range of building availability was 9,000-12,000 potential residences on the east end of the County. Staff will report back to the Commission regarding building availability and services, as well as potential impacts.

- G. PUBLIC COMMENT PERIOD: There was no public comment.

H. UNFINISHED BUSINESS: None.

I. PUBLIC HEARING ITEM: None.

J. WORK SESSION ITEMS:

1. **Carlsborg Update [Draft Sewer Facilities Plan for Carlsborg Urban Growth Area (UGA); Draft Land Use Strategies for Carlsborg UGA; and Carlsborg UGA Compliance: Completed and Upcoming Activities]**

Staff began by indicating that an approved Facilities Plan is required by the Growth Management Act and is necessary for State and Federal funding. The Plan has to include collection, treatment and reuse options, preferred recommendations are made, and the Plan has to include phased sewer availability. Costs and individual connection fees must be outlined in the Plan, as well as financing and funding strategies.

Staff reviewed the benefits of a sewer treatment facility, as well as associated costs as outlined in the Draft Sewer Facilities Plan. Discussion was had regarding public participation, and how the Interim Controls extension applies.

Staff provided a brief overview of initial sewer facilities, the proposed sewer system for the entire UGA within 20 years, projected daily wastewater flows, alternatives considered, recommended alternatives, and staff's recommendation.

Discussion was had regarding project components, estimated project costs for property owners, funding, and property assessment assumptions and estimated range of typical preliminary assessments.

In relation to property assessment assumptions, Commissioner Gleason asked the role of the public in getting 50% of available public lands. Discussion was had regarding property owners v. population, or individual v. value. .

Discussion was had regarding Commissioner Tharinger's statement wondering how long the very restrictive Interim Controls are extended which effects 20-30 property owners of vacant land, as opposed to possibly using interim rural zoning to allow some form of development.

Recommendation to simplify a summary to provide to each affected landowner, stressing pros of the project, as well as outlining health concerns related to nitrates. Also, get the people that are not affected – out of the discussion process.

Staff reviewed current and the future PUD treatment facilities operations center site, SBR layout, conversion process, and reuse facilities.

A 10-minute break was taken.

Staff reviewed proposed Carlsborg residential zones and densities, the new WAC 365-195-330 providing urban services, phasing development (two-tiered system), new development (sewer available and not available), and existing development.

Discussion was had regarding phasing to reduce overall installation costs.

Staff discussed proposed standards that may apply.

Staff provided a brief overview of the project timeline as outlined in the Draft Facilities Plan.

Further discussion was had regarding the extent of public interest for a sewer, and whether the public wants the project.

Clallam County Superior Court Memorandum Opinion

Judge Williams' Memorandum Opinion was dated and filed in Clallam County Superior Court June 26, 2009.

The Opinion states that the Western Washington Growth Management Hearings Board is without authority to hear other challenges to the previously adopted Carlsborg UGA and Capital Facilities Plan, and that the WWGMHB determination that it had authority to do so, and their subsequent finding that the Plan was not in compliance with the GMA are reversed, and that the Order of the

WWGMHB finding the County's Comprehensive Plan to be noncompliant as it relates to the R2 and RW2 zones is reversed.

Doug Jensen is preparing an Order requesting a Final Decision which will be submitted to Futurewise and Clallam County Superior Court. The 30-day appeal period will begin once the Judge issues a Final Decision. An appeal could be made to the Court of Appeals, or if there is no appeal, it would be remanded back to the WWGMHB.

K. PUBLIC COMMENT PERIOD: There was no public comment.

L. ADJOURNMENT: The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Steve Gray
Planning Manager