

Date Approved: _____

MINUTES

Clallam County Planning Commission

*Regular Meeting of August 20, 2008
Clallam County Courthouse
223 East Fourth Street, Suite 5
Port Angeles, WA 98362-3015
6:30 PM*

- A. CALL TO ORDER: Chair Montgomery called the meeting to order.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL: Members present were Chair Montgomery, Don Myers, Gary Gleason, Nancy Esteb, Ben Cappa, Ron Bell, Robert Miller, Mel Rudin and Leo Leonard. John Miller, Director, Steve Gray, Planning Manager, and Selinda Barkhuis, represented staff from the Department of Community Development. Also present was Doug Jensen, Chief Deputy Prosecutor.
- D. WELCOME: Chair Montgomery welcomed all in attendance.
- E. APPROVAL OF MINUTES: Special Meeting of August 13, 2008
Commissioner Cappa made a motion to approve the minutes as submitted. Commissioner Gleason seconded the motion. Following a vote, the motion carried.
- F. ANNOUNCEMENTS: None.
- G. PUBLIC COMMENT PERIOD:
Craig Jones, Pinnacle Law Group, 175 Parfitt Way S.W., Suite S140, Bainbridge Island, WA 98110
Mr. Jones, counsel for Bruce Seton, identified his client's property on a submitted map and indicated that the subject property has been used commercially (including its current use as a surface mine) since the 1940's. Mr. Jones made a presentation that the proposed LAMIRD boundaries should be extended to include additional properties that qualify. In closing, Mr. Jones requested that the subject property be included in the LAMIRD due to a logical property and pre-existing use. Mr. Jones noted that he will be submitting additional written testimony outlining specific issues.
Bruce Seton, 4647 Discovery Road, Port Townsend, WA 98368
Mr. Seton agreed with counsel's statements, reiterated that the property currently as well as historically has maintained commercial use, and requested the inclusion of his property into the LAMIRD by extending the current proposed boundary.
Greg Mottis, 290 Zaccardo Road, Sequim, WA 98382
Mr. Mottis indicated that he owns 8.5 commercially zoned acres in the subject area, and is strongly opposed to the Blyn Rural Center zoning designation being confined to properties north of Highway 101. Mr. Mottis read excerpts from written testimony he submitted.
Greg Madsen, P.O. Box 135, Sequim, WA 98382
Mr. Madsen indicated that he owns property on the west side of East Sequim Bay Road, the area that was designated R5 in the Interim Controls, and spoke with regard to taking measure to preserve Sequim Bay such as banning jet skis and establishing a wake-less speed limit.
- H. UNFINISHED BUSINESS: None.
- I. PUBLIC HEARING: None.

J. WORK SESSION ITEMS:

Staff outlined the upcoming public participation process schedule before the Planning Commission which includes upcoming August 27 workshop on other compliance issues and public hearings on September 17 and September 18. The Planning Commission will consider public comments and formulate a final recommendation to the Board of County Commissioners following the close of the public hearings. It is expected that the final Planning Commission recommendation will occur on September 24, 2008. The Board of County Commissioners will hold public hearings on October 14 and October 15, and adopt compliance updates at their meeting of October 21, 2008.

Western Washington Growth Management Hearings Board Ruling:

- Blyn's Rural Center zoning allow intensity of residential density and commercial uses that is invalid outside UGA or LAMIRD, and "unique local circumstances" of Tribal trust land and land ownership do not justify use of Rural Center zoning in Blyn; and
- 20 of the 29 LAMIRDs are non-compliant and invalid – Lack of built environment as of 1990, and/or Zoning Code use table is non-compliant with LAMIRD criteria that infill development be consistent with existing character as of 1990 "in terms of building size, scale, use, or intensity."

Proposed compliance strategies for Blyn Rural Center located at the base of Sequim Bay along the US 101 corridor areas

Staff gave a PowerPoint presentation regarding proposed strategy to retain the Blyn Rural Center zoning for the area north of Hwy 101, and designate the same as a LAMIRD, and rezone to R5 the area south of Hwy 101, as the Western Washington Growth Management Hearings Board found the Blyn Rural Center zoning to be non-compliant and invalid. Discussion was had.

Proposed compliance strategies for 20 LAMIRDs located throughout Clallam County

Staff gave a PowerPoint presentation outlining proposed strategies for bringing non-compliant and invalid LAMIRDs and Zoning Code Use Tables into GMA compliance, as ruled by the Western Washington Growth Management Hearings Board. Discussion was had.

A 10-minute break was taken.

Action Items of Staff Requested by the Commission:

- 1) Blyn - Research whether to add the corner south of Hwy 101
- 2) Contact Jerry Hendricks to verify the historical use of the west side corner of Hwy 112
- 3) Confirm the location of the Snider U.S. Forest Service Work Camp
- 4) Include the area to Bear Creek Road

K. PUBLIC COMMENT PERIOD:

Harley Oien, Dry Creek Coalition, 215 Rife Road, Port Angeles, WA 98363

Mr. Oien spoke in opposition to reaching back to historical use in the Laird's East and West LAMIRDs to justify commercial activity which is why the legislature designated 1990 as a snapshot time for determining LAMIRD activity. Most importantly, it is a fact that to meet the requirements of the Growth Management Hearings Board, any new development must be in scale with the 1990 development on the site, which leads the entire future development of both LAMIRDs undefined. In closing, Mr. Oien spoke to the costs associated with legal services by the County.

Phil Schenck, 3820 Factory Road, Sunnyside, WA 98944

Mr. Schenck spoke in opposition to the proposed zoning in the Blyn area, where he owns a total of 160 acres in the subject area. Staff indicated that the recommendation for the subject area is R5.

Commissioner Bell spoke to a potential significant impact on property owners with regard to the proposed rezone from R1 and R2 to R5.

With consideration of the action items requested of staff, there was a general consensus of the recommendation by staff. Commissioner Bell abstained.

L. ADJOURNMENT

Respectfully submitted,

Steve Gray
Planning Manager