

Date Approved: _____

MINUTES

Clallam County Planning Commission

*Special Meeting of September 3, 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, Ron Bell, Robert Miller, Ben Cappa, Mel Rudin, Nancy Esteb and Leo Leonard. Steve Gray, Planning Manager, and Selinda Barkhuis, Senior Planner, 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 27, 2008

Page 1 – Announcements

Following Commissioner Gleason’s inquiry, add the following. “Staff confirmed that a grant was received by the City of Port Angeles for assistance in extending the Olympic Discovery Trail, and that staff will bring the 6-Year Transportation Improvement Program to the Commission in October 2008.”

Page 3 – Compliance Response Recommendations

Amend second bulleted item to read, “Request time extension of 90 days from WWGMHB...”.

Page 3 – Paragraph following Compliance Response Recommendations

Commissioner Bell noted his recollection and recommended amending the sentence as follows, “Staff indicated that the first phase has been to re-evaluate lot size, land use, and ownership patterns, with re-evaluation of urban or rural transitional zones where local circumstances at regional scale, sub-are scale, and neighborhood scale, support rural densities greater than 1 dwelling per 5 acres. Following discussion, it was agreed that the paragraph adequately states the first phase.

Page 3 – Second paragraph following Compliance Response Recommendations

Amend the second sentence to read, “Mr. Jensen noted that the Department of Community Development...”.

Page 4 – Testimony of Christy Mitchell

Amend to read, “Mrs. Mitchell inquired whether Mr. Oien’s statement...”.

Commissioner Gleason made a motion to approve the minutes as amended. Commissioner Cappa seconded the motion. Following a vote, the motion carried. Commissioner Bell was opposed.

- F. ANNOUNCEMENTS: None.
- G. PUBLIC COMMENT PERIOD: No comments were received at this time.
- H. UNFINISHED BUSINESS: None.
- I. PUBLIC HEARING: None.

J. WORK SESSION ITEM:

Planning staff presented final draft recommendations to respond to the Western Washington Growth Management Hearing Board (WWGMHB) Order for the Planning Commission to approve for public hearing on September 17 and 18, 2008. The staff briefing included two PowerPoint presentations dated September 3, 2008 covering the following topics: 1) background and summary of draft recommended response; and 2) present final staff draft recommendations regarding LAMIRDs (limited areas of more intensive rural development) and Blyn.

Staff's final draft recommended compliance response by issue area included:

Issue: The WWGMHB found that the County's Rural Moderate (R2) and Western Region Rural Moderate (RW2) permit urban, non rural, densities, outside of urban growth areas and are invalid

Recommended Compliance Response: The proposed response is to retain Interim Rural Low (R5) and Western Rural Low (RW5) zoning adopted under Ordinance 833, and request the WWGMHB to extend the October 23, 2008, deadline for compliance to evaluate a variety of compliant zoning designations and other options.

Issue: The WWGMHB issued an order of invalidity that the following three zoning districts within the Port Angeles and Sequim Urban Growth Areas (UGA) allowed for new development at non-urban densities: Urban Residential High (URH), Urban Residential Low (URL) and Sequim Urban Residential – I S(R-I), together with all comprehensive plan policies and map designations that relate to these zoning districts.

Recommended Compliance Response: The S(R-I) zones are currently zoned Interim Sequim Urban Residential – II (S(R-II)) under Ordinance 833 adopted on July 22, 2008, in response to the Order. The proposed response is to adopt the S(R-II) as the final comprehensive plan land use and zoning designation. The proposal also amends Chapter 33.19, Sequim Urban Growth Area, of the zoning code and CCC 31.03.315 of the comprehensive plan to eliminate S(R-I) zoning and related plan policies. The S(R-I) and S(R-II) zoning district allow for similar uses. The proposed change would increase allowed residential density from 2 dwelling units per acre to 4-5 dwelling units per acre. The URH and URL zones are not found within either UGA.

Separate from the compliance response to the WWGMHB order, it is proposed to: (a) evaluate removal of all or portions of the current S(R-I) designated area located south of W. Hendrickson Rd. and east of N. Priest Road on the annual docket and to place a moratorium on new land divisions in this area during the period of evaluation; and (b) explore an intergovernmental agreement with the City of Sequim on annexations and utility extensions.

Issue: The WWGMHB found that the Carlsborg UGA does not possess a valid capital facilities plan for the construction and funding of a municipal sewer, and fails to establish sufficient law enforcement coverage for the area.

Recommended Compliance Response: The proposed action is to retain the adopted interim controls under Ordinance 833 that apply to the Carlsborg UGA and request the WWGMHB to extend the October 23, 2008, deadline for compliance for one-year to allow for completion of capital facility planning for a wastewater treatment, collection, and water reuse system and related land use plan updates; to evaluate options for continuing Carlsborg as a UGA; and to obtain public comment.

Issue: The WWGMHB found the designation or boundaries of twenty of the County's LAMIRDs is not supported by sufficient facts that such more intense rural development was in existence as of July 1, 1990.

Recommended Compliance Response: The proposed compliance response is to: (a) de-designate the Southwest Carlsborg, Quillayute Prairie, and Little Quillayute Prairie LAMIRDs in their entirety which also involves proposed new land use and zoning designations for the affected lands; (b) adjust the outer boundary of the other 17 found non-compliant LAMIRDs which also involves proposed new land use and zoning designations for the affected lands; (c) create a new Rural Village Low (RV2) zoning district for the southern portion of the Dungeness Village LAMIRD; (d) create a new Tourist Rural (TR) zoning district for the proposed Crescent Beach and Lyre River LAMIRDs; (e) change the Deer Park LAMIRD General Commercial (GC) land use and zoning designation to Rural Limited Commercial (RLC) and eliminate the GC zoning under CCC 33.15.030; (f) amend the Rural Neighborhood Commercial (RNC) and Rural Limited Commercial (RLC) zoning district standards under CCC 33.15.050 and CCC 33.15.060, respectively, to require uses to be similar to the type, scale, size, or intensity of uses that existed prior to or as of July 1, 1990; (g) update LAMIRD comprehensive plan designation and other provisions under CCC 31.02.263; and (h) update rural land provisions of the comprehensive plan under CCC 31.02.(260, 265), CCC 31.03 (020, 260, 270, 290, 340, and 435); and CCC 31.04 (225, 230, 400, and 410) consistent with the above proposed actions.

Issue: The WWGMHB found invalid the County's designation of Blyn as a Rural Activity Center for more intensive rural development, where Blyn has not been established as either a UGA or LAMIRD (limited area of more intensive rural development).

Recommended Compliance Response: The proposed response is to limit the Rural Center (CEN) land use and zoning designation to the area north of US 101 and an area south of US 101 in the vicinity of Zaccardo Rd, and formerly designate these areas as the Blyn LAMIRD under CCC 31.02.263. The proposal for the remaining area south of US 101 is to update the comprehensive plan and zoning map to re-designate this area to Rural Low (R5). The proposal also includes amending the CEN zoning district standards to require uses to be similar to the type, scale, size, or intensity of uses that existed prior to or as of July 1, 1990, and amending the comprehensive plan neighborhood provisions for Blyn under CCC 31.03.435 consistent with the above responses.

Staff also provided recommendations in response to the Planning Commission's request for staff to re-evaluate certain lands within the proposed Blyn, Lotzgesell, Snider, Bear Creek, and Whitcomb/Dimmel LAMIRDs, as presented in their August 28, 2008, memorandum. Following the staff briefing and discussion, staff asked for affirmation regarding recommendations from previous workshops, changes to the LAMIRDs, and proposed amendments to the Zoning Code and Comprehensive Plan, to take to public hearing. There was consensus by the Planning Commission to affirm staff's recommendations.

Staff reported that there will be a direct mailer to impacted landowners in the 20 LAMIRDs and Sequim UGA former S(R-I) zoned lands [now Interim S(R-II)].

Comments/Recommendations – Public Hearing Review Draft

Page 10 – 31.03.020 Comprehensive Plan map designations

Insert the abbreviation next to the land use designation, such as "Commercial Forest (CF)."

Commissioner Cappa made a motion that the Planning Commission considers appointing in the future a subcommittee to review the Comprehensive Code for format and clarity. Commissioner Bell seconded the motion. Discussion was had on the motion. Chair Montgomery spoke to the motion as being premature. Following a vote, the motion failed.

Comments/Recommendations – Ordinance Amending Chapter 15, Commercial Zones

Section 4 – Section 060 Rural Limited Commercial (RLC)

Add foot note citations.

Section 5 – Section .067 Tourist Rural (TR)

Item (8)(a) Other Performance Standards, states that a “commercial greenhouse shall be larger than 6,500 square feet.” Question of whether 6,500 square feet applies to an agricultural greenhouse. Staff discussed square footage requirements with regard to zoning designations.

A 10-minute break was taken.

Planning Commission Meeting – September 10, 2008

Staff recommended canceling the September 10, 2008 Planning Commission meeting because the Commission had finalized their draft recommendations in regards to the WWGMHB to take to public hearing, and the rezone application was rescheduled from September 10 to October 1. A motion was made and seconded to cancel the previously announced special-meeting of September 10, 2008. Following a vote, the motion carried.

K. PUBLIC COMMENT PERIOD:

Harley Oien, 215 Rife Road, Port Angeles, WA 98363

Mr. Oien recalled that during the August 27, 2008 LAMIRD work session discussion was had regarding the Clallam Log Yard (Laird’s West), and Commissioner Cappa asked for review by staff, and asked whether staff has reviewed this facility. Mr. Oien noted that he has extensive aerial photos that will be later submitted. Staff indicated that there is no new information.

Commissioner Gleason inquired whether the former Mitsubishi Log Yard is included in the LAMIRD. Staff indicated that it is not included in the LAMIRD, as it is in the RCC3 zoning designation.

L. ADJOURNMENT: The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Steve Gray
Planning Manager