

Date Approved: _____

MINUTES

Clallam County Planning Commission

*Public Hearing of September 18, 2008
City Council Chambers – City of Forks
500 E. Division Street
Forks, 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 (teleconference), Gary Gleason, Robert Miller and Ron Bell. Mel Rudin, Nancy Esteb, Ben Cappa and Leo Leonard were not present. John Miller, Director, and Steve Gray, Planning Manager, represented staff from the Department of Community Development. Also present was County Commissioner Mike Doherty.
- D. WELCOME: Chair Montgomery welcomed all in attendance.
- E. APPROVAL OF MINUTES: Public Hearing of September 17, 2008
The minutes were tabled for approval at the September 24, 2008 meeting.
- F. ANNOUNCEMENTS: None.
- G. PUBLIC COMMENT PERIOD: No comments were received.
- H. UNFINISHED BUSINESS: None.
- I. PUBLIC HEARING:

Proposed compliance response to the Western Washington Growth Management Hearings Board (WWGMHB) Final Order and Decision (FDO) [Futurewise and Dry Creek Coalition vs. Clallam County, WWGMHB No. 07-2-0018c] that found portions of Clallam County's Comprehensive Plan and Development Regulations as non-compliant and/or invalid with the state Growth Management Act (GMA), RCW 36.70A.

The staff report included a PowerPoint Presentation titled: *September 17 & 18 2008 Planning Commission Public Hearing – Presentation by DCD Planning Division*. Staff summarized the history leading up to the WWGMHB Order. Staff also summarized the WWGMHB Orders of non-compliance and invalidity, compliance schedule, appeal by County, public participation process, and next-steps.

Staff presented the recommended compliance response to the WWGMHB Order that was based on the August and September prior Planning Commission work shops and work sessions. Staff main focus was on west-end issues after a showing of hands indicated that no one had an interest on compliance issues in eastern Clallam County.

The public hearing was opened, and the below oral testimony was provided. Staff used maps and aerial photos to show the Planning Commission and those in attendance the area each person that testified was concerned about.

Bert Paul, 162 Valley View Drive, Forks, WA 98331

Mr. Paul spoke in opposition to the zoning change from RW2 to Interim RW5 in the Lake Pleasant area where he owns 40 acres. His acreage is located in an urban residential area and he has spent \$20,000 - \$25,000 in surveying and other fees in preparation for a subdivision application at the prior

allowed RW2 densities. One size zoning does not work. GMA wants clustering not sprawl. RW5 zoning does not fit area. Supports RW2 zoning and County appeal of the ruling.

Lee Roark, P.O. Box 774, Forks, WA 98331

Mr. Roark spoke in opposition to the proposed RW5 zoning of his property located within the Whitcomb/Dimmel LAMIRD across from the Rainy Ranch. He is concerned with future resale of his property with regard to zoning limitations.

Janet Marion, P.O. Box 364, Forks, WA 98331

Ms. Marion spoke in opposition to the zoning change from Tourist Commercial to RW5 within the Whitcomb/Dimmel LAMIRD, and indicated that half of the subject area remains Tourist Commercial Zoning, however her property has been proposed to be changed to RW5. She owns four parcels each less than three acres.

Ronald Anderson, 88 Flemanski Road, Forks, WA 98331

Mr. Anderson submitted a letter and spoke in opposition to the proposed zoning change from Tourist Commercial to RW5 within the Whitcomb/Dimmel LAMIRD, as he has a heavy equipment shop and may want to expand the business in the future.

Pete Smith, 7855 LaPush Road, Forks, WA 98331

Mr. Smith spoke in opposition to proposed restrictive zoning changes for the Three Rivers LAMIRD with regard to property values. He would like to have an option to build a second structure on his property.

Gary Grahn, 212338 Highway 101, Forks, WA 98331

Mr. Grahn spoke in opposition to the proposed zoning change to RW5 for a portion of his property he owns in the Three Rivers LAMIRD at the intersection of Mora and LaPush Roads. He indicated that he has an agreement with the Quillayute Tribe for water to support an RV park that is within the area of his property proposed to be changed from Western Rural Center (WRC) to RW5. He has been in the process of developing a storage complex on a portion of his property, and noted that he has 11 acres adjacent to the river within a conservation easement.

Linda Peterson, 201 Trout Avenue, Forks, WA 98331

Ms. Peterson spoke in opposition to rezoning her 29-acre parcel located in the Whitcomb-Dimmel LAMIRD proposed to be changed from RW1 to RW5 (currently zoned interim RW5). She also opposed the zoning of her 80-acre ownership located in the Lake Pleasant area as Interim RW5 (was RW2). The interim and proposed final changes would devalue the property and limit opportunity to subdivide. Ms. Peterson supports the County's appeal.

Rockwell Fletcher, 814 Whitcomb-Dimmel Road, Forks, WA 98331

Mr. Fletcher spoke in opposition to the proposed zoning change from TC to RW5 of his 26-acre parcel, and spoke to the historical aspect of Tourist Commercial zoning in his neighborhood. He is concerned about affect of proposed changes on property value, and requests the ability to commercially develop his property in the future.

JoAnn Allen, P.O. Box 997, Forks, WA 98331

Ms. Allen spoke in opposition to proposed zoning change from RW1 to RW5 on property she owns at 72 Rainy Ranch Road that is less than four acres. Prior to buying the property, she was told that the property could be divided into three river front lots, and spoke to the financial impact to her with regard to having no future development options. The property is currently zoned Interim RW5.

Mary Fletcher

Ms. Fletcher spoke in opposition of the proposed zoning change of property she gave to her son Rockwell Fletcher (814 Whitcomb-Dimmel Road) to RW5, which denies future development potential.

Linda Stonehocker, 7753 LaPush Road, Forks, WA 98331

Ms. Stonehocker spoke in opposition to the proposed zoning change of her two properties across from the Three Rivers Resort from WRC to RW5 as it would severely limit her ability to commercially develop her property.

Vicky Goakey, 187155 Highway 101, Forks, WA 98331

Ms. Goakey spoke in opposition to the proposed zoning change from Quillayute Residential (QR) to RW5 zoning of her approximate 50 acres located in the Quillayute Prairie / Little Quillayute Prairie area as to limitations for future development.

Diane Gaydeski, P.O. Box 802, Forks, WA 98331

Ms. Gaydeski spoke in opposition to the Interim RW5 zoning of her former RW2 zoned property on Ski Drive off of Gaydeski Road. She submitted petitions of those also in opposition to zoning amendments to the west end and requesting that property rights are retained. Ms Gaydeski noted that rural character can be retained at 1 dwelling unit per 2.4 acres.

Jack Banner, 201921 Highway 101, Beaver, WA 98305

Mr. Banner inquired as to how the proposal affects his property along Smith Road and US 101 near the Bogacheil Bridge. Staff noted that his ownerships north and south of Smith Road near US 101 are proposed for Tourist Commercial zoning.

Discussion was had regarding interim controls, property values, appeal process, others counties that have been challenged, and future public hearings of the Board of County Commissioners where further testimony can be provided. As requested, the petition earlier submitted by Diane Gaydeski, contained with those attending the public hearing, 65 signatures were confirmed in opposition.

Brian Monahan, 2411 Mora Road, Forks, WA 98331

Mr. Monahan spoke in opposition to the zoning change of his five acre parcel from RW1 to RW5 in regards to the future ability to development an accessory dwelling and/or to divide his parcel. Staff noted that the proposal would not preclude opportunity for an accessory dwelling unit, but would not allow further division of his 5-acre property. The property is currently zoned Interim RW5.

Richard Miller, Rt 2 Box 2804, Bogachiel Way, Forks, WA 98331

Mr. Miller indicated he opposes the proposed changes as they apply to the west end. The west end does not want these rules. Most residents are homesteaders.

County Commissioner Doherty noted that the County has taken steps to defend the County's plan by hiring services of a Seattle Law firm and also hiring a new in-house Chief Deputy Prosecutor. Both the law firm and new County attorney have considerable experience in growth management litigation. Commissioner Doherty also commended Robert Miller for his numerous years of dedication of representing the west end as a Planning Commissioner. He noted that the County overall is listed as one of the top 20 growth counties in the state. The state needs to allow the County the ability to accommodate growth.

The public hearing portion was closed.

Commissioner Myers thanked everyone for attending, and wanted to note for the record that he will take into consideration extremely carefully all testimony that has been received from the beginning of the process. Commissioner Gleason informed the public that staff will compile all testimony received and will provide the Commission with a summary of all noted concerns at the September 24, 2008 meeting.

- J. WORK SESSION ITEMS: None.
- K. PUBLIC COMMENT PERIOD: No comments were received.
- L. ADJOURNMENT: The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Steve Gray, Planning Manager