

JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR MAY 5, 2004

- A. OPENING BUSINESS
- B. DISCUSSION ON UGA PLANNING IN PORT HADLOCK/IRONDALE
- C. ADJOURNMENT

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 6:30 p.m. by Chair Tom McNerney. Planning Commission members present were Phil Flynn, Edel Sokol, Eileen Rogers, Jenny Davis, Dennis Schultz, and Bud Schindler.

DCD staff present were Al Scalf and Kyle Alm.

There were two members of the public present. No one signed the guest list.

The minutes for April 7 and April 21, 2004, were approved as submitted.

Al Scalf reported that fee levels in DCD were up for the year. He stated that the county was seeing an increase in both single family residence construction and various land use permits.

Al Scalf stated that the department was considering performance management concepts. It included input, output, outcomes, deliverables, and benchmarks. He stated that he had drafted a document for all divisions of the department and submitted it to the County Administrator. Eventually, it would go to the BOCC for review and approval. Mr. Scalf stated that one of the deliverables for the department was a UGA ordinance and adoption prepared for the BOCC by July 26.

Al Scalf reported that on May 19 he would be teaching a realtor's class on how to develop land in the county. He described the issues the class would cover.

The Chair invited public comments. There were no comments received.

B. DISCUSSION ON UGA PLANNING IN PORT HADLOCK/IRONDALE

Tom McNerney stated that a schedule had been developed for all the work that must be accomplished by the Planning Commission by the end of June in order to meet the deadline of getting the UGA issue to the BOCC by July 1. He reviewed the meeting and public hearing schedule and noted that the materials that were the subject of the various public hearings must be available to the public at least ten days prior to the hearing on the topic. Mr. McNerney stated that the SEPA review must be completed for the public hearing on May 19 on the General Sewer Plan. Because it [the SEPA document] may not be ready in time, the May 19 sewer plan hearing would need to be continued to June 2 and combined with that hearing. He stated that all of the documents for the May 19 hearing, both the sewer plan and the SEPA review documents, should be available an adequate amount of time prior to the continuation date of June 2.

Tom McNerney stated that materials to be handed out at this meeting were: (1) Draft #8 of the UGA Implementing Development Regulations, and (2) a line-in, line-out draft of the Comp Plan amendments for the Land Use and Rural element and the Housing element. He stated that the UDC still needed to be edited. Also a new Comp Plan chapter addressing the UGA still needed to be completed. That new chapter would contain the capital improvement plans for the UGA, both short and long term. He stated that the Comp Plan amendments package must be available ten days prior to the June 2 public hearing on that topic. Mr. McNerney summarized that the work before the Planning Commission included

(1) line-in, line-out amendments to the Comp Plan to update the language about the UGA; (2) line-in, line-out amendments to the UDC to update the language about the UGA; (3) the new chapter in the Comp Plan addressing the UGA; and (4) the new chapter in the UDC addressing the UGA. Al Scalf added that the commission would also be getting the integrated GMA/SEPA staff report and copies of the updated Sewer, Transportation, Capital Facilities, and Stormwater plans.

Tom McNerney stated that the line-in, line-out Comp Plan amendments were being reviewed by the Planning Commission UGA Committee. Also, the line-in, line-out UDC amendments would be reviewed by the UDC Committee.

Bud Schindler asked about the sewer plan. Kyle Alm stated that there was a General Sewer Plan that had been available for awhile. He stated that an updated plan was now available, although it was not on the county web site as yet. Mr. Schindler asked if the Planning Commission would receive any kind of response to the state Department of Ecology's letter (comments) and its implications on the sewer plan. Al Scalf replied that the sewer plan consultant would be present at the May 19 public hearing and would provide a staff report, which would include a response to the DOE letter. Mr. Schindler expressed the concern that the DOE letter was pretty critical of the sewer plan and wondered whether it would receive a review to see if it was realistic and complete. Mr. Scalf responded that he had asked the consultant to provide a specific response to every item raised by DOE. He stated that once the Planning Commission held the public hearing and began deliberations, the commissioners would be able to have an interaction with staff and the consultants. Mr. Scalf reported that the consultant thought the DOE comments were good, although he did not necessarily agree with all of them. Mr. Scalf stated that he was interested to hear the public's comments at the public hearing on the sewer plan and its alternatives.

Tom McNerney suggested that the Planning Commission review Draft #8 of the UGA Implementing Development Regulations. He stated that the UGA Task Force had completed its work which resulted in Draft #8. He stated that the Planning Commission was not necessarily bound by the UGA Task Force's suggestions. He thought there may have been some misunderstandings between the Task Force, staff, and himself on some of the suggestions. Mr. McNerney thought it was a good idea for the Planning Commission to review it in order to arrive at a document acceptable to the commission.

Dennis Schultz commented that Draft #8 was an updated version of the document the Planning Commission had reviewed at the previous meeting and the commission had made some suggestions for revisions. He asked if the UGA Task Force had considered those revisions and adopted them. Tom McNerney replied that he did not think all of the revisions were made by the Task Force. It would be necessary to review the minutes to see which revisions were considered and which were not.

Phil Flynn asked how the Planning Commission should handle it, if the Task Force wanted public input and the input was slightly different from what the Planning Commission thought. He wondered whether it was appropriate for the Planning Commission to insert itself into the Task Force's recommended document prior to the public hearing. Mr. Flynn thought that suggestions from the Planning Commission may be fine, but they should be contained in a separate document as opposed to actually revising a document that was prepared by the Task Force. He thought the larger question concerned the Planning Commission interceding in the middle of the process. Tom McNerney

thought the Planning Commission's suggested revisions had been incorporated into the document the Task Force reviewed on May 4, so if the Task Force did not take issue with them, it really made no difference. Mr. Flynn responded that he did not believe the majority of the Task Force members were aware of the revisions, stating that they had gone on to consider other issues, with the sign code being one of them. Eileen Rogers stated that the Task Force members did know that the Planning Commission had suggested revisions. Ms. Rogers stated that, while she understood Mr. Flynn's concern, the Planning Commission would hold public hearings on the documents prior to making final recommendations, so there should be no problem. Mr. Flynn agreed, but added that a separate document would have been nice in order for the Task Force to see exactly what the Planning Commission was suggesting. Mr. McNerney stated that another way to look at it was that the Planning Commission made the suggestions in an open meeting, and if the Task Force members had an issue with that, they could have come to the meeting to voice their concerns.

Referring to the Planning Commission's suggested changes, Eileen Rogers referred to Page 9 of Draft #8 where it addressed Mini-Storage Facilities. Dennis Schultz pointed out that the draft dropped the Warehouse and Storage Facilities line. He understood that it was the commission's suggestion that there be two lines, one for mini-storages and another for warehouse/storage facilities.

Tom McNerney suggested the commissioners review the minutes from the last meeting to see if those recommendations were incorporated into Draft #8.

The first motion on April 21 had to do with "Eating Establishment" on Page 9 of Table 1-1. It directed that it be a "Yes" use with a size maximum of 400 square feet in the ULI district. Kyle Alm reported that, in talking with the consultant, they decided to increase the size to 800 square feet. The commissioners agreed by unanimous consensus to accept the staff recommendation of 800 square feet.

The next motions had to do with the "Warehouse, Mini-Storage and Moving Storage Facilities" use. One motion that carried directed that "Warehouse and Moving and Storage Facilities" be a "Yes" use in the UC and ULI districts and a "No" in the rest of the districts. Another motion, which failed, would have created a separate line for "Mini-Storage" and made it a "No" use in all UGA districts.

The next motion which carried directed that "Wholesale Distribution Center" be a "Ca" use in the UC district instead of a "No". It was pointed out that it was incorrectly listed as a "C" in Draft #8 and should be changed to a "Ca".

The next motion which carried directed that "(Automobile) Wrecking & Salvage Yards" be a "No" use in the UC district. Draft #8 reflected that change. It was noted that the use was a "Yes" in the ULI district.

The next motion which carried directed that "Parks" be changed from a "Yes" to a "No" in the UC and ULI districts. Draft #8 reflected that change.

The last motion which carried directed that "Agricultural Processing, Heavy" be changed to a "Yes" use in the ULI district. Draft #8 reflected that change.

Kyle Alm referred to the "Warehouse, Mini-Storage and Moving Storage Facilities" issue. He explained that warehouses were also listed as an industrial land use. The consultant thought that a "Moving Storage Facility" was indistinguishable from a "Mini-Storage". Therefore, he had dropped the "Warehouse and Moving Storage Facilities" use from the table on Page 9 of Draft #8 because the use would be covered under "Warehouse/Wholesale Distribution Center" under "Industrial Uses" on Page 11. Some commissioners did not agree with that interpretation, with the opinion that "Moving and Storage Facility" was represented by commercial moving companies, such as Bekins, and was completely different from a "Mini-Storage". It was agreed by consensus that "Warehouse and Moving & Storage Facilities" be added back onto Table 1-1 on Page 9 under "Mini-Storage Facilities" and that it be a "Yes" use in the UC and ULI districts and a "No" in the others.

Tom McNerney referred to "Mini-Storage Facilities" on Page 9 of Draft #8, noting that the commission had not resolved the issue. The commissioners briefly discussed the discussion on the issue at the previous meeting. There was a suggestion to allow it as a conditional use [a "C" use] in some districts, such as on less desirable single family residential land. Phil Flynn described the area behind the WSU facility as an example of where a mini-storage may fit well. Mr. McNerney suggested allowing the use as a conditional use, but to include parameters that it not be in an area where sewers were planned. Al Scalf commented that staff was thinking in terms of an accessory use, which would be incidental and subordinate to the principle use. Mr. McNerney stated that generally mini-storages were a primary use. Mr. Scalf saw his point.

Edel Sokol stated that a UGA was supposed to be an economic development area. She stated that a mini-storage would not create jobs. Dennis Schultz commented that it would not provide much in taxes. Tom McNerney stated that the use would not use any utilities, such as sewer, so it should not be allowed within the sewer plan area. He stated that they could not be built in the Rural area. Ms. Sokol stated that if they were allowed within the sewer plan area, they would take up land that could otherwise be developed into more intensive businesses, such as a restaurant or a hotel or motel. Kyle Alm stated that the UGA Task Force had discussed the fact that there would be a lull in building in the interim between the sewer planning process and the time when a sewer would actually be built, and a mini-storage would not have that disincentive to build into the sewer area at that point.

Tom McNerney stated the belief that the best suggestion he had heard was to put the mini-storages down in Chimacum and to create a recommendation to not allow them in the UGA commercial areas. Edel Sokol agreed, stating that they did not contribute to the commercial tax base.

Tom McNerney stated that another side to the issue was that mini-storages were sometimes used as an incubator for small business with a business owner renting a couple of units and using one for storage and working out of another. However, he did not think it an appropriate use in the commercial areas; he thought it was, in fact, a detriment. Mr. McNerney advocated allowing them in the residential areas as a conditional use with enough conditions so it would not be a detriment to the residential uses. Edel Sokol commented that it may be allowed as an accessory to an apartment complex. Dennis Schultz spoke about contractors using mini-storage units for their equipment and supplies.

In answer to Edel Sokol's question, Al Scalf described the zoning districts where mini-storages were allowed, either as a "Yes" or as a conditional use.

Tom McNerney invited a member of the audience to speak to the issue. An audience member stated that he was not into mini-storages himself. He stated that with the Navy base personnel, and the number of houses being built where people needed storage before being able to move into their new house, and proposed multi-family housing where the residents may need additional storage, he could see a need for the use. Eileen Rogers asked which zoning districts it should be allowed in. The audience member responded that it should be wherever the community wanted that type of development. Mr. McNerney stated that allowing the use with multi-family housing had been discussed.

Tom McNerney stated that it was a difficult issue that the commission may not be able to resolve at this time. However, it was an issue that demanded resolution.

Edel Sokol commented that it was allowed in the commercial crossroads and if there was a big demand, those crossroads could be expanded. Tom McNerney pointed out that the crossroads were limited to the 1990 built environment.

Dennis Schultz asked if it was possible to add another zoning district where mini-storages, and other similar undesirable uses, could be allowed. Tom McNerney wondered whether we could look at the UGA map and find some currently undeveloped residential areas in less desirable locations that could be zoned to another category. Mr. Schultz stated that mini-storages were built very plainly; they would not be architecturally attractive. He stated that they were the simplest, cheapest, maximum volume for the least cost that someone could build. Mr. McNerney asked if it would be possible to create another zone. Al Scalf replied that it could be done. He stated that staff would look for areas within the UGA of undesirable locations. Mr. Schultz stated that they should not be in the sewerred areas. He suggested that next to the sewage treatment ponds may be a good area. Mr. McNerney suggested that the aquifer recharge area, where you would not want septic systems, may be another area. Mr. Scalf thought there may be some areas related to topography as well. The point was that it be areas where it would not be desirable for a higher use. Mr. Scalf stated that the idea would be to create a new zoning district and mini-storages would be a "Yes" use in that district. He stated that staff would try to find two or three locations.

Bud Schindler asked if there were other less desirable uses that could also be allowed in the new zone. Dennis Schultz stated that auto wrecking yards was one. Warehouses and moving and storage facilities was another, although that was not supported by all of the commissioners. There was some concern that such facilities were sometimes environmentally controlled warehouses and were, therefore, a higher use.

Al Scalf stated that staff would come back to the commission with a recommendation.

The commissioners reviewed the other portions of Draft #8.

Edel Sokol raised a question about the Urban Low Density Residential (ULDR) [Page 2] zone constituting sprawl. Al Scalf stated that it would allow four to six single-family units per acre, which was considered an urban density.

However, it was not considered high density, which may be up to twenty-four units per acre.

Tom McNerney referred to the definition for the Urban Commercial (UC) district [Page 2]. He suggested it read "... a wide range of commercial activities and compatible residential uses ...". He stated that residential uses were allowed on the upper floors above a commercial business in that district. The commissioners agreed with the suggestion by unanimous consensus.

Edel Sokol asked about the definition for Visitor-Oriented Commercial (VOC) [Page 2], stating that it seemed very specific. Tom McNerney stated the belief that the Task Force added a lot of other commercial uses for the zone. Ms. Sokol suggested adding "commercial" to the definition. Al Scalf stated that you really wanted to constrain that area in order to drive the market to the Hadlock core and make it visitor-oriented. Mr. McNerney stated that the Task Force had heard from the public that they wanted a wider range of uses allowed there. He pointed out that the Old Alcohol Plant area started out as a Master Planned Resort with visitor-oriented commercial uses. However, now the public seemed to want to open that area up to more commercial uses. Some commissioners agreed that we should allow maximum opportunity.

The commissioners discussed some modifications to the definition. One suggestion was "... Old Alcohol Plant and provide for multi-use commercial, lodging, goods and services, and urban residential development opportunities consistent ...". Dennis Schultz commented that it would create a true multi-use zone which was unique from the other zoning in the UGA.

The commissioners discussed the purpose of the definition. Al Scalf explained that the definition carried some weight if staff could not get clarity about the intent from the use table or somewhere else.

Dennis Schultz moved that the definition for the Visitor-Oriented Commercial (VOC) district state "The purpose of the VOC designation is to recognize the unique area of the Old Alcohol Plant and provide for multi-use commercial, residential, or visitor-oriented lodging, goods and services, and urban residential opportunities consistent with the historical and tourism-related character of the area." Edel Sokol seconded the motion. The motion carried with six in favor, none opposed, and one abstention.

Concerning the definition for Urban Moderate Density Residential (UMDR), Edel Sokol asked about the allowed density. Kyle Alm replied that it would be seven to fourteen units per acre. Ms. Sokol asked how "in a manner consistent with existing neighborhood character" would apply. Al Scalf responded that staff would look at the existing density. Some commissioners pointed out that there were no areas in the UGA with that density currently.

Eileen Rogers moved that the UMDR definition stop at "residential development" (deleting "in a manner consistent with existing neighborhood character"). Edel Sokol seconded the motion which carried unanimously.

Under the Urban High Density Residential (UHDR) definition, Eileen Rogers moved that the definition stop at "multi-family residential development" (deleting "in a manner compatible with the character of adjacent uses"). Edel Sokol seconded the motion which carried unanimously.

Under the Urban Light Industrial (ULI) definition, Bud Schindler moved that the definition stop at "industrial uses and activities" (deleting "in a setting compatible with the urban character of the area"). Edel Sokol seconded the motion.

It was pointed out that the current use of the ULI district was a gravel pit. The commissioners' desire was to allow other types of industrial uses rather than only uses compatible with a gravel pit.

The motion carried unanimously.

Under the Public (P) definition, Edel Sokol moved that the definition stop at "facilities and services" (deleting "compatible with the urban character of the community"). Eileen Rogers seconded the motion.

After a short discussion, the motion carried by unanimous consensus.

The commissioners and staff discussed the public purpose facilities in the UGA. It was noted that the districts were delineated on the UGA map. The commissioners and staff discussed the siting for a community center. Al Scalf noted that the use was allowed as a "Yes" in the UC and VOC and P districts and was a "Cd" in the residential districts.

Edel Sokol asked about the reference to the Shoreline Master Program on Page 4 in the "How To Use This Table" box. Kyle Alm pointed out that Note #2 described the SMP's jurisdiction. The commissioners asked that the reference on Page 4 more directly reference the Note on Page 5.

Tom McNerney referred to the "Categories of Uses" box on Page 4 and its references to Section 4, Performance Standards, and Section 6, Development Standards. He stated that we were trying to make the UGA chapter a stand-alone section and asked how much effort it would be to add those sections. Al Scalf responded that Section 4 was thirty pages and Section 6 was thirty pages. Mr. McNerney stated that the UGA chapter would be a separate section within the UDC, so the referenced sections would be readily available to the user.

Edel Sokol offered the opinion that some of the performance standards should be eliminated or modified. Tom McNerney stated that, while that may be the case, it should be done under the general modification of the UDC under the Omnibus amendments, rather than through the UGA portion of it. Ms. Sokol referred to the "D" (Discretionary) use. Al Scalf explained that Section 3.2.b provided the criteria the Administrator must consider.

The commissioners moved on to Page 21 as they had reviewed the tables at the previous meeting. The commissioners agreed by consensus that all three "In addition" paragraphs should be deleted (from #1, Street Standards; #2, Water Service; and #3, Storm Drainage).

On Page 22, Tom McNerney referred to #4.A., Sewer Service Area, and suggested that "planned 20-year" be deleted. The commissioners agreed with his suggestion by consensus.

On Page 22, Tom McNerney referred to #4.D., Interim On-Site Septic Systems, and the reference to a property owner being required to connect to the sewer system within one year of sewer extension. He cited the example of someone building their house with an on-site septic system and six months later the

sewer was extended to their area. He stated that the Task Force had discussed allowing a property owner to have a period of time to amortize the cost of installing an on-site septic system before being required to hook up to the sewer. Al Scalf stated that the current proposal required hookup within one year of sewer availability. He stated that amortization was an issue that may need to be reconciled. Dennis Schultz commented that a 5-year building moratorium had been discussed. Mr. McNerney suggested changing the one year to five years as a way of allowing people to amortize their on-site septic investment. Phil Flynn stated that it should not apply to the property owner who had an on-site system for a long time. It should only apply to those property owners who had developed their property within a short time before the sewer became available. Dennis Schultz stated that the sewer system financing had to rely on a broad customer base; you could not pay for it with just the new buildings that would be built after the sewer system was installed. Mr. McNerney stated that the alternative would be to stop all growth until the sewer was installed and we did not want to do that. Several commissioners agreed.

Bud Schindler wondered why people would need to put in sophisticated systems, because such systems were meant to last twenty years. He asked why we could not design one that was meant to last five years. Tom McNerney thought the marketplace would take care of it. If someone knew they would only need it for five years, they would install the cheapest system they could. Then the people would not mind switching over when the sewer became available. Phil Flynn stated that an engineered system was not cheap and stated that people would have to go with what the regulations required. Mr. Schindler stated that such systems were always designed for a maximum life and not for a shorter life. Edel Sokol suggested the Planning Commission revisit the issue [#4.D., Interim On-Site Septic Systems] at a later date. The commissioners agreed with her suggestion.

Edel Sokol referred to Page 23, #F, No Protest Agreement, and suggested that it be deleted. Phil Flynn stated that the provision should be necessary for the commercial areas, but he did not think it appropriate for some other area within the UGA, such as residential areas. An issue discussed was "all property owned by the same owner in the UGA". Mr. Flynn provided an example of a person who owned a lot or two in the commercial area but also owned several residential lots. He stated that the No Protest Agreement would obligate those residential lots as well and he did not think that equitable. He agreed that the agreement should apply to the commercial lots. The commissioners agreed by consensus to change the wording of the section to state "In addition, as a condition of development approval and for all property owned by the same owner in the LID, ..." [replace UGA with LID].

Moving on to Page 24, Edel Sokol referred to #1 under "Screening Standards". It was explained that the screening did not mean a complete visual block of a business. The commercial building would still be able to be seen, but would have some landscaping done along the road frontage.

Tom McNerney referred to #2 under "Screening Standards", stating that it would require a 5-foot visual buffer for a four-plex or greater. Kyle Alm asked if the provision would apply to a multi-use building (commercial on the ground floor with residential units above located in the commercial districts). The commissioners thought such uses should be exempt from the screening standards. The commissioners agreed to change #2 to state "New multifamily dwellings over four (4) dwelling units within residential zones shall provide a five (5) foot visual buffer along all street frontages."

The commissioners and staff discussed the references to other sections of the UDC under "Parking and Pedestrian Circulation" and "Lighting" (Page 25). The discussion centered around whether to include the actual provisions in the section rather than merely referring to them. After hearing from staff how much material would be added to the section, the commissioners agreed to leave the sections as presented, with the references only.

Edel Sokol referred to the "Signs" section on Page 25 and suggested that a committee be formed to address the section. Tom McNerney stated that the Task Force had already done that work. Kyle Alm pointed out that a revised "Sign" section had been handed out at the meeting. The commissioners reviewed the "Signs" section on Page 25 to Page 28.

Tom McNerney had a question about electronic reader boards (#1.c. under Prohibited Signs). It was pointed out that they were an exception within the commercial zones.

Under #3, Design Standards, #b(1), Tom McNerney stated that the Task Force had agreed to change the free-standing signs (1) to be 64 square feet for an individual sign and not to exceed 100 square feet for multiple tenants. Also, under #b(4), he stated that the Task Force had agreed to change the free standing sign for a single business from 128 square feet to 64 square feet, but to allow a sign incorporating a reader board to be 128 square feet.

Edel Sokol asked if the business people were agreeable to the sign provisions. Phil Flynn responded that, with one or two exceptions, the Task Force members were all business people within the UGA. He stated that their input could be construed as having a vested interest in what they thought appropriate. Eileen Rogers stated that they had experience in what kind of signs worked. Ms. Sokol thought that signage was important and, if those people thought these provisions were appropriate, the commission should support them. Mr. Flynn stated that the Planning Commission may receive another view from the general public. Tom McNerney described the Task Force discussions about sign sizes.

The commissioners moved from Draft #8 to consider the handout "Suggested revisions to the UDC Section 6.15, Signs:". Tom McNerney stated that the Task Force had requested that the sign code be taken out of the UDC and placed in the UGA chapter. The handout depicted revisions for the "Rural Districts", with a notation that the UGA sign provisions were contained in the UGA chapter. The UDC Committee should review the UDC Section 6.15 revision.

Edel Sokol asked a rhetorical question about who would be responsible for abandoned signs.

Al Scalf stated that staff would prepare a Draft #9 based upon the Planning Commission's recommendations. It was agreed that Draft #9 would be the document to go forward for public review and hearing. Mr. Scalf stated that it would be titled "Draft #9, Planning Commission Recommendation for Public Hearing Process". Tom McNerney requested that Draft #9 be provided to the UGA Committee for a final review.

Edel Sokol referred to the Housing Element and Land Use Element documents that were handed out. Tom McNerney stated that the two elements had been edited by the Comp Plan Review Committee. He asked the commissioners to

review them further to assure that there were no inconsistencies between the rest of the Comp Plan and the UGA. Mr. McNerney stated that a similar document would be prepared for the UDC. Ms. Sokol stated that the Comp Plan Review Committee would be meeting on May 12 and requested that any suggestions for additional changes to the Housing or Land Use elements be provided to her prior to that time.

Tom McNerney stated that the UDC Committee would be meeting on May 11 and would be working on the UDC consistency with the UGA issue.

Tom McNerney stated that the public thought the Planning Commission worked only twice a month for its meetings. However, the commission's committees were doing a lot of work on the commission's behalf. He stated that the commissioners all served on one or two committees. So there was a lot of work going on outside of the regular Planning Commission meetings. He stated that committee work was showing benefits to the Planning Commission efforts.

The commissioners returned to Draft #8 to review Table 1-1 beginning on Page 6.

Tom McNerney referred to the Public Purpose Facilities beginning on Page 11. He referred to "College or Technical School (not state owned)" [Page 12], stating that he thought "not state owned" was very limiting. Dennis Schultz commented that it would rule out any higher education that was publicly owned. The commissioners agreed by consensus to delete "not state owned".

On Page 13 under Utility Uses, Tom McNerney asked about the size of the reference to UDC Section 4.13 and whether it could be added to the UGA chapter. Al Scalf explained that the reference amounted to around 25 pages.

Under Transportation Uses (Page 13), Edel Sokol commented that "Roads, Public or Private" was pretty obviously a "Yes" use. Al Scalf stated that a "Yes" use would require a Type I permit, but the county did not do such permits for roads. The commissioners agreed to delete the line.

On Page 14 under Agricultural & Forestry Uses, Edel Sokol asked about "Nurseries" being a "No" everywhere but in the UC district. She was especially concerned that the use was a "No" in the ULI district. Dennis Schultz responded that it referred to commercial nurseries, which you wanted in the commercial zones. Phil Flynn commented that if a higher use came in, a nursery was easy to get rid of. Ms. Sokol stated that she thought of buildings (greenhouses) when she thought of a nursery. Mr. Schultz stated that you would want to do the actual plant growing out in the agricultural lands and bring the products to the nursery for retail sale in the commercial zone. The commissioners made no changes to that line of the table.

Tom McNerney invited public comments.

An audience member referred to the Visitor Oriented Commercial district, which represented the Old Alcohol Plant area. He stated that the county had a lot of affluent communities around the bays, but there were no water taxis. He stated that if we were going to have a VOC district, he wondered if there shouldn't be provisions for alternative transportation methods, such as water taxis. If we encouraged other transportation methods around the bays, perhaps someone would come and start a business ferrying people between the communities.

Tom McNerney asked if such a use was prohibited. Al Scalf replied that it was not and the Shoreline Master Program actually would allow the use. Phil Flynn wondered whether the owners of the marina would be the ones to encourage it. Mr. Scalf stated that such a water dependent use would be addressed by the SMP and the UGA development regulations referred to the SMP, so it would be covered. Dennis Schultz pointed out that Public Transportation Facilities was in the VOC district already.

The audience member asked about the reasoning for not allowing public parks in the commercial area. He stated that he knew of a lot of urban areas that were trying to develop pocket parks for the employees to use during their lunch period. Tom McNerney responded that the Planning Commission's feeling was that there were public parks adjacent to the urban area and there was limited area within the commercial zone, so the commission did not want to take up that valuable commercial land with a park. He stated that we wanted to make sure there was enough commercial development to support the sewer system. Eileen Rogers stated that the commercial space was so limited that the commission wanted to save the commercial space for commercial uses. Mr. McNerney pointed out the parks that were currently adjacent to the commercial zones. The audience member wondered whether the commissioners were thinking in terms of larger areas for the parks, when pocket parks were, in fact, quite small. Dennis Schultz stated that there was nothing to prevent a commercial land owner from putting in a small pocket park on his land. Phil Flynn pointed out that there were some pocket parks in the residential areas of the UGA. Mr. McNerney stated his understanding that pocket parks would beautify the area. Edel Sokol thought that should be up to the land owner.

The audience member asked if the commission had considered an area for upland boat storage for boat owners in the UGA. Edel Sokol commented that they could probably do something at the Old Alcohol Plant. Phil Flynn commented that the Wooden Boat School area may be appropriate as well.

The audience member asked about the existing parks in or adjacent to the UGA. Al Scalf replied that there was a park in Irondale, there was the school, and also the Little League fields adjacent to the UGA on Chimacum Road.

The audience member referred to the auto wrecking yard use, stating that there was not a specific category for auto restoration. He stated that there were people doing auto restoration of vintage cars in the area, and cited the vintage car shows that were held in the county. Tom McNerney asked staff if there were uses already listed that would accommodate the specific use. Al Scalf referred to the auto service station, repair, car wash, and sales listed under commercial uses. Dennis Schultz asked whether the person was doing it for himself or whether he was doing it for other people. If it was for himself, it was not a business at all. Mr. McNerney stated that if someone was doing it as a business, there would be development code and fire code regulations that would apply because of the materials used. Mr. Scalf suggested that "Automobile Repair" could be changed to "Automobile Repair and Restoration".

Eileen Rogers moved that the Planning Commission add under Commercial Uses in Table 1-1 "Automobile Restoration" as a "Yes" use under Urban Commercial and a "No" under the other zoning districts. There was no second to the motion.

After further discussion, Al Scalf reiterated his suggestion to modify "Automobile Repair" to add "Restoration". Eileen Rogers supported that

revision. The commissioners agreed by consensus to modify the line on Table 1-1 to "Automobile Repair &/or Restoration".

The audience member referred to the (Automobile) Wrecking & Salvage Yards use and asked, if the county was able to attract another such business into the UGA area, if the county would require the existing uses to move out. Tom McNerney suggested the person talk to staff about the issue, stating that it was a very troublesome problem that the county was trying to address through a new ordinance.

The commissioners asked the audience member to identify himself. He stated that his name was Norman McCloud with a Port Townsend mailing address.

The commissioners returned to a review of the Draft #8 document, continuing on Page 16 with Table 2-1.

Edel Sokol asked about the residential density for the UC and VOC districts. Dennis Schultz pointed out that it was for the mixed use component of the commercial zoning.

Edel Sokol asked if the fourteen (14) units per acre in the UHDR district should be more. Kyle Alm explained that there was a maximum allowed of twenty-four (24) units per acre, noting the difference between the Standard Residential Density and the Maximum Residential Density lines. He stated that it allowed some flexibility.

Tom McNerney questioned the reasoning for having the two lines. He suggested that it would be easier to understand if the table had one line with the ranges for each district listed, e.g. under UC/VOC it would read "7 to 24 units/acre". The commissioners agreed by consensus with the suggestion.

Tom McNerney asked for the reasoning for having the line concerning Minimum Lot Area. He stated that any development would have to meet the health standards, either by hooking up to the sewer system or by having sufficient septic capacity. After some consideration, Al Scalf agreed that the line was not necessary. The commissioners agreed by consensus to delete the line.

Edel Sokol asked about the 24 units/acre maximum for the UHDR district, wondering if the maximum should be limited. Al Scalf responded that the sewer plan and other plans would need to be reviewed and revised if we changed the upper density limit. While he was not necessarily opposed to it, he was not supportive if it "messed up" our analysis. He noted that other changes the Planning Commission had recommended on the densities had necessitated revisions to the sewer plan which had considerably increased the costs. Tom McNerney stated the commission would want to hold a discussion on that issue when it discussed the sewer plan. Mr. Scalf suggested making note of the suggestion for now and to revisit it later. The commissioners agreed with his suggestion.

Referring to the road setbacks on Page 17, Edel Sokol commented that the UGA had no "Minor Collector" roads. There was also a question as to whether there were any "Principal Arterial" roads. Ms. Sokol commented that it was confusing to list those road categories if there were none in the UGA. If there was a change in the future, then the table could be revised. Dennis Schultz commented that he thought the state was going to re-classify Highway 19 (Rhody Drive) to a Principal Arterial, the same as Highway 20. Kyle Alm stated that Oak Bay Road was a Minor Collector.

Edel Sokol took issue with the setbacks in Note [5], stating that the terminology "and vice versa" meant that the setbacks were actually doubled, so that where industrial and residential abutted each other, the setback would really be 50 feet. Tom McNerney stated the opinion that the setback should be on the more intensive use [the commercial or industrial use] and not on the lesser use [the residential use]. Dennis Schultz agreed that the setback should be on the commercial or industrial use. Eileen Rogers stated that the Task Force had discussed the issue and agreed that the setback should be on the commercial or industrial use. Al Scalf suggested alternative wording: "Whenever a light industrial use is proposed next to a residential use, the setback shall be twenty-five (25) feet on the light industrial side." Ms. Rogers agreed with his suggestion. Mr. Schultz stated that the same should apply to a commercial use abutting a residential use. Phil Flynn asked about the residential setback. Ms. Rogers replied that it was five (5) feet.

After further discussion about the setbacks and how the setback areas could be utilized, Tom McNerney summarized the consensus of the commissioners. They agreed with Mr. Scalf's suggestion for the light industrial use abutting a residential use, with the light industrial setback being 25 feet and the residential setback being 5 feet. Where commercial and industrial uses abutted, the setbacks would be 20 feet on the industrial use and 5 feet on the commercial use. Where commercial abutted residential, the setbacks would be 10 feet on the commercial and 5 feet on the residential.

Phil Flynn asked about the effect of fire codes on the setbacks. Tom McNerney stated that the fire code would overrule the UDC regulations.

Dennis Schultz clarified that the commission wanted the larger setbacks to apply to the commercial or industrial land and not to the abutting residential land.

Edel Sokol referred to the Total Building Size on Page 19 where it said "None Specified" and asked for an explanation. Tom McNerney replied that it related to the stormwater requirements, stating that the building size could be whatever the parcel would bear provided the stormwater could be dealt with onsite.

On Page 20, Eileen Rogers referred to #3 and asked about the exemption from height requirements for the described facilities. Al Scalf explained that FAA requirements would apply even though the county imposed no height requirement.

On Page 21, Edel Sokol referred to the second paragraphs under #1, #2 and #3 which all began "In addition, ..." and addressed not protesting a future LID. Al Scalf explained that, even though a property owner may sign a no-protest agreement, when it came time to vote on the LID, the property owner could vote anyway he chose. The commissioner's concern was that the owner of multiple properties in the UGA would be bound for all of his properties throughout the UGA if he signed a no-protest agreement for one property. They did not think that was fair.

The commissioners discussed the PUD #1 process for water on Marrowstone Island. In that process, only a majority of votes in opposition were required to stop the water system development. Phil Flynn wondered whether

the same process would apply to an LID in the UGA. Both Tom McNerney and Al Scalf thought the same process applied.

Dennis Schultz stated that a related question was if a current property owner signed a no-protest agreement and then sold the property, if the new owner would be bound by the no-protest agreement. Tom McNerney thought the new property owner would be bound by the agreement.

The commissioners agreed by consensus that the paragraphs beginning "In addition, ..." on Pages 21 and 22 under #1, Street Standards, #2 Water Service, and #3 Storm Drainage should all be deleted.

C. ADJOURNMENT

The meeting was adjourned at 10:10 p.m.

D. APPROVAL OF MINUTES

These minutes were approved this _____ day of June, 2004.

Thomas McNerney, Chair

Cheryl Halvorson, Secretary