



AGENDA

PLANNING COMMISSION

Held Virtually: <https://www.cityofpa.us/984/Live-Virtual-Meetings>

March 9, 2022

6:00 p.m.

- I. CALL TO ORDER
- II. ROLL CALL
- III. PUBLIC COMMENT
- IV. APPROVAL OF MINUTES
February 9, 2022.
- V. DISCUSSION AND POTENTIAL ACTION
 1. Officer Elections.
 2. Discussion on Title 17, USSG, and Title 13: Impact on Residential Building Costs
Director of Public Works and Utilities, Thomas Hunter, will be available for the discussion.
- VI. STAFF UPDATES
- VII. REPORTS OF COMMISSION MEMBERS
- VIII. ADJOURNMENT

MINUTES

PLANNING COMMISSION

Held Virtually
Port Angeles, Washington 98362
February 9, 2022, 6:00 p.m.
REGULAR MEETING

Chair Schwab opened the regular meeting at 6:00 p.m.

ROLL CALL

Commissioners Present: Andrew Schwab (Chair), Ben Stanley (Vice-Chair), Colin Young, Steve Luxton, and Marolee Smith

City Staff Present: Ben Braudrick (*Associate Planner*)
Nathan Docherty (*Assistant Planner*)
Chris Cowgill (*Assistant City Attorney*)

Public Present:

Brian M.
John Ralston

PUBLIC COMMENT:

John Ralston, City Resident

Speaking to memos put out by **Interim Director Bolin** on 01/26/2022 and 02/09/2022. Referring to the memo on January 26th the list of 2022 planning commission projects item 4 phase 2 zoning and development regulation incentivizing housing, John wants to make sure he is aware of the detailed items and wants to participate. John expressed his opinion on how critical it is for owners of short-term rentals involved in the decision-making process for upcoming talks on short-term rental programs. Referring to the February 9th memo joint meeting on March 22nd between the Planning Commission and the City Council John, is hoping the public receives early notice of this meeting and is inquiring if the public will be able to participate.

Chair Schwab closed public comment at 6:06 pm.

APPROVAL OF MINUTES:

January 26, 2022.

ACTION ITEM

1. DCED Planning Division and Planning Commission 2022 projects.

Continued discussion of 2022 DCED Planning Division and Planning Commission projects

STAFF UPDATES

Planner Braudrick reports that Cascadia Consulting has taken all the Planning Commissioners, City Council, and subcommittee comments, and they made changes to the actions and compiled a matrix.

REPORTS OF COMMISSION MEMBERS

Chair Schwab

Chair Schwab and Vice Chair Stanley's last meeting is on February 28th. Chair Schwab does plan on applying again for the Planning Commission.

Vice-Chair Stanley reports that Clallam County is now engaging with climate planning with Cascadia Consulting. Agenda items concerning greenhouse gas emission and other studies will be in front of the County Commissioners next Monday. The data from these studies could be relevant to the City of Port Angeles.

Commissioner Luxton-

Code in Public Works conflicts with the Utility Advisory Committee (UAC). Accessory Dwelling Units (ADU's) currently must have a separate connection from the main connection. Cottage housing isn't feasible without special permission from Public Works. Shared driveways would help reduce the number of driveways but there is special permission required to have a shared driveway. Having an extra connection adds to development costs and utility fees. Reaffirming that an ADU is an accessory to a primary residence.

ADJOURNMENT

The meeting adjourned at 7:19 p.m.

Nathan Docherty, Secretary

Andrew Schwab, Chair

February 26, 2022

Notes and Questions for Thomas Hunter - Planning Commission

Thomas,

The *Building Residential Capacity* updates to Title 17 have helped promote affordable housing in Port Angeles. However, many hurdles to more affordable housing remain within the public works code and USSG. The questions and concerns below are our five most pressing within that code.

1. Second sewer connection to city main for ADU

Public works requires Accessory Dwelling Units to have separate lateral connection to the city sewer. Both Sequim and Port Townsend recommend that ADU and main dwelling share sewer lateral. The first sentence of 13.62.010 is used as justification for this unneeded second connection.

13.62.010 - Separate connection required.

A separate and independent building sewer shall be provided for every building; provided that, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer; and provided further that the Director may approve single connection for multiple buildings in appropriate circumstances. In no event shall the City assume any responsibility for damage caused by any such aforementioned single connection.

Making two sewer connections on the main is unnecessary and burdensome. It seems like the real intent of this section was to prohibit shared side sewers and that the word “building” should really be swapped for “premises”. Premises is defined in code as a building or group of buildings under the same ownership.

ADU developers are spending up to an additional \$10,000 to make this second connection, this is a major part of the price of a new ADU.

Is there any justification for these policies?

Ideally a developer of an ADU could tie into their existing sewer lateral when the existing sewer lateral can meet the demand of the new structure.

2. ADU Sewer and water Development Fees when water meters are provided

Prior to 2019 sewer and water development fees were not assessed on ADU/ARU even when a new water meter was provided for the ADU. In 2019 Public Works began charging a water development fee and sometimes both a sewer and water development fee on ADUs. There was no code change and Public Works was not directed by council to start charging these additional fees.

Why did this change?

3. Owners water meter on ADU, Duplex and Multifamily

The cost of sewer and water development fees and the high base charge of utilities are preventing development of ADU, duplex and multifamily.

Previous to the Building Residential Capacity Update, ADU were required specifically in code to have their own water meter. That provision is no longer part of the code. However another section of the code is now preventing homeowners with ADU from using a single meter.

ADU, duplex and small multifamily are being required to have an individual meter for every unit even though one meter could supply the whole building and be managed by the building owner as a single customer. The code section below specifically says that a water meter should be provided to every customer or dwelling. Is the homeowner with an ADU not a single customer? The owner of a duplex? Public Works will not allow a duplex to share a single meter, even if the owner is the customer and will be paying the bill. Allowing the sharing of water to multiple units under the same ownership would significantly bring down upfront development costs and long term cost of utilities for the project.

13.32.020 - Subsection C

*Water will not be provided to more than **one customer** or dwelling through a single service connection, and separate service applications are required for each dwelling. When two customers are being served by a single service connection on the effective date of the ordinance codified in Chapters 13.24 through 13.48, the Director may require the installation of a new service, when necessary, for efficient operation of the system, at the cost of the customer.*

We are aware of a developer who wanted to build a 40 unit apartment complex but was told that they would need to pay a full sewer and water development fee for each unit. That developer cited the roughly \$180,000 fee for sewer and water development as a dealbreaker for the project.

4. Two car alley driveways not allowed on new narrow lots, USSG

Public Works has been using this section of the code to regulate alley access driveways on private property. What is the intent of this section? Does the driveways section apply only to aprons within the right of way or does it apply on private property as well?

The new alley parking within the 25' lots will not be able to accommodate two cars with this language remaining in the code. It is unreasonable to require a variance to do something routine in other jurisdictions.

Furthermore with the cottage housing, townhomes and unit lot subdivisions, shared driveways and zero setback driveways are going to be common, this and related USSG sections appear to be nothing more than another hurdle in the permitting process.

USSG Driveways 11

11. Driveways shall be separated by a minimum of 15 feet and shall be no closer than 7½ feet from the property line.

5. Sewer and Water development fee structure

The current methodology of the city's sewer and water development fees are fundamentally unfair and disincentive smaller homes, duplex and multifamily. Currently an applicant will pay the same sewer and water development fee for a three bed, three bath house as they do for a studio apartment or condo with a single bath. The studio apartment will have only one-third the usage but will pay the same fee. In effect paying three times more.

Every other nearby city has a more fair system. For example Sequim's general facility charge (GFC) contains rights to two meters. Beyond two meters, the GFC drops to a smaller and smaller amount as the developer buys more meters. In the end, a developer in Sequim will pay far less than in Port Angeles in development fees when building multifamily. Even when building a duplex, a builder will pay a smaller sewer and water development fee in Sequim than in Port Angeles.

A great way to reform this would be to charge sewer and water development fees by the number of bedrooms or by the fixture units of the proposed project. In these methodologies, applications would be paying for the amount of the resource used. However, I think there is a

strong argument for waiving all sewer and water development fees on duplex or multifamily projects.