

MINUTES

PLANNING COMMISSION

Virtual Meeting
Port Angeles, Washington 98362
August 10, 2022 6:00 p.m.
REGULAR MEETING

CALL TO ORDER

Chair Stanley opened the regular meeting at 6:02 P.M.

ROLL CALL

Commissioners Present: Richie Ahuja, Tammy Dziadek, Steve Luxton, Andrew Schwab (Vice-Chair), Marolee Smith, Benjamin Stanley (Chair), Colin Young

Commissioners Absent: None

City Staff Present: Ben Braudrick (*Senior Planner*)
Norman Gollub (*Interim Director of Community and Economic Development*)
Zach Trevino (*Assistant Planner*)

Public Present: Jodi Fairchild

PUBLIC COMMENT

Chair Stanley opened the meeting to public comment.

No member of the public provided comment.

Chair Stanley closed the meeting to public comment.

APPROVAL OF MINUTES

Vice Chair Schwab moved to approve the minutes from the July 27, 2022 regular meeting of the Planning Commission. **Commissioner Smith** seconded. The motion passed 6-0-1, with Commissioner Ahuja abstaining.

ACTION ITEM

1. **Façade Grant No. 22-02**

Skincare Suites and Wellness Spa, 106-108 East 1st Street

Planner Braudrick displayed a presentation and introduced the applicant's request. He explained the location of the building, noting that interior and exterior remodel of the building is already underway. The exterior remodel will integrate the two units into a single storefront with cohesive architectural elements. While keeping with the historic nature of the building, the applicant is installing a new entry door, rehabilitating the transom windows, and restoring the entire façade of the building. The applicant is facing a projected cost of \$76,800 for the exterior façade

rehabilitation, and is requesting a façade grant of \$20,000 from the City to cover a portion of the total cost. He concluded the overview by noting that staff recommends the approval of funding for the requested grant, based on the findings and conclusions and subject to the conditions contained in the staff report.

Chair Stanley asked whether \$20,000 has always been the upper limit for façade grants. Planner Braudrick responded that the site is located in an improvement area between Race Street and Laurel Street, so there is no maximum amount for this area. Part of the reason for this is due to the anticipated restoration of the Lincoln Theater.

Chair Stanley opened the item to Commissioner discussion.

Commissioner Smith expressed support for the proposal, noting that this building has experienced interior alterations that did not comply with building code and needs improvement. She added that the request is an excellent way to spend the City's money.

Commissioner Dziadek asked for clarification about what type of spa the use is. **Jodi Fairchild**, project applicant, explained that the business is moving from its current location, and provided an overview of services offered to customers by the business, which has been operating for 15 years.

Chair Stanley asked staff whether certain façade features, such as the upper windows, can be considered historic and, if so, whether they are being preserved. The applicant responded that they are installing more energy efficient windows that will not change the visual character of the building. Chair Stanley responded that such an improvement makes sense, especially considering the City's ongoing focus on climate resiliency planning.

Commissioner Smith noted that this building existed prior to the street being raised in the 20th century, so possesses a full lower level. She noted the proposed improvements will restore the building closer to its original configuration.

Planner Braudrick added that the applicant is trying to use the same architectural style and typology that have been historically present, which is appreciated.

Chair Stanley noted that no part of Port Angeles is more deserving of façade grants than the block where this building is located. He expressed his full support for the proposal.

Commissioner Young motioned to approve the funding for the Façade Improvement Grant 22-02, citing the seven findings, three conclusions, and seven conditions contained in the staff report. Commissioner Dziadek seconded. Motion passed 7-0.

DISCUSSION ITEM

1. Discussion: Review of Process to Amend Port Angeles Municipal Code Title 17

Continued discussion of the Commission's options for how to proceed with pursuing implementation of proposed changes to Title 17 of the Port Angeles Municipal Code (PAMC).

Commissioner Stanley introduced the continued discussion about Commissioner Luxton's recommendations for changing the Zoning Code to encourage more housing.

Planner Braudrick explained that staff has been working for two weeks to compile additional information as requested by the Commission. Chair Stanley noted, in response to a request for clarification by Commissioner Luxton, that staff discovered that the Commission does have the ability to change the municipal code quicker than previously anticipated.

Planner Braudrick presented background to Staff's process and a recommended timeline for the proposed Title 17 Code Amendments requested by the Commission. He noted that the shared goal

of staff and the Commission is to acquire as many tools in the City's "toolbox" as possible to facilitate housing construction. He provided an overview of Revised Code of Washington (RCW) 36.70A.600, which contains provisions that prevent certain actions proposed through the Building Residential Capacity (BRC) legislation from being legally challenged until April 1, 2023. In order to aid the Commission in understanding recent trends in housing construction in the City, he displayed a table of unit construction by housing type that has occurred since 2017. One notable aspect of the trend is the increase in ADU and duplex production after the requirement that a conditional use permit be obtained was eliminated, which made the uses allowed outright. He recommended that the Commissioners review the City's Housing Action Plan adopted in 2019 to understand the need for certain types of housing that was identified in 2017. One trend identified in the plan was the projected reduction in demand for single-household dwellings, and the increase in the number of single individuals and smaller households.

After providing relevant background information, Planner Braudrick presented staff's recommended procedure for adopting an interim ordinance by March 2023, which would sunset in July 2025 during the Comprehensive Plan Update process. The next step in the recommended process timeline is for staff to prepare a general memorandum addressed to City Council notifying the Councilmembers of the proposed changes to PAMC that have been proposed by the Commission. The memorandum would provide the recommended process timeline so the Council can understand what their workload will be in the future.

Chair Stanley asked for clarification on whether the process would result in a single ordinance or multiple ordinances enacted at once. **Planner Braudrick** responded that a single ordinance would include every section of PAMC that is proposed to be changed. He noted that staff does have certain changes that will be incorporated into this effort in order to aid the effort to build residential capacity. Some design requirements may be cost prohibitive and onerous, so will be reevaluated and potentially simplified.

Commissioner Smith asked whether the proposal to allow the use of RVs as temporary housing will be included in the process staff described. **Chair Stanley** responded that he would like to see that topic incorporated into the conversation moving forward.

Commissioner Young asked whether the proposed timeline can be expedited, as the changes will not produce an immediate effect and the housing unit shortage, which he perceives as an emergency, will take years to remedy. **Planner Braudrick** noted that the process is already expedited, and that the Zoning Code is only one component of any solution to housing capacity, so staff needs adequate time to consider the whole situation with accurate facts. **Commissioner Luxton** responded that facts are unnecessary, as the problem is apparent, with a solution overdue. He added that the most important piece of the puzzle is enabling fourplexes in low-density residential zones, which would open up much of the City to eligibility for the multi-family tax exemption without increasing density. **Planner Braudrick** noted that he is unaware of any fourplex recently proposed in a zone where such development is already allowed, so allowing it in more places may not solve the housing problem. **Commissioner Luxton** responded that there is little available land in the RMD and RHD zones, and allowing such development in the R7 zone would significantly increase the amount of available development land.

Chair Stanley stated that planning is perhaps the most bureaucratic field that exists, so he understands staff's desire to proceed with caution, but noted that an emergency necessitates additional risk. He suggested that a comprehensive approach should be avoided in order to expedite change, which could be reassessed later, and reminded the Commission that they have the power to send proposed PAMC changes directly to the City Council. Public comment could occur after the ordinance is adopted. Further Commission discussion of the merits of this approach in comparison to a slower process ensued.

Commissioner Smith motioned to recommend that the City Council and City staff proceed

with a process to adopt an ordinance enabling the emergency use of RVs as residential dwelling units when parked on private property in the City, as long as they are connected to water, sewer, and electricity utilities. Vice Chair Schwab seconded. Discussion followed clarifying the intent and refining it to yield an amended motion that was restated before a vote occurred. During this discussion, anecdotes were provided to demonstrate that illegal occupancy of RVs with inadequate utility service is already occurring in the City.

Chair Stanley proposed an official amendment to Commissioner Smith's original motion to incorporate a reference to the August 22, 2018 agenda packet as articulated by Vice Chair Schwab. Before a vote occurred, the Commission discussed the code enforcement practices of the City in response to violations of the Zoning Code.

After lengthy discussion involving all Commissioners, the Commission agreed upon the following final motion: **In light of the perceived housing emergency affecting the City of Port Angeles and the recently improved City staff capacity to pursue enforcement of occupancy violations, the Planning Commission motions for City Council and City Staff to proceed with review and consideration of the Temporary Dwelling Unit Ordinance as discussed at the August 22, 2018 Planning Commission meeting , then proceed with the necessary process to adopt a similar ordinance to allow for the use of recreational vehicles as temporary dwelling units on private property in the City, provided they are legally connected to water, sewer, and electrical utilities.** Chair Stanley called for a vote on the amended motion. Motion passed 5-2 with Commissioners Luxton and Young voting nay.

After the vote, the Commission returned to its discussion of the proposed changes to Title 17 through amendment of the PAMC.

Commissioner Young clarified that he is not seeking to reduce the level of staff work that occurs as part of the proposed process, but does want to shorten the public comment period in order to present the item to City Council sooner. He explained that shortening the timeline would not cost the City more money, but would require reprioritization of resources. Planner Braudrick responded by expressing the importance of the comment period, which could include the SEPA public comment period and the public comment period for the proposed ordinance running in conjunction.

Chair Stanley added that a proper process is a significant part of what provides legitimacy to final decisions made by elected officials. He asked Commissioner Luxton if he had interest in drafting a proposed process and timeline for Planning Commission review. **Commissioner Luxton** responded by stating that this meeting would be his last Planning Commission meeting, as he would be resigning from the Commission.

Commissioner Stanley asked whether, if fourplexes were enabled in the R7 zone immediately, if Commissioner Luxton, acting as a developer, would be ready to start on a development project. **Commissioner Luxton** responded that it would take years to develop, as there are other barriers in addition to zoning regulations, such as mortgage rates. Chair Stanley called for "radical" discussion of how the Commission can address the barriers to housing production. Further discussion of this issue and potential solutions ensued among the Commission. **Planner Braudrick** noted that the next regular Planning Commission meeting will be cancelled, so the discussion could continue at the next meeting date after that recess. In the interest of maintaining open communication between staff, the Commission, and City Council, staff will prepare a memorandum for the City Council, and noted that the Council has the ability to review Planning Commission meeting minutes.

Chair Stanley motioned to continue the discussion of the process for implementing the proposed changes to Title 17 of the Port Angeles Municipal Code at the next regular meeting, to encourage Planning Commissioners to research and bring ideas about potential housing solutions to the next meeting for Commission discussion, and for staff to proceed

with the recommended process as outlined in the staff presentation, including the preparation of a memorandum to City Council. Commissioner Young seconded. Brief discussion occurred before a vote. Motion passed 7-0.

STAFF UPDATES

Planner Braudrick provided updates to the Commission, as follows:

- The conversation that has occurred, incorporating every Commissioner's perspective on the housing issues facing the City, has been productive and appreciated by staff.
- A short course on local planning will likely be scheduled for the Commission in September.

Interim Director Gollub provided an update to the Commission, as follows:

- The City has one Code Enforcement officer and is currently training a second officer, who should be prepared to begin handling enforcement duties within approximately six weeks.

Planner Trevino provided an update to the Commission, as follows:

- The Temporary Building Permit Fee Waiver program documents, including application form, are available on the City's website for public use.
- A date needs to be determined for the annual training provided by the City's Legal Staff regarding the Public Records Act, open public meeting procedures, and ethics training for elected and appointed officials.

REPORTS OF COMMISSION MEMBERS

Commissioner Luxton reiterated his resignation mentioned earlier in the meeting, noting that he will continue to monitor events in the City. Other commissioners provided parting comments and thanked Commissioner Luxton for his service to the Commission.

ADJOURNMENT

Commissioner Young made a motion to adjourn the meeting. Commissioner Smith seconded the motion. The motion passed unanimously (7-0).

The meeting adjourned at 8:28 p.m.

Zach Trevino, Secretary

Ben Stanley, Chair