



**TO:** Planning Commission  
**FROM:** The Community and Economic Development Department  
**DATE:** Wednesday, February 8, 2023  
**RE:** Municipal Code Amendment Related to Infill Housing Development, Temporary Housing Uses, and General Code Clarifications and Housekeeping

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**STAFF REPORT**

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**I. BACKGROUND**

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In late 2018, the City developed and sent out a housing needs assessment survey to the greater Port Angeles community to assess community-wide opinions on current housing conditions, preferences, and priorities. The City received over 580 responses to the survey, which assisted in informing the Plan’s strategy for future implementation of the City’s first Housing Action Plan. This plan was adopted as a part of the Comprehensive Plan Amendment on June 17, 2019.

On February 21, 2020 the City of Port Angeles approved a grant contract from the Department of Commerce Growth Management Services. The grant was for selected actions to increase residential building capacity and was in response to the 2019 State Legislature efforts, specifically HB1923. In that bill and the grant application, Cities had to choose at least two actions from a list of 12. Some of the actions weren’t applicable to Port Angeles (high frequency transit stops), some were already approved in Port Angeles (duplex and ADU allowances). The City requested \$50,000 to: 1) Adopt an infill exemption for residential or mixed-use development, 2) Adopt a form-based code in one or more zoning districts that permit residential uses, and 3) Allow for the division and redivision of land into the maximum number of lots permitted by the State (which is nine, so a

change from 4 to 9 in the City). This code amendment was adopted by the City Council in December 2021.

Following the adoption of the new code, Planning Commission made a motion on July 27, 2022 to continue the discussion of changes to Title 17 – Zoning of the municipal code in order eliminate potential barriers to housing construction and continue providing diverse housing types in targeted zones. Staff began the discussion with a response to suggested edits at the August 10, 2022, Planning Commission meeting and outlined a pathway to amending the code that would include a public process and continue to meet the requirements of HB1923. A timeline and workplan was approved by the Commission with the adoption date being set before April 1, 2023. In order to provide guidance to the amendments, staff drafted a list of 6 criteria and prioritized changes using the criteria. That list is attached this report as Appendix G.

Staff provided public outreach for the draft code amendment in several different forms:

- Developing a dedicated webpage for the update
- Attending the Public events and locations as a listening post
- Providing a virtual survey
- Sharing outreach opportunities on Facebook
- Hosting a public workshop at the Port Angeles Library
- Presenting at various stakeholder organization meetings

Public Outreach was performed on the following dates:

- December 19th, 2022, the project was launched on the City's website and distributed to RSS feeds
- December 19th, 2022, Press release sent to Sound Publishing and KONP
- December 29, 2022, hosted a kiosk from 3 to 7 PM at Winter Ice Village
- January 4, 2023, City Manager West outlined the project on KONP
- January 7, 2023, Staff hosted a kiosk from, 10 AM to 2 PM at PA Farmers' Market
- January 11, 2023, Mayor Kate Dexter highlighted the project and public input opportunities on KONP Interview
- January 14, 2023, staff hosted a kiosk from 10 AM to 2 PM at PA Farmers' Market
- January 18, 2023, Reminder press release sent to Sound Publishing and KNOP. PASD school district informed of workshop
- January 18, 2023, Facebook post, 1,964 post reach, 570 engagements
- January 18, 2023, Staff hosted a kiosk from 11 AM to 2 PM at PA Food Bank
- January 21, 2023, Staff hosted a kiosk from 10 AM to 2 PM at PA Farmers' Market
- January 23, 2023, 3 to 7 PM Housing Workshop at PA Library, 82 in attendance
- January 26, 2023, Staff presented from, 8 to 10 AM at Port Angeles Association of Realtors monthly meeting, 60 in attendance

- January 31, 2023, Staff present from 7:30 to 8 AM at Port Angeles Business Association monthly meeting, 15 in attendance
- February 1, 2023, Staff discussed the Title 17 draft code, future potential code amendments, and procedural changes to housing construction with a representative of the Peninsula Housing Authority and leadership members of the North Peninsula Builders Association, 6 in attendance

Simultaneous to the Planning Commission's code amendment process, City Council requested that staff evaluate barriers and find a solution to religious organization's ability to provide temporary emergency shelter to unhoused Port Angeles residents. The request was taken to the Planning Commission for recommendation and the Planning Commission made a motion to take no action on the item with the exception of waiving any permitting fees associated with religious organizations providing temporary housing. The Commission then asked staff to include measures to provide temporary housing in the Title 17 municipal code update. Draft amendments to regulating temporary housing are included in this draft code amendment.

The proposed Title 17 code amendments have been discussed at the public meetings of the Port Angeles Planning Commission and City Council on the following dates:

- July 27, 2022 – Planning Commission
- August 10, 2022 – Planning Commission
- September 6, 2022 – City Council
- September 14, 2022 – Planning Commission
- September 20, 2022 – City Council
- September 28, 2022 – Planning Commission
- October 4, 2023 – City Council
- October 26, 2022 – Planning Commission
- December 14, 2022 – Planning Commission
- December 28, 2022 – Planning Commission
- January 11, 2023 – Planning Commission
- January 23, 2023 – Planning Commission hosted Workshop

Meeting minutes to each of these meetings can be found in Appendix F.

The code amendments reflect a quick, but robust public outreach process. The public comments process is explained in the Public Comment section of this report and referenced in the appendices. This staff report features discussion and response to public comment directed to specific major code amendments with support for a staff recommended option in the "Summary and Explanation of Port Angeles Municipal Code Changes".

## II. PROPOSAL

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The Planning Commission has requested that staff provide code amendments to the City's zoning code (Title 17) in order to address housing attainability and assisting in providing an easier means for property owners and housing developers to construct housing within the City. Staff has approached this proposal by amending the code in the following six distinct ways:

**1. Code as a Barrier to Affordable Housing Development**

A major focus of this code revision exercise is to identify where the City's zoning and building code continues to act as a barrier to the development of affordable and attainable housing. Changes identified under this criterion have been identified as barriers. The goal is to remove these barriers from code while ensuring consistency in regulations remains across individual Titles and Sections.

**2. Increasing Flexibility in Zoning Code Provisions**

Since 2017 the City of Port Angeles has continued to provide more flexibility in residential uses allowed in residentially focused zones and commercially mixed-use focused zones. This flexibility includes the use itself (whether now allowed outright or by condition) and how the use performs on the site through design standards and dimensional standards such as setback, height, and bulk (how development interacts with adjacent property and the street). Examples of this include allowing duplexes by right and accessory dwelling units as an accessory use in every residentially focused zone and reducing lot size requirements in certain zones.

**3. Increasing Housing Density Availability**

Housing density has historically been the most significant control segregating districts of residential development. Increasing housing density allows for more affordable and equitable housing availability across the community. Zoning is a tool to ensure incompatible uses do not create undue nuisance, burdens, or health impacts to surrounding property owners. Best available science and practice has recently shown that this frame of thought has created a pattern of development across the United States inhibiting affordable residential development, especially "missing-middle" housing that has the ability to easily integrate into historically low-density residential development. The BRC is especially framed to provide a means to develop missing middle housing and integrate housing density as infill development into existing low density residential zones.

**4. Reducing the Potential Cost of Development**

Development cost includes more than the cost of labor and materials. Cost can also be attributed to the amount of time the development process takes to navigate from property acquisition to an occupiable structure; the required infrastructural improvements required to ensure adequate services and safe occupancy; and restrictive design standards imposed by municipal codes. Municipal codes should not impose a barrier that drives housing costs up in order to cover the cost of development. Streamlining permitting, imposing infrastructural alternatives, and strategically relaxing some design standards are all some ways that municipal codes can assist in reducing housing costs.

**5. Ensuring Housing Equity and Availability**

According to the Universal Declaration of Human Rights, housing is a human right. In order to appropriately ensure housing for all members of the community, municipal code should adequately address the needs of everyone. Best available science and practice has recognized the faults in requiring strict segregation of certain housing types that can otherwise be reasonably located adjacent to each other. All community members deserve to have access to housing that meets their specific needs at any and all stages in their life. A successfully employed municipal code should act as the framework providing diverse housing construction to support and encourage the realization of this right for everyone.

#### **6. Enabling Local Property Development Through Self Reliance**

By amending Title 17 PAMC to be more easily read and interpreted, local property owners will more readily understand development requirements and make informed choices to maximize the use of their property.

A full list of prioritized proposed changes can be found as Appendix F to this report. The full draft code amendment can be found as Appendix A.

### **IV. PROCEDURE**

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Notice of the application was provided on the following dates and in the following manner:

1. 12/26/2022 Press Release and Newsflash on the City's Website
2. 01/21/2023 60-day Notice to WA Department of Commerce
3. 2/01/2023 Combined SEPA Notice: PDN, City Hall, Library, and SEPA Register

The Planning Commission will conduct a review of the application, public comment including testimony during the open record public hearing February 8, 2023, and this staff report and continue the public hearing to February 22, 2023, in order for staff to make any adjustments based upon public input and Planning Commission consensus. The City Council have a special information-only meeting including a presentation on the project by the project team on February 21, 2023. On February 22, 2023, the Planning Commission will make a recommendation to the City Council. On March 7, 2023, City Council will conduct the first reading of the proposed ordinance that reflects the Planning Commission recommendation from February 22, 2023. An appeal must be submitted within 60 days of the notice of final decision.

### **V. COMMENTS**

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#### **Public Comment:**

The public comment period for the SEPA Checklist is 14 days in duration and closes on February 15, 2023. In addition to the SEPA comment period, public input and comments were received from several listening posts at the Port Angeles Farmers Market and Food Bank in December and January of 2022-23, a Planning Commission January work session attended by 82 members of the community, and a follow-up digital community survey in which there were over 350 unique responses (Appendix B).

The proposed amendments were presented to two community organizations at their respective regular meetings, including 60 members in attendance of the Port Angeles Association of Realtors (January 26), 15 members of the Port Angeles Business Association (January 31). Meetings to discuss the code amendments were also held with the leadership of the North Olympic Builders Association and an employee of the Peninsula Housing Authority (February 1). Workshop Synopses and the online survey are attached as Appendix B.

Appendix C enumerates the body of public comment received during the public comment period and hearing with both written and verbal testimony. The document includes staff responses to each comment. Appendix D contains all written comment as provided to staff.

**City of Port Angeles Departmental Comments:**

Comments received from City of Port Angeles Departments have been incorporated into this report’s findings and conditions.

**VI. FINDINGS OF FACT & STAFF ANALYSIS**

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Analysis and findings of fact from Department of Community and Economic Development (DCED) staff are based on the application materials, Port Angeles Municipal Code (PAMC), standards, plans, public comment, and other relevant materials available during the review period. The findings and analysis section this report is a summary of the completed review by DCED staff.

City of Port Angeles Comprehensive Plan

All Municipal Code Amendment applications must be consistent with the Port Angeles Comprehensive Plan. The following Port Angeles Comprehensive Plan policies are identified by Planning Staff to support the proposal in Municipal Code Amendment Application No. 23-01:

Growth Management Element		
Goal: G-2A	To manage growth in a responsible manner that is beneficial to the community as a whole, is sensitive to the rights and needs of individuals, and is consistent with the State of Washington's Growth Management Act.	
	Policy: P-2A.01	In all its actions and to the extent consistent with the provisions of this comprehensive plan, the City should strive to implement the following goals of the State Growth Management Act:  A. Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.  B. Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

		<p>C. Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.</p> <p>D. Housing. Encourage the availability of affordable housing to all economic segments of the population. Promote a variety of residential densities and housing types and sizes and encourage preservation and expansion of existing housing stock.</p> <p>L. Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination</p> <p>M. Public facilities and services. Ensure that those public facilities and services necessary to support development should be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards</p>
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*Staff Analysis: The proposed municipal code changes continues to provide a strategic public process that amends the City’s residential and commercial zoning code in order to increase residential building capacity, reduce sprawl and the burden on public utilities, increase walkability in residential neighborhoods, and improve the subdivision process by allowing the subdivision of R7 lots into street/alley frontages. Parking and minor design requirements have been developed to ensure any new development in these zones maintains human scale and infill residential development is appropriate in scale and harmonious with surrounding existing housing and neighborhoods.*

*The project has involved public outreach in the form of stakeholder meetings, workshops and updates with the City Council and Planning Commission, a fourteen-day formal written public comment period, and a public hearing planned with the Planning Commission. The proposal to the PAMC is consistent with the goals and policies of the Growth Management Element by ensuring new development and redevelopment will be orderly, supported by city utilities, and will provide all the benefits a reduction of sprawl provides the community.*

Land Use Element		
Goal: G-3A	To guide land development in a manner that balances providing certainty about future land use and allowing flexibility necessary to adapt to future challenges and opportunities.	
	Policy: P-3A.01	Use the Comprehensive Plan Land Use Map as a conceptual guide when making all zoning and other land use decisions, including all land use decisions and approvals made by City Council and/or any of its appointed Commissions, Boards, or Committees.

Goal: G-3B	To ensure residential land use and development is compatible with the environment with existing uses and residents, and with desired urban design.	
	P-3B.02	Ensure that single family lots are of reasonable shape and have access provided by a collector arterial, local access street or alley.
Goal: G-3C	To create and maintain a fulfilling and enjoyable community of viable districts and neighborhoods with a variety of residential types attractive to people of all ages, characteristics and interests.	
	Policy: P-3C.01	Employ the district and neighborhood concept when developing residential land. Although such districts may be composed primarily of residential uses of a uniform density, the most healthy, viable districts are composed of residential uses of varying densities, and may be augmented, by other compatible uses. Single family and multi-family homes, parks and open-spaces, schools, churches, day care and residential services, home occupations, and district shopping areas are all legitimate components of residential districts
	P-3C.05	Expand housing opportunities in the Central Business District for all income levels, with an emphasis moderately priced owner-occupied units.
Goal: G-3E	To provide shopping areas meeting the needs of all City residents and visitors that are safe, compatible with surrounding land uses, and congruent with environmental goals.	
	Policy: P-3E.01	Mitigate the impacts of commercial development on adjacent residential properties, including the use of site design elements that soften the impacts.
G-3F	To provide a pleasant, safe, and attractive shopping environment in the traditional downtown waterfront area including a wide variety of shopping, dining, entertainment, arts, culture, and housing opportunities for visitors and residents alike.	
	Policy P-3F.02	Orient the design of commercial development in downtown around pedestrian travel, tourist enjoyment, and protection from adverse weather conditions
	P-3F.04	Encourage residential units in the downtown area as part of a mixed-use development concept, including live/workspaces. Ensure that the downtown physical environment is amenable to residential development by minimizing traffic impacts, maintaining security, and providing and maintaining amenities

*Staff Analysis: The proposed municipal code changes are directly influenced by many of the residential and commercial goals and policies of the Land Use Element by providing a greater amount of flexibility in residential lot sizes, density, and allowed uses. This has been balanced by*



*minor design standards that ensure compatibility with surrounding existing uses and maintaining the City’s neighborhood-based built environment. The changes provide a framework that intends to assist in the transition of Port Angeles into a future that resembles the vision proposed in the Comprehensive Plan. Development standards safeguard development compatibility with the purpose of each zone and creates an opportunity for increased variety and diversity of the City’s housing stock. The proposed changes to the PAMC are foundationally based upon a consistency with the goals and policies of the Land Use Element and the Vision of the Comprehensive Plan.*

Transportation Element		
Goal: G-4A	To develop a coordinated, multimodal transportation system, which serves all areas of the city and all types of users in a safe, economical, and efficient manner.	
	Policy: P-4A.01	The safety of non-motorized modes of transportation shall be a primary consideration in the circulation system.
	P-4A.04	Encourage development of low-carbon-impact transportation infrastructure
	P-4A.05	Consider converting alleyways into attractive pedestrian zones for access to local businesses. Encourage alleyways for use as pedestrian zones.
	P-4A.06	Improve trails, sidewalks, streets, and public facilities to encourage walkability and non-motorized transportation.
Goal: G-4B	To improve circulation patterns across and within the community, and to achieve the desired urban design of the City.	
	Policy: P-4B.04	Strengthen the city’s development regulations as necessary to preserve the right-of-way within an identified US 101 corridor
	P-4B09	Ensure off-street parking should be sufficient and accessible within business and residential areas so the traffic flow of the street is not impaired.
	P-4B.14	Consider potential environmental consequences, such as greenhouse gas emissions and carbon footprints, when encouraging new commercial developments and businesses.

*Staff Analysis: The proposed municipal code changes are focused on community development practices that respond to the need for a more pedestrian-focused environment. The Transportation Element of the Comprehensive Plan is focused on providing equal and/or equitable access to non-motorized transportation modes. Successful place-making efforts are realized through pedestrian-orientation. Allowing a greater mix of housing types in strategic zones where infill development is compatible supports multimodal transportation options. This proposal supports the vision identified in the Comprehensive Plan that transportation occurs harmoniously for all modes. The Plan envisions success as a return to convenient access to goods and services by means of alternative transportation modes. The proposed changes to the PAMC are consistent with the goals*

*and policies of the Transportation Element and the Vision of the Comprehensive Plan.*

Utilities and Public Services Element		
Goal: G-5C	To provide safe, clean, usable, and attractive public facilities which enhance the cultural, educational, economic, recreational, and environmental attributes of the City.	
	P-4C.05	Work in partnership with the community as stewards of the area’s unique environment and quality of life.
Goal: G-5D	To provide utility services in an efficient and cost-effective manner.	
	Policy: P-5D.01	Design urban services for the maximum planned density and/or land use intensity of a given area as designated on the Comprehensive Plan Land Use Map.
	P-5D.02	Provide urban services only in areas that are logical extensions of areas, which are currently served by such services or needed to implement a specific goal or policy of the Comprehensive Plan.
	P-5D.04	Promote the joint use of transportation rights-of-way and utility corridors for all forms of transportation, including non-motorized.

*Staff Analysis: The proposed municipal code update is being proposed in order to maximize the land use capability of the City’s utilities and public services. Increasing the residential density in strategic areas in the City targets where appropriate development should be placed, and where capacity needs to be increased. This code update is not identifying these strategic areas outside of the location of the zone. The capacity will be addressed through site-by-site review and modeling. More predictable modeling and capacity building prioritization will occur through the 2025 Comprehensive Plan Periodic Update. The proposed changes to the PAMC are a first step in maximizing land use capability are consistent with the goals and policies of the Utility and Public Services Element.*

Housing Element		
Goal: G-6A	To improve the variety, quality, availability, and attainability of housing opportunities in the City of Port Angeles.	
	Policy: P-6A.01	Expand the residential land use options in the Zoning Code by classifying residential zones by allowed density rather than by housing types.
	Policy: P-6A.04	Plan for sufficient urban services to support future housing in a variety of allowable densities.
	P-6A.05	Allow accessory residential units in single family residential zones.
	P-6A.06	Promote acceptance of low- and moderate-income housing.
	P-6A.11	Provide an appropriate balance between attainable market-rate housing and affordable housing and ensure that affordable housing is provided in a way that contributes to the physical appearance and economic and social

		health of the neighborhoods and the City.
	P-6A.14	Allow for mixed-use opportunities in neighborhoods, including commercial development and mix of housing densities.
	P-6A.16	Promote and increase the number of downtown residential living units.
	P-6A.17	Develop strategies to combat homelessness and housing insecurity amongst residents.
	P-6A.18	Develop and implement tools to support a range of housing types including affordable housing options.
Goal: G-6B	To participate with Clallam County and other entities in programs to increase the availability and affordability of public assisted housing and rental units as well as other affordable housing opportunities.	
	Policy: P-6B.05	Provide adequate low- and moderate-income housing opportunities within the Port Angeles Planning Area.
Goal: G-6C	To use the 2019 Housing Action Plan as a guide and implementation tool for future City actions in support of providing available State supported financing options, municipal code revisions that promote innovative housing products and designs, incentive zoning, and renovation/rehabilitation of existing of the City’s housing stock.	
	Policy: P-6C.05	Encourage innovative housing development based on Port Angeles’ forecasted demographic changes.

*Staff Analysis: The proposed municipal code update is amending regulations that are directly related to improving the variety, quality, availability, and attainability of housing opportunities in the City’s residential and commercial zones. These changes are in direct response to tasks outlined in the 2019 Housing Needs Assessment. This Plan informed Goal G-6C of the Port Angeles Comprehensive Plan. More residential options are being provided to the lower intensity commercial zones, and a greater opportunity for infill density is being provided throughout the commercial and medium-high density residential zones by allowing the conversion of commercial space to residential with design considerations. The proposed code is specifically targeting missing middle housing, such as townhomes and cottage housing, in appropriate residential and commercial zones that will help to provide more balanced and diverse housing throughout the City. There are also considerations for temporary emergency housing and more affordable transitional housing. The proposed changes to the PAMC encouraging diverse housing development are consistent with the goals and policies of the Housing Element.*

Conservation Element		
Goal: G-7A	To promote sustainable development and land use that is compatible with the overall natural environment, historical, archaeological, and cultural amenities.	
	Policy: P-7A.01	Require all development, including the location and design of all structures and open space areas, to be compatible with the unique physical features

		and natural amenities of the land and complement the environment in which it is placed, while recognizing the rights of private ownership.
	P-7A.02	Promote compatibility between the land and its use by regulating the intensity of the land use.
	P-7A.03	Adopt development criteria, which promote the use of innovative design techniques to provide for the use of the land in a manner compatible with any unique physical features or valuable natural, historical, and/or cultural amenities.
	P-7A.11	Implement site-specific requirements for individual development proposals to mitigate any negative impacts created by the development, particularly to an area identified as an environmentally sensitive area.
Goal: G-7B		To protect and enhance the area's unique physical features, its natural, historical, archaeological, and cultural amenities, and the overall environment.
	Policy: P-7B.15	Publicly recognize the many values provided by trees in an urban setting and identify opportunities to plant trees.
	P-7B.16	Establish and implement an urban tree management program intended to retain and/or restore the overall tree canopy in the city by using plant materials as a unifying element and tool to protect the health, safety and welfare of the public, using the environmental services provided by trees to mitigate the negative effects of impervious surfaces and vehicular traffic such as increased temperatures, airborne particulates, carbon dioxide, noise, and stormwater runoff.
	P-7B.17	Plant trees along residential streets, in parking lots, and in other areas as opportunities arise. Trees should be retained whenever possible and maintained using Best Management Practices as appropriate for each tree type.

*Staff Analysis: The proposed municipal code update includes provisions that will guarantee a continued connection between residents and open spaces. The code provides a means to consolidate available intensity and density into a 7,000 sf lot and balances this intensity with requirements such as increasing the City’s urban forest canopy and a menu of available options for open space within the development. Development standards and criteria have been incorporated into the City’s residential zones in order to mitigate the negative effects auto-centric design can have on overall community health and wellbeing. The Comprehensive Plan’s Vision celebrates the unique natural setting of Port Angeles– it’s access to outdoor spaces connected by non-motorized transportation networks. The proposed PAMC code changes maintain a consistency with the goals and policies of the Conservation Element through protection of open space and encouraging the improvement of our transportation corridors.*

Capital Facilities Element		
Goal: G-8A	To provide and maintain safe and financially feasible urban services and capital facilities at or above stated levels of service to all City residents and the general public.	
	Policy: P-8A.04	At a minimum, ensure the continuation of established level of service standards for all urban utilities and services to the extent and in the manner provided herein.
Goal: G-8D	To reduce the amount of impervious surface created by new developments and thereby reduce stormwater management costs and environmental impacts to the City and its natural resources, reduce development costs to private property owners, and provide safe and more attractive streets through traffic calming, safe pedestrian amenities, and improved street edge landscaping.	
	Policy: P-8D.01	Revise existing urban development standards in low density residential areas to include low impact development standards for street, pedestrian and nonmotorized access, sewer, and fire suppression to more nearly reflect the needs of suburban densities and conditions in outlying undeveloped areas of the City and PAUGA.

*Staff Analysis: The proposed municipal code update provides density that will lessen overall systematic costs to City utilities and services by encouraging this density within previously existing neighborhoods. These allowances also improve level of service and the capacity for continued maintenance throughout the life of the facility. A balance of density and provision of urban services such as improved streetscapes will reduce the overall lifetime impact of traffic congestion, wear and tear, and unnecessary upgrades to the City’s capital facilities. The proposed PAMC changes promoting increased residential density and encouraging the improvement of our transportation corridors are consistent with the goals and policies of the Capital Facilities Element.*

Economic Development Element		
Goal: G-9A	To create and maintain a balanced and stable local economy with full employment and emphasis on strengthening the community's traditional natural resource related industries as well as diversifying the overall economic base.	
	Policy: P-9A.01	To create and maintain a balanced and stable local economy with full employment and emphasis on strengthening the community's traditional natural resource related industries as well as diversifying the overall economic base.
	Policy: P-9A.03	Promote the diversification of the community's economic base by encouraging the location, retention, and expansion of local small and medium sized businesses.
	P-9A.04	Promote the “traditional downtown feeling” of retail, dining, arts, culture, and entertainment-oriented activities that are attractive to both tourists and local residents

	Policy: P-9A.17	Attract and retain businesses and industries which create family wage jobs for local residents.
	P-9A.22	Encourage the design of public spaces that encourage people to interact.
Goal: G-9B	To have a healthy local economy that co-exists with the community's high quality of life through the protection, enhancement, and use of the community's natural, historical, and cultural amenities.	
	Policy: P-9B.05	Encourage the availability of housing that meets the needs of the entire spectrum of the community's residents.

*Staff Analysis: The proposed changes to the municipal code promote a critical mass of residents in the downtown Central Business District zone and in the City's most heavily developed commercial corridors. This change encourages commerce and the local exchange of goods and services in these areas with residential uses located in the immediate vicinity of those commercial uses. Residential density supports the need for well-designed public spaces and a diversity of available commercial space that is pedestrian-oriented. Proposed downtown frontage and design standards will ensure that development and redevelopment of property in that zone will remain traditional in nature and attractive to residents and tourists. Traditional in this case means that the design ensures human scale is evident and monotony in the building façade will be broken up with articulated design elements.*

*The amendments encourage development of mixed-use multistory structures, which increases the availability of housing that is essential to the promotion of locating new businesses and industries. The amendments assist in expansion of existing businesses and industries within the City and greater North Olympic Peninsula region through diverse residential construction and is consistent with the goals and policies of the Economic Development Element.*

Parks and Recreation Element		
Goal: G-10C	To establish and protect a visual character of the community through open spaces, streetscapes, borrowed landscapes, and publicly owned natural resource areas.	
	Policy: P-10C.01	Strive to protect and retain the natural beauty of the area.
	Policy: P-10C.02	Supplement and enhance the visual attractiveness of the city through the use of formal landscaping in street medians, city entryways, and along sidewalks, as well as the use of other public spaces, flower beds, and street trees. Emphasize use of planter strips with drought tolerant vegetation and bio-retention facilities.
Goal: G-10D	To promote economic growth through recreational tourism and attract visitors and new business by enhancing the image of the community through beautification and recreation programs.	
	Policy: P-10D.01	To encourage efficient transportation systems, support the use of shuttle services during events to move participants between venues.

*Staff Analysis: The proposed changes to the municipal code acknowledge the positive changes occurring in Port Angeles as the community continues to grow in population and popularity. The codes have been drafted in part to protect the visual character of the community’s open spaces and streetscapes. Frontage and design standards ensure that capital investments in open space and multimodal transportation corridors by the community will be supported by future private developments. Attractive public space encourages adjacent development and beautification. Through the direction of the Parks and Recreation Element this proposed PAMC update directs the contribution of private development to high quality of life that will support the Plan’s Vision to enliven the human spirit and serve multiple community needs.*

Chapter 11: Implementation		
A-6.01	Identify appropriate areas of the city for higher-density housing, converting low-density residential areas into medium and high-density designations.	Medium (2-4 yr.)
A-6.06	Assist in the development of accessory residential units by allowing the R-7 zone to increase the size of ADU’s attached to primary dwelling units.	Short-Medium (0-4 yr.)
A-6.07	Encourage mixed use development and affordable housing units by: Encourage mixed use development and affordable housing units by: <ul style="list-style-type: none"> <li>• Allowing Multi-family zones to create mixed housing type developments with internal drives (via circulation plan) as an alternative to public rights-of-way.</li> <li>• Allow ground floor residential and convertible space in CA, CN and CSD zones.</li> <li>• Identify Commercially-zoned properties that have multi-family capabilities on site.</li> <li>• Amend zoning code to adjust setbacks, maximum site coverage allowances, and other restrictions that prevent the use of to expand the definition of allowable innovative, functional, and cost effective housing products.</li> <li>• Amend zoning code to eliminate larger lot size requirement for duplexes and assess the value of incentive zoning allowance beyond existing overlay zones</li> </ul>	Short (0-2 yr.)
A-9.11	Infill development in downtown	Long (4+ yr.)

*Staff Analysis: The implementation chapter of the Comprehensive Plan was created as a part of the 2016 update of the Plan to ensure that guidance provided in its goals and policies are acted upon strategically through measured responses. Each action is given a timeline, identifies potential partnerships, and the metric of successful completion. This effort is successfully fulfilling the intent or furthering the efforts of four distinct actions proposed actions in the Plan. All four of these actions were proposed to have been completed before or by 2023, and all were also successfully pursued in the 2021 municipal code update.*



*The update to Title 17 is directly fulfilling the actions presented in the Comprehensive Plan, which are in turn based upon the vision, goals, and policies in the Comprehensive Plan. By directing standards in the code to allow for increased residential capacity, greater development intensity in targeted areas and ensuring the design of new and redevelopment remains compatible with existing and future development, this municipal code update is fulfilling the Comprehensive Plan's vision through a tangible, actionable response.*

## **Summary and Explanation of Port Angeles Municipal Code Changes to Title 17**

### **Title 17: Zoning**

#### **Chapter 17.01 Purpose and Scope**

Change have been made to this section in order to remove any duplicative purpose statements in the newly created Chapter 17.20 that consolidates the City's commercially designated zones. Added a land acknowledgement for tribal peoples of the peninsula.

#### **Chapter 17.08 Definitions**

Changes to definitions in Title 17 have been made for the following reasons:

- The current definition does not align with the state law, standard, or requirement;
- Several definitions have been combined in order to reduce duplicative entries and provide a single consistent definition;
- The definition is related to a use in a zone that has not been adequately defined;
- The definition has been simplified;

#### **Chapter 17.10 R7, Residential Mixed Density**

Changes have been made to address the new purpose of the zone as allowing mixed densities of housing that allows up to four units on a 7,000 sf lot, or one unit per 1,750 sf. Other dimensional chart changes include the acknowledgement of alley-oriented lots and removal of height subordination for accessory structures in the primary setback and requirement of accessory structures to be a maximum of two stories. Multifamily design standards have also been added to the design standard section.

#### **Chapter 17.11 R9, Low Density**

Changes include the acknowledgement of alley-oriented lots and removal of height subordination for accessory structures in the primary setback and requirement of accessory structures to be a maximum of two stories.

#### **Chapter 17.12 R11, Low Density**

Changes include the acknowledgement of alley-oriented lots and removal of height subordination for accessory structures in the primary setback and requirement of accessory structures to be a maximum of two stories.



#### Chapter 17.13 RTP, Residential Trailer Park Overlay Zone

Major changes to this zone have been made in order to accomplish three separate objectives:

- Define and provide a codified procedural pathway of this zone as an overlay zone, not a zone that can be rezoned to.
- Clean up the language of the overlay zones area and dimensional requirements and reduce setback requirements to meet the R7 zone.
- Reduce the minimum area requirement from 4 acres to 1.5 acres, which equates to half a block in the original townsite of Port Angeles.

#### Chapter 17.15 RHD-Residential High Density

A Scribner's error which omitted the zone area and dimensional requirements of the zone during the 2021 Building Residential Capacity code amendment has been placed back into the code as it was presented in draft form at that time.

#### Chapter 17.17 Home Occupations

The Home Occupations chapter has removed the abbreviation HO and also removed the need for initial period of operation and an administrative extension by the Director of the Community and Economic Development because there is code allowing the revocation of the permit. The appeal body was updated from a Scribner's error from City Council to the City's Hearings Examiner. The section referencing to existing home occupations was removed as a holdover to the original chapter creation that no longer relevant.

#### Chapter 17.18 Bed and Breakfasts

Reduction of the minimum lot area to operate 1-4 bedrooms to let bed and breakfast from 7,000 to 5,000 to reflect the recent minimum lot size change in the R7 zone

#### Chapter 17.20 Commercial Zones

Addition of "Ground Floor Residential" to the CBD zone as a Permitted use when block frontage standards are met and the space has remained without a commercial tenet for a time period exceeding 1 year. Additionally, provisions for "Commercial Caretaker Units" and other accessory uses were added to this section.

#### Chapter 17.21 Residential Infill Standards

ADU standards were updated to allow for them to be accessory to duplexes, have a higher maximum size, and no longer be limited to one bedroom. Additional language was added to include a park model alternative and define and regulate "Commercial Caretaker Units"

#### Chapter 17.22 Commercial and Multifamily Design Standards

Code was changed to require ground floor residential within the CBD to , but staff recommends a future full review of block frontage and development standards to ensure codes align with existing, local "high quality" commercial and multifamily developments.

Chapter 17.23 CA, Commercial Arterial

This chapter was integrated into Chapter 17.20 but mistakenly was not removed from the code in 2021 municipal code amendment.

Chapter 17.40 PBP, Public Buildings – Parks

A change has been made in the permitted uses to reflect proposed changes to the allowed uses of the R7 zone.

Chapter 17.42 FL Forest Lands

This chapter has been removed due to its conflict with the growth management act. The chapter is redundant due to the protection of critical areas is now being regulated by Title 15 – Environment.

Chapter 17.96 Administration and Enforcement

Changes to this section are related to provisions to temporary use permits that include performance standards for the siting of Mobile Homes (including Recreational Vehicles) and Temporary Emergency Housing Structures to ensure those temporary uses protect the public health, safety and welfare of the community and minimize the impacts to surrounding residents and businesses.

**Environmental Review**

This project was reviewed under the Washington State SEPA threshold determination rules requirements and procedures. A Determination of Non-significance (DNS) was adopted on February 1, 2023 for this action. In accordance with WAC 197-11-340 a 14-day appeal period will begin on the date of the determination and ends on February 15, 2023. The SEPA checklist and environmental documents are on file at the City of Port Angeles Department of Community and Economic Development Planning Division and are available upon request.

**Consistency**

In preparation and submission of a Municipal Code Amendment, City Staff has demonstrated that all standards will be met in accordance with the City’s Comprehensive Plan and the Port Angeles Municipal Code.

**VII. RECOMMENDATION**

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It is the recommendation of Department of Community and Economic Development Staff that the Planning Commission concur with staff’s recommendation to the City Council to approve Municipal Code Amendment No. 23-01. This recommendation is based on the staff report, 2019 Comprehensive Plan, 2019 Housing Needs Assessment, and submitted comments.

The recommended specific motions are:

1. Continue the public hearing to February 22, 2023 and direct staff to produce a new

- code draft reflecting the Planning Commission’s requested changes.
2. Final: General motion to approve Municipal Code Amendment No. 23-01 and recommend the draft to Council with the list of future changes and recommendations identified in Appendix E.

## VIII. APPENDICES

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[Appendix A: Title 17 Draft Municipal Code Amendments](#)

[Appendix B: Workshop Summary and Survey Results](#)

[Appendix C: Public Comment Matrix by Code Reference](#)

[Appendix D: Individual Public Comments by Date Received](#)

[Appendix E: Staff Recommendations for Future Code Amendment Items](#)

[Appendix F: Planning Commission and City Council Meeting Minutes](#)

[Appendix G: Evaluation Criteria and Priority Changes Memo](#)