



AGENDA

PLANNING COMMISSION

Hybrid Meeting* – In-Person and Virtual

City Council Chambers: 321 East 5th Street, Port Angeles, WA 98362

Attend Virtual Meeting Here: <https://www.cityofpa.us/984/Live-Virtual-Meetings>

August 9, 2023

6:00 p.m.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC COMMENT**
- IV. APPROVAL OF MINUTES**
Minutes of the July 26, 2023 Regular Meeting
- V. PUBLIC HEARING**
 - 1. Title 17 Municipal Code Amendment**
Public hearing for Municipal Code Amendments 23-41 proposing Title 17 amendments to ensure compliance with House Bill 1337 concerning accessory dwelling unit standards and utility feasibility review.
- VI. ACTION ITEM**
 - 1. Port Angeles Comprehensive Plan Periodic Update – Subcommittee Creation**
Continued discussion of the selection of a subcommittee that will participate in the stakeholder advisory group during the 2025 Periodic Update process for the Port Angeles Comprehensive Plan.
- VII. STAFF UPDATES**
- VIII. REPORTS OF COMMISSION MEMBERS**
- IX. ADJOURNMENT**

*This meeting will be conducted as a hybrid meeting. In hybrid meetings, members of the public and Commissioners have the option to attend the meeting in person in City Council chambers at City Hall or remotely through the Webex virtual meeting platform. For those planning to attend remotely, learn how to watch the meeting live and participate during the public comment period by visiting: <https://www.cityofpa.us/Live-Virtual-Meetings>.

MINUTES

PLANNING COMMISSION

Hybrid Meeting – In Person and Virtual

City Council Chambers: 321 E 5th Street, Port Angeles, Washington 98362

July 26, 2023 at 6:00 P.M.

REGULAR MEETING

CALL TO ORDER

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

ROLL CALL

Commissioners Present: Benjamin Stanley (*Chair*)
Andrew Schwab (*Vice Chair*)
Richie Ahuja
Tammy Dziadek
Marolee Smith
James Taylor
Colin Young

Commissioners Absent: None

City Staff Present: Ben Braudrick (*Senior Planner*)
Zach Trevino (*Assistant Planner*)
Shannen Cartmel (*Community Services Deputy Director*)

Public Present: David Ventura, Meghan Ventura

PUBLIC COMMENT

Chair Stanley opened the meeting to general public comment.

No member of the public provided any comment.

Chair Stanley closed the meeting to public comment.

APPROVAL OF MINUTES

Vice Chair Schwab moved to approve the minutes from the May 24, 2023 regular meeting of the Planning Commission. The motion was seconded and passed unanimously (6-0) through a consent vote. Commissioner Smith had not arrived at the meeting at the time of this vote.

ACTION ITEMS

1. Façade and Sign Grant Application No. 23-02

Planner Trevino introduced the Façade and Sign Grant Application received from Phoenix Dragon Martial Arts requesting funding for improvements of the building located at 1025 E 1st

Street in the City of Port Angeles. He displayed a presentation detailing the request, comparing existing conditions with the proposed improvements, and conveying staff's recommendation that the Planning Commission approve the request. Following staff's overview of the request, Applicants David and Meghan Ventura provided an explanation of their request. The Commission discussed the proposal and asked clarifying questions of the applicants and staff regarding the proposed work and the requirements of the grant program. Staff confirmed that the applicant has applied for a building permit for the proposed work.

Motion: Commissioner Ahuja moved to approve Façade and Sign Grant Application No. 23-02 for Phoenix Dragon Martial Arts at 1025 E 1st Street.

The motion was seconded by Commissioner Smith and passed unanimously (7-0) through a roll call vote.

2. Port Angeles Comprehensive Plan Periodic Update – Subcommittee Creation

Planner Braudrick provided an overview of the anticipated 2025 Comprehensive Plan Periodic Update process and the purpose of the stakeholder advisory group that the City is working to assemble. Staff clarified that this periodic update is distinct from an annual amendment, such as the amendment recently completed in June of 2023. Following the introduction of the process of subcommittee creation, questions from the Planning Commission were directed to staff and discussion ensued, with the following main points raised:

- The next steps in the planning process include obtaining grant funding from the Department of Commerce and signing a contract with a consultant.
- Staff clarified that the subcommittee would be limited to three members.
- In response to questions about the process timeline and meeting scheduled, staff explained that the subcommittee would likely participate in approximately four primary meetings spaced at regular intervals, with other meetings scheduled as needed. An open house occurring in the City will be part of the engagement process. Consensus from the stakeholder group will be needed to establish meeting times that work for participants.
- The number of members permitted to participate in the subcommittee was discussed. Staff clarified that the intent is to ensure that the subcommittee is not subject to the Open Public Meetings Act and emphasized that the entire Commission will be involved in the update process even if only three will serve on the subcommittee.
- The Planning Commission Bylaws were consulted to determine the proper method of creating a subcommittee and its composition.

Motion: Chair Stanley moved to create a subcommittee of the Planning Commission to solicit stakeholder input in the 2025 Comprehensive Plan Periodic Update process.

The motion was seconded Commissioner Young and passed unanimously (7-0) through a consent vote.

Following the creation of the subcommittee, further discussion ensued about the composition of the subcommittee.

Chair Stanley encourage other members to take leadership roles in the subcommittee.

Vice Chair Schwab explained that Article III, Section 5 of the Bylaws requires the Chair to

appoint all subcommittee members and serve as an ex-officio member without the power to vote.

The Commission decided to defer appointment of subcommittee members to a future meeting of the Planning Commission to allow the Commissioners to further consider the bylaws and the optimal membership of the subcommittee.

STAFF UPDATES

City staff provided the following updates to the Commission:

- **Planner Braudrick** announced that the 2023 Amended Comprehensive Plan was approved by City Council.
- **Planner Braudrick** informed the Commission of Council's request for staff to draft code incorporating accessory dwelling unit requirements of Engrossed House Bill 1337. A public hearing will occur in front of the Commission on August 9, 2023. The draft code will be released for public consideration on August 4, 2023. The Department of Commerce has been notified and public notice of the hearing has been distributed.
- **Deputy Director Cartmel** announced that the City is in the process of hiring a Housing Administrator.

REPORTS OF COMMISSION MEMBERS

- **Commissioner Young** asked staff to provide an update regarding the short-term rental moratorium. Staff explained that a consultant has been secured and the analysis process is scheduled to conclude in February of 2024.
- **Commissioner Smith** asked about business license requirements. Staff confirmed that business licenses will be considered as part of the process to address short-term rentals.
- **Commissioner Dziadek** asked Vice Chair Schwab what steps he has taken to master parliamentary procedure. **Vice Chair Schwab** recommended Jurassic Parliament and recommended obtaining a copy of Robert's Rules. Staff confirmed that the City can provide educational resources to the Commissioners.
- **Commissioner Dziadek** recommended writing by Donella Meadows to the other Commissioners. The essay called "Dancing with Systems" was distributed to the Commission on July 21, 2023.
- **Chair Stanley** recommended Jane Jacobs' book *The Nature of Cities* as a resource for discussion of complex systems from a planning and economic framework.
- **Commissioner Ahuja** emphasized the importance of using case studies from other cities to justify ecological action. He announced that the next United Nations General Assembly will occur in September and will focus on cities.
- **Commissioner Taylor** explained that he met with the City Manager to discuss development in the City. He asked for status updates regarding the Field Hall and Lower Elwha Klallam Tribe Hotel. **Planner Braudrick** and **Deputy Director Cartmel** provided status updates for these projects.

- **Commissioner Smith** asked for a status update on the Race Street project. **Planner Braudrick** explained that the planned end date for construction, including landscaping, is in October.
- **Commissioner Ahuja** reminded staff of his prior request for information from the Finance Department.
- **Commissioner Smith** announced that she will be starting a new dog boarding business in the City of Port Angeles.
- **Chair Stanley** encouraged the promotion of the idea that 1st Street and Front Street should be decoupled and transition from one-way to two-way streets. Brief discussion of cross-town routes occurred.

ADJOURNMENT

Chair Stanley adjourned the meeting at 7:27 P.M.

Zach Trevino, Secretary

Ben Stanley, Chair

MINUTES PREPARED BY: Zach Trevino, Secretary



TO: Planning Commission

FROM: The Community and Economic Development Department

DATE: Wednesday, August 9, 2023

RE: Municipal Code Amendment related Engrossed House Bill 1337 regarding accessory dwelling unit standards and R7 thresholds for utility feasibility review.

STAFF REPORT

CONTENTS

I. Background and proposal 1

IV. Procedure 2

V. Comments 2

VI. Findings of Fact & Staff Analysis 2

VII. Recommendation 10

VIII. Appendices 10

I. BACKGROUND AND PROPOSAL

On July 5th the City Council voted 6-0 in approval of two separate items and directed staff to:

1. Add to our next Title 17 SEPA-reviewed code amendment, the code change from “utility feasibility shall be considered on projects which create 3 or more primary units on a single lot” to “Utility feasibility may be reviewed on projects that create 8 or more bedrooms per 7,000 square foot land area.”; and
2. Place a first reading on August 15 Council meeting agenda for an ordinance to amend the Port Angeles Municipal Code to adopt the forthcoming Accessory Dwelling Unit requirements from Engrossed House Bill 1337 Section 4.

In accordance with RCW 36.70A.106 all proposed local municipal development regulations are required to submit a 60-day notice of intent to adopt amendment to the Department of Commerce for their review. Submission of final ordinance within 10 days of adoption is also required. The notice was submitted on July 17, 2023 and the 60-day notice period ends on September 15, 2023. RCW 36.70A.106(3)(b) allows for a request to expedite the review. Staff made this request and received confirmation from the Department of Commerce that the review has commenced.

In accordance with Section 17.96.100 of the Port Angeles Municipal Code (PAMC) “Any amendments adopted by the City Council may be modified from the form in which they were advertised within the limits necessary to relate properly such amendment or amendments to the zoning regulations. Final action on such modifications shall be subject to review and report of the Planning Commission prior to final passage by the City Council.” A public hearing with the Planning Commission has been scheduled on August 9, 2023 to discuss the proposed amendment to Title 17 and allow for verbal public comment.

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

- No public outreach was performed for this municipal code update

Public Outreach was performed on the following dates:

- N/A

II. PROCEDURE

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

1. 7/14/2023 Newsflash Notice on the City’s Website
2. 7/17/2023 60-day Notice to WA Department of Commerce
3. 7/17/2023 Combined SEPA Notice: PDN, City Hall, and SEPA Register

The Planning Commission will conduct a review of the application, public comment including testimony during the open record public hearing August 9, 2023, and this staff report and will make a recommendation to the City Council. On August 15, 2023, City Council will conduct the first reading of the proposed ordinance that reflects the Planning Commission recommendation from August 9, 2023. An appeal must be submitted within 60 days of the notice of final decision.

III COMMENTS

Public Comment:

As of the publishing of this staff report there has been no written comment submitted for this proposal. Written comment will be accepted until the completion of the public hearing, scheduled on August 9, 2023. Verbal public comment is available at the hearing.

City of Port Angeles Departmental Comments:

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

IV. FINDINGS OF FACT & STAFF ANALYSIS

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. 23-41:

Chapter 2: Growth Management

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.

Goal G-2A Policies:

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.

C. Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

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.

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

Chapter 3: Land Use

Goal G-3A: 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.

Goal G-3A Policies:

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.

Goal G-3B Policies:

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.

Goal G-3C Policies:

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.

Chapter 5: Utilities and Public Services

Goal G-5D: To provide utility services in an efficient and cost-effective manner.

Goal G-5D Policies:

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.

Chapter 6: Housing

GoalG-6A: To improve the variety, quality, availability, and attainability of housing opportunities in the City of Port Angeles.

Goal G-6A Policies 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.

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.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.

Goal G-6B Policies:

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.

Goal G-6C Policies:

Policy: P-6C.05: Encourage innovative housing development based on Port Angeles' forecasted demographic changes.

Chapter 8: Capital Facilities

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.

Goal G-8A Policies:

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.

Goal G-8D Policies:

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.

Chapter 11: Implementation

Action 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.)

Action 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.)

Action A-6.07: Encourage mixed use development and affordable housing units by:

- 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. Short (0-2 yr.)

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

Title 17: Zoning

Chapter 17.10 R7, Residential Mixed Density

Amendment to language in Table 17.10.050A changing the notation for "Density, maximum net" from "utility feasibility shall be considered on projects which create 3 or more primary units on a single lot" to read "Utility feasibility may be reviewed on projects that create 8 or more bedrooms per 7,000 square foot land area."

Chapter 17.21 Residential Infill Standards

ADU standards have been updated to reflect changes required by Engrossed House Bill 1337. The following items included in this amendment are in bold. All other items have been addressed in previous code amendments:

(1)(a) The city or county may not assess impact fees on the construction of accessory dwelling units that are greater than 50 percent of the impact fees that would be imposed on the principal unit;

Staff Analysis: This requirement has already been met by reducing connection fees and waivers to base fees for ADU's.

(b) The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot;

Staff Analysis: This is not a current standard for ADU's.

(c) The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes in the following configurations:

- (i) One attached accessory dwelling unit and one detached accessory dwelling unit;
- (ii) Two attached accessory dwelling units; or
- (iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures;

Staff Analysis: This change has been included in the amendment.

(d) The city or county must permit accessory dwelling units in structures detached from the principal unit;

Staff Analysis: This is not a current standard for ADU's.

(e) The city or county must allow an accessory dwelling unit on any lot that meets the minimum lot size required for the principal unit;

Staff Analysis: This is a current standard for ADU's.

(f) The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;

Staff Analysis: This current maximum floor area has been amended from 800 square feet to 1,000 square feet.

(g) The city or county may not establish roof height limits on an accessory dwelling unit of less than 24 feet, unless the height limitation that applies to the principal unit is less than 24 feet, in which case a city or county may not impose roof height limitation on accessory dwelling units that is less than the height limitation that applies to the principal unit;

Staff Analysis: This is a current standard for ADU's.

(h) A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;

Staff Analysis: This is a current standard for ADU's.

(i) A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley;

Staff Analysis: Rear alley setback requirements have been changed from 3 to 0 feet from the alley lot line.

(j) A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

Staff Analysis: This is a current standard for ADU's.

(k) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

Staff Analysis: ADU's are not currently allowed as a detached condominium. Attached condominiums will not be prohibited. Language has been added to ensure this standard is met in the future.

(l) A city or county may not require public street improvements as a condition of permitting accessory dwelling units.

Staff Analysis: This is a current standard for ADU's.

(2)(a) A city or county subject to the requirements of this section may not:

- (i) Require off-street parking as a condition of permitting development of accessory dwelling units within one-half mile walking distance of a major transit stop;
- (ii) Require more than one off-street parking space per unit as a condition of permitting development of accessory dwelling units on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and
- (iii) Require more than two off-street parking spaces per unit as a condition of permitting development of accessory dwelling units on 36 lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

Staff Analysis: This is a current standard for ADU's.

(b) The provisions of (a) of this subsection do not apply:

- (i) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection for accessory dwelling units will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities and counties on items to include in the study; or
- (ii) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

Staff Analysis: No study is proposed.

(3) When regulating accessory dwelling units, cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or 5 less.

Staff Analysis: Zones where ADU's are allowed are not affected by this requirement.

(4) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 18 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of the effective date of this section, as impaired or threatened under section 303(d) of the 21 federal clean water act (33 U.S.C. Sec. 1313(d)).

Staff Analysis: This is a current standard for ADU's.

Environmental Review

This project was reviewed under the Washington State SEPA threshold determination rules requirements and procedures. The action adopted Determination of Non-Significance No. 1461 for the project per the WAC 197-11-630 adoption process. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the threshold determination for the specific proposal may be obtained 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

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. 23-41. This recommendation is based on the staff report, 2023 Comprehensive Plan, 2019 Housing Needs Assessment, and Engrossed House Bill 1337 requirements.

The recommended specific motions are:

1. General motion to recommend City Council approve Municipal Code Amendment No. 23-41.

VIII. APPENDICES

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

[Appendix B: Engrossed House Bill 1337](#)