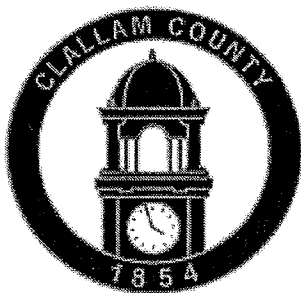


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4a
05/24/11



AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

Department: DCD

WORK SESSION **Meeting Date:** May 23, 2011

REGULAR AGENDA **Meeting Date:** May 24, 2011

Required Originals Approved and Attached?
Will Be Provided On:

Item Summary:*

- | | | |
|--|---|--------------------------------------|
| <input checked="" type="checkbox"/> Call for Hearing | <input type="checkbox"/> Contract/Agreement/MOU** | Contract # |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Proclamation | <input type="checkbox"/> Budget Item |
| <input checked="" type="checkbox"/> Draft Ordinance | <input type="checkbox"/> Final Ordinance | <input type="checkbox"/> Other |
- Documents exempt from public disclosure attached:

Executive Summary: The Interim Official Controls adopted for the Carlsborg UGA under Ordinance 870 will expire on June 24, 2011. Extension of these controls is needed to continue zoning and development regulations consistent with the Western Washington Growth Management Hearings Board (WWGMHB) Order of noncompliance and invalidity regarding the Carlsborg UGA received on April 24, 2008. Adoption of interim controls must occur by June 14, 2011 in order to ensure no lapse of the controls. The interim control ordinance does not become effective until 10 days after adoption. An interim control ordinance may be effective for no longer than six months. For such interim controls to be continued, the County is required, after a public hearing, to readopt these interim measures to preserve planning and zoning options within the County during its compliance and invalidity rescission efforts.

The Washington State Growth Management Act (GMA) limits the type of new development that can vest in areas subject to a determination of invalidity to the following: 1) permits for single-family home construction on a lot existing before County receipt of the April 24, 2008, WWGMHB order; 2) building/construction permits for remodeling, tenant improvements, and expansion of an existing structure on a lot existing before the County receipt of the April 24, 2008, WWGMHB order; and 3) boundary line adjustments (no new lot creation). The current interim controls under Ordinance 870 described above by Clallam County are consistent with these limitations set forth under RCW 36.70A.302 (3) (b). Consistent with the WWGMHB decision the County's current interim controls also limits remodels or expansions of structures (excluding single family residential) to those improvements that will not result in an expansion of the existing on-site sewage system.

Staff recommends that we extend interim controls as currently written for the next 6 months. Two key activities are underway and are still in process: waiting to hear about receiving the \$10 million Public Works Trust Fund Loan and the results of the Local Utility District (LUD) formation. A request for relief from interim controls is subject to favorable outcomes from these activities. These key activities will also be part of the County's request for a compliance extension from the Western Washington Growth Management Hearings Board which is due on June 23, 2011.

Budgetary Impact:(Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget Action is required, has it been submitted and a copy attached?** N/A

* Submit original and 5 copies

** Submit 3 originals and 5 copies

Recommended Action:(Does the Board need to act? If so, what is the department's recommendation?) Schedule a public hearing on June 7, 2011, on extension of the current interim official controls. A decision must be rendered on any extension of interim controls by June 14 to ensure no lapse in controls and to remain responsive to the Western Washington Growth Management Hearings Board Order. Staff recommends that the interim controls be extended. The draft ordinance and public hearing notice are attached.

County Official Signature: _____
[Handwritten Signature]

Date Submitted: May 18, 2011

* Submit original and 5 copies
** Submit **3** originals and 5 copies

PUBLIC HEARING

Proposed Clallam County Ordinance

Continuing "Interim Official Controls" on Lands Subject to Non-compliance and Invalidity, Pursuant to RCWs 36.70A.390, 36.70.795, 35.63.200, and 36.70A.130(2)(b); and Excepting Development Allowed Under RCW 36.70A.302(3)(B)

NOTICE IS HEREBY GIVEN that the Clallam County Board of Commissioners will conduct a public hearing on Tuesday, June 7, 2011 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington. The purpose of the public hearing is to consider a proposed ordinance continuing the Interim Official Controls on lands subject to non-compliance and invalidity, the text of which is being published in summary and in compliance with RCW 65.16.160 and Clallam County Charter Section 3.10. (*NOTE: The full text will be mailed without charge upon request – see "Proponent" below for the address and/or telephone number.*) All proposed ordinances are available on the County website www.clallam.net.

Comments for or against this proposed ordinance are encouraged. Interested persons must either submit their written comments before the hearing is commenced (see Proponent's address below) or present written and/or oral comments in person during the public hearing.

In compliance with the Americans with Disabilities Act (ADA), appropriate aids and/or reasonable accommodations will be made available upon request. Requests must be received at least seven (7) days prior to the hearing – see "Proponent" below. The facility is considered "barrier free" and accessible to those with physical disabilities.

PROPONENT: Clallam County Board of Commissioners
223 East 4th Street, Suite 4
Port Angeles, WA 98362-3015
Telephone: 360.417.2233

FORMAL IDENTIFICATION: Continuing the "Interim Official Controls" on Carlsborg Urban Growth Area (UGA) lands subject to non-compliance and invalidity, pursuant to RCWs 36.70A.390, 36.70.795, 35.63.200, and 36.70A.130(2)(b); and excepting development allowed under RCW 36.70A.302(3)(B)

DESCRIPTIVE TITLE: Continuing the interim official controls for the Carlsborg UGA in response to the Growth Management Hearings Board Order of Invalidity

SECTION-BY-SECTION SUMMARY:

Section 1. Creates Interim Official Controls and describes incorporation of testimony, incorporation of resolution of specific findings and attachments, receipt and acceptance of applications for land use development, definitions, amendment and savings clause, and sunseting and effective date

Section 2. Adds text at CCC 31.03.350 as follows:

- (1)(d)(ii) "As a condition of approval for any new development that also requires new sewage disposal approval, except as allowed for under RCW 36.70A.302(3)(b), the development must have sewer availability to ensure that urban development will be serviced by urban levels of service."
- (4)(b)(iv) "As a condition of development approval for any new development that requires sewage disposal approval, the owner may be required to obtain confirmation of sewer availability from a municipal sewer provider prior to development application and must connect to public sewer line prior to occupancy approval to ensure that urban development within the UGA will be serviced by urban levels of service."
- (8)(b)(iv) "As a condition of development approval for any new development that requires sewage disposal approval, the owner may be required to obtain confirmation of sewer availability from a municipal sewer provider prior to development application and must connect to public sewer

line prior to occupancy approval to ensure that urban development within the UGA will be serviced by urban levels of service."

Deletes requirement for septic volume generation study for all new commercial and industrial development in (8)(b)(iv).

Section 3. Amends CCC 33.20.060(1)(c) to remove the requirement for a septic volume generation study for all new and commercial and industrial development; adds (d) to read: "As a condition of development approval for any new development in all zones, except for a single-family dwelling on a lot existing before April 24, 2008 that requires sewage disposal approval, the owner must obtain confirmation of sewer availability from a municipal sewer provider prior to development application and must connect to public sewer line prior to occupancy approval, UNLESS the development is in connection with an existing development under RCW 36.70A.302(3)(b) and does not meet the definition of expansion as defined in the "On-Site Sewage Code in WAC 246-272A-0010.

Publish: _____
Bill: Commissioners

Trish Holden, CMC, Clerk of the Board

Continuing the "Interim Official Controls" on Lands Subject to Non-compliance and Invalidity, Pursuant to RCWs 36.70A.390, 36.70.795, 35.63.200, and 36.70A.130(2)(b); and Excepting Development Allowed Under RCW 36.70A.302(3)(B)

Section 1. Interim Official Controls are created to read as follows:

.010 Incorporation of testimony.

The Board adopts and incorporates herein the referenced Hearings Board orders and findings, the recitals made by staff, and public testimony and documents received at the public hearing.

.020 Incorporation of resolution of specific findings and attachments.

The Board adopts and incorporates herein the Resolution of Specific Findings and Attachments hereto defining and delineating the interim official controls in response to the referenced Western Washington Growth Management Hearings Board Order of Non-compliance and Invalidity. Clallam County Department of Community Development has submitted its compliance and invalidity response to the April 23, 2008, Final Decision and Order of the Hearings Board.

.030 Receipt and Acceptance of Applications for Land Use Development.

With the exception of acceptance of applications for land use development allowed under these interim controls, the acceptance of applications for land use development of any kind requiring County review or approvals for uses on lands delineated in the Order on Invalidity after the County received the Order on April 24, 2008 are hereby prohibited, EXCEPT that such prohibition shall not apply to:

(1) Applications received and accepted before April 24, 2008 which applications shall thereafter have been deemed complete and which are considered vested by law;

(2) Nor to those lands which meet the invalidity-exception criteria under RCW 36.70A.302(3)(b);

(3) Nor to those lands subsequently removed by the Hearings Board from its Order of Invalidity following the submission of compliant comprehensive plan amendments and regulations.

Any application for a development permit that was received by the Clallam County Department of Community Development after April 24, 2008, that is within one of the invalidated zoning areas, and that does not qualify as one of the above exceptions, may be returned upon request along with a refund of the application fees.

.040 Definitions.

For purposes of these interim controls, "development" or "development applications" and "land use" means any application or permitting submission or request for land use review, approvals, or authorizations by the County or its Board of Health, as those terms are applied within Chapters 36.70A and 36.70B RCW, and within the County Code.

For purposes of these interim controls, "official interim controls" means "official controls" as defined under RCW 36.70.020(11), to wit: "legislatively defined and enacted policies, standards, precise detailed maps, or other criteria."

.050 Amendment and savings clause.

This interim ordinance addresses only those portions of the referenced Clallam County Sequim-Dungeness Regional Plan, Official Zoning Maps, and Development Regulations affecting those lands subject to the Hearings Board's Order of Invalidity. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid at law, such decision shall not affect the validity of the remaining portions of this Ordinance.

.060 Sunsetting and effective date.

This continuation of the interim official controls shall automatically expire six (6) months from its effective date (ten days after adoption) unless the Board, following a public hearing, rescinds, extends, or modifies this Ordinance for such additional period as provided for under the above-noted statutory provisions.

Section 2. Section 31.03.350, Carlsborg urban growth area, is amended to read as follows:

The purpose of this section is to establish land use designations and policies for the unincorporated Carlsborg UGA.

(1) Community Vision.

(a) ~~{Policy No. 1}~~. In setting forth the 560-acre Carlsborg UGA, the Board of County Commissioners recognizes the Carlsborg community's historic mix of commercial, industrial and residential land uses, allows for continued development and economic growth, and seeks consistency with various state and local land use laws, while continuing to respect the character of the community.

(b) ~~{Policy No. 2}~~. The ~~twenty~~(20) year vision for the Carlsborg UGA is for continued commercial, industrial and residential growth consistent with the land use policies and regulations now being established. The densities established therein are considered urban in nature and will be reviewed when enhancements in on-site technology and updates to state and local health and environmental protection regulations justify an increase. Community infrastructure will be provided to protect the environment and to enhance the quality of life in the area.

(i) Residential growth will continue the historic housing pattern (i.e., single- and multiple-family dwellings and planned unit developments, including the use of manufactured homes). New residential housing will serve the needs of single persons, families, and retirees, in all income groups.

(ii) General commercial activities will continue to be developed along portions of the Highway 101 Corridor, and less intense commercial activities along Carlsborg Road. These activities will provide a range of retail and wholesale services and products for local and regional residents, tourists, and others.

(iii) Industrial activities will continue to be developed within the Carlsborg Industrial Park and Idea Development (north of the Industrial Park). These activities will provide industrial, commercial and manufacturing services fundamental to the economic vitality of the community and Clallam County.

(iv) The area immediately southwest of the intersection of Spath and Carlsborg roads (commonly referred to as the Carlsborg historic village), contains a unique mixture of older commercial and residential properties located on small parcels. In view of the historic and cultural value of these properties, the County will continue to work with the community to address issues concerning development and redevelopment in this area. Efforts will be focussed on providing

community solutions to limited septic system options; development of appropriately scaled roadways, sidewalks, trail facilities, and other community amenities including landscaping. The creation of a Carlsborg Community Advisory Council would be instrumental in the development of a subarea plan that addresses the issues of development within the historic center. The County will assist in these efforts by exploring available public and private funding options to assist in development of these and similar community amenities. To ensure that the Village Center is promoted to remain the cultural center of Carlsborg, the continued development of the Village Center will be encouraged if consistent with the existing character of the Village Center and consistent with Comprehensive Plan and GMA policies concerning the control of sprawl. Uses with objectionable characteristics, including noise, light, glare and fumes, will be discouraged from locating within or adjacent to the Village Center.

(c) ~~{Policy No. 3}~~. The commercial and industrial activities within the Carlsborg UGA will assist in strengthening the County's economic base through creation of family wage jobs and the realization of County tax revenues. These activities will be conducted in a manner which promotes and protects the environment for the benefit of residents, workers, customers, and the entire community. These activities will also be planned for and conducted in a manner that does not promote sprawling, low-density development along the SR 101 Corridor, or otherwise result in the inappropriate conversion of rural lands into urban type development.

(d) ~~{Policy No. 4}~~. Environmental quality will be maintained and enhanced through groundwater, well and stream protection measures.

(i) Public water systems operated by Clallam County PUD No. 1 will be extended throughout the UGA as expeditiously as possible. New development will connect to public water. However, existing individual wells and systems that are maintained and operated in accordance with local and State health regulations shall be allowed to continue indefinitely.

(ii) Sewage treatment will be accomplished through the use of on-site systems. New development will utilize alternative systems with de-nitrifying capability. However, existing on-site systems that are maintained and operated in accordance with local and State health regulations shall be allowed to continue indefinitely. As a condition of approval for any new development that also requires new sewage disposal approval, except as allowed under RCW 36.70A.302(3)(b), the development must have sewer availability to ensure that urban development will be serviced by urban levels of service.

(iii) The public-private development of green belts and open spaces and the enhancement of Matriotti Creek as a wildlife corridor will be encouraged.

(e) ~~{Policy No. 5}~~. The UGA is part of a regional transportation network, including Highway 101, whereby coordination between local planning and regional transportation planning should be done in order to continue to provide a safe and efficient transportation network.

(f) ~~{Policy No. 6}~~. Public transit is available on Highway 101. Improvements to public transit will occur, including both a transit stop and park and ride lot. The extension of service along Carlsborg Road will be requested.

(g) Policy 7. Non-motorized transportation and pedestrian usage will be enhanced by installing sidewalks and paths throughout the UGA within walking distance of Greywolf School, along Highway 101, and major arterial and collector roads including along Carlsborg Road/Hooker Road, Atterbury Road, Taylor-Cut-off Road, Mill Road, Heath Road, East Runnion Road, Spath Road, and alongside Matriotti Creek with connections to the Olympic Discovery Trail, and linkages to regional trails, residential areas and the Village Center through the implementation of a

sidewalk/trail plan.

(h) ~~{Policy No. 8}~~. The mix of land uses in the area will provide opportunity for residents, business, and industry to work together. Community projects will benefit from the variety of resources available. A Carlsborg community council will be established to promote community needs and to monitor the community's experience under the urban growth area designation.

(i) ~~{Policy No. 9}~~. Residential zoning is the predominant land use within the UGA and residential areas abut or surround the commercial and industrial uses. Carlsborg residents are drawn by the natural beauty of the area; the accessibility of area amenities; and the low to moderate cost of living. It is expected that future residents will have similar interests. Further development of commercial and industrial activities within the UGA should respect the needs and views of those who make the area their home. Consideration should be given to design elements such as buffers and screening between residential, commercial and industrial zones to protect residents from inordinate noise, light, glare, and commercial or industrial views.

(2) Urban Growth Area Boundaries. ~~[Policy No. 10]~~ The Carlsborg UGA is composed of three areas: the Highway Commercial Center, the Village Center, and the Urban Residential Center. These areas are depicted on the official land use map and are more generally described as follows:

(a) Highway Commercial area – generally defined as that area adjacent to the Highway 101 corridor between Matriotti Creek on the west and Gilbert/Taylor Cutoff Road on the east, excluding that portion on the south side of Highway 101 beginning at Parkwood Mobile Home Park east to Taylor Cutoff Road (designated in the urban residential center). This also includes those existing businesses on the east side of the intersections of Gilbert/Taylor Cutoff Road and Highway 101, as well as the commercial areas along Hooker Road between Highway 101 and Atterberry Road.

(b) Village Center – generally defined as that area adjacent to Carlsborg Road between Runnion Road and the Olympic Discovery Trail (including the industrial parks), and property abutting Streit Road between Spath and W. Runnion, and no further east than the boundary of the Carlsborg Industrial Park. This area also includes those properties on the north side of Runnion Road, east of the Carlsborg/Runnion Road intersection.

(c) Urban Residential Center – generally defined as those lands not described above and east of or including Matriotti Creek, west of Taylor Cutoff Road, south of Spath Road and north of Atterberry Road.

(d) The boundaries set forth in the official land use map and generally described in subsections (2)(a) through (2)(c) of this section shall not be amended within the 10-year planning period.

(3) Background Data. ~~[Policy No. 11]~~ Considerable information was obtained in the course of developing the Carlsborg neighborhood plan. The information is summarized as follows:

(a) ~~Population~~-Population in the Carlsborg neighborhood is estimated to be 655 in 1990, 857 in 2000, and 1,465 in 2020 based on 2.72 linear projection rate.

(b) Land Supply Needs. Based on expected population growth, the community should expect a total of approximately 225 new dwelling units within the 20-year planning period.

(c) Water. The PUD provides water service to portions of the Carlsborg UGA. Additionally, private wells and group water systems provide service within the UGA.

(d) Sewage Disposal. Currently, there is not a public sewer or community on-site sewage system in the Carlsborg area operated by a public entity. Carlsborg predominantly has excessively permeable soils which requires pressurized sand-lined trench systems for individual on-site sewage disposal. Under the State health regulations, these soils require a minimum of half-acre lots,

provided a public water supply provides service to the property. Where there is no public water supply, minimum lot sizes shall range from one to two and one-half acres depending on soil conditions.

(4) Public Services and Facilities.

(a) Water: [~~Policy No. 12~~] The following policies guide water service delivery to this neighborhood:

(i) The PUD shall be the public water purveyor within the Carlsborg UGA.

(ii) New land divisions shall require connection to the PUD water system, or another approved water system which meets the level of service standards set by the Carlsborg Capital Facilities Plan (CFP).

(iii) Existing lots or buildings are not required to hook up to the PUD water system.

(b) Sewage Disposal: [~~Policy No. 13~~] The following policies shall guide sewage disposal within the area:

(i) The operation and maintenance program developed as a part of the Carlsborg CFP shall be fully implemented in the Carlsborg UGA as specified in the CFP. This shall include continued educational outreach to the public on septic system maintenance, as well as required periodic monitoring and inspection (see Chapter 3, Carlsborg Capital Facilities Plan).

(ii) All new on-site septic systems and repairs of failed systems shall utilize enhanced treatment technologies in order to achieve a minimum 50 percent reduction in nitrate discharge. In identifying appropriate treatment methods, consideration shall be given to the latest technology available that has demonstrated reliable treatment and removal of biological and chemical contaminants.

(iii) To further protect groundwater quality, Clallam County shall encourage the upgrading of existing, on-site sewage disposal systems as specified in subsection (4)(b)(ii) of this section by providing information on possible funding sources to assist landowners in these voluntary efforts.

(iv) As a condition of development approval for any new development that requires sewage disposal approval, the owner may be required to obtain confirmation of sewer availability from a municipal sewer provider prior to development application and must connect to public sewer line prior to occupancy approval to ensure that urban development within the UGA will be serviced by urban levels of service.

(5) Critical Areas.

(a) [~~Policy No. 14~~]. The Dungeness River and various wetlands within and near the UGA, shall be protected from encroachment of urban development consistent with the Clallam County Critical Areas ~~Ordinance~~Code.

(b) [~~Policy No. 15~~]. The County shall continue efforts to work with the Carlsborg community to protect and enhance Matriotti Creek for fish and wildlife habitat, and promote environmental education.

(c) [~~Policy No. 16~~]. A large portion of the Carlsborg UGA is within an area having a critical recharging effect on aquifers used for potable water. Special care must be taken to ensure the use of proper on-site sewage disposal, best management agricultural practices, homeowner maintenance practices (e.g., lawn fertilizer, disposal of pet wastes), and other potential sources of contaminants are prevented from entering the aquifer. Clallam County shall develop education programs addressing the influence of fertilizer on nitrate production, and shall require such information to be distributed to property owners, applying for new building permits. Any commercial

and industrial land uses with hazardous substances, such as gas and oil, shall require spill containment and other measures to assure continued water quality protection.

(6) Open Space and Greenbelts. [~~Policy No. 17~~] Matriotti Creek shall be considered as an open space corridor and greenbelt within the UGA. Consideration should be given to public access (e.g., trails) along the creek only with the mutual agreement of property owners.

(7) Transportation.

(a) Nonmotorized Transportation: [~~Policy No. 18~~] Nonmotorized trails, paths and sidewalks are required within walking distance of Greywolf School, and in the vicinity of Highway 101, Carlsborg Road, Olympic Discovery Trail, and Matriotti Creek, in order to enhance foot and bicycle transportation between residential, commercial, recreation areas and public schools. A sidewalk and trail plan, as specified in the Carlsborg CFP, shall be implemented as a condition of new developments and/or through an improvement district or grant project approved by the Board of Clallam County Commissioners.

(b) [~~Policy No. 19~~]. Traffic circulation shall be improved through and within the Carlsborg UGA. This should include maintaining a LOS of "C" throughout the UGA. A traffic study needs to be completed for the Carlsborg UGA and associated regional transportation network.

(c) Highway 101: [~~Policy No. 20~~] New development along the highway corridor shall address congestion and conflict along with the need for regional mobility of traffic along Highway 101 by considering alternate and safe access to the development, including but not limited to: constructing a frontage road along Highway 101 or combining access with existing, adjacent access locations where feasible.

(d) [~~Policy No. 21~~]. In Clallam County, SR 101 is the limited access highway which provides the primary through-corridor for all vehicle traffic between Sequim and Port Angeles, and all points to the east and west of those communities. The County recognizes that the maintenance, operation and/or modifications to SR 101 are under the jurisdiction of the Washington State Department of Transportation (WSDOT). However, the County also has an inherently vested interest in the safe and efficient traffic flow on SR 101 for commercial, private and emergency vehicular traffic throughout its length, including the section that passes through the Carlsborg UGA. The County shall work with the WSDOT to develop a plan for the Carlsborg/Highway 101 ~~C~~corridor that:

(i) Identifies intersection improvements and access restrictions/frontage road improvements that are needed to improve safety and enhance regional mobility;

(ii) Ensures that installation of additional traffic signals along Highway 101 shall only be considered by WSDOT after all other reasonable alternatives have been determined to be infeasible;

(iii) Ensures that all other highway improvements within the corridor are developed consistent with all other County land use goals and policies as specified in the Comprehensive Plan, Zoning Code and Capital Facilities Plan, as now or hereafter amended.

(e) [~~Policy No. 22~~]. The County and WSDOT shall jointly review access permits to insure that new access is minimized to the greatest degree feasible. New access is to be directed to existing intersections with preference to those that are signalized.

(f) [~~Policy No. 23~~]. To accommodate new development, frontage roads may need to be developed by property owners with the assistance of Clallam County through the Road Improvement District program in the following locations: (1) between Greywolf School and Highway 101 west of Carlsborg Road, and (2) between Parkwood Mobile Home Park and Hooker Road via Valley Center

Place and Harrison Road (private roads).

(g) Regional County Roads: [Policy-~~No.~~ 24] Carlsborg Road is considered to have regional significance to the County. The County shall work to ensure that this road continues to function as a regionally significant component of the transportation system.

(h) Other County Roads: [Policy-~~No.~~ 26] Improvements to County roads identified in this area are specified in the Carlsborg CFP which includes: Mill Road, E. Runnion Road and Spath Road. These improvements (road widening) are for safety purposes only.

(8) Development Standards.

(a) [~~Policy-~~No.~~ 27~~]. It is the general goal to improve the appearance of the Highway 101 commercial center and the Carlsborg Village area through improvements to building appearance, landscaping, parks and trails. The following guidelines should be followed:

(i) The County should investigate obtaining an improvement district and/or grant funding to assist with these efforts. Landscaping of new commercial and industrial developments shall include street trees, and landscape plantings along the roadside edge of the developments.

(ii) New development will be designed so that buildings and parking areas are situated on parcels in ways that improve access and safety for pedestrians and transit.

(iii) In conjunction with area property owners, the County should investigate the need for special zoning standards and financial incentives (tax credits, grants, etc.) that will assist in the preservation and redevelopment of the historic village of Carlsborg.

(iv) All new development shall incorporate adequate internal pedestrian circulation features (sidewalks, trails, pathways) that emphasize safety and connections to community features (historic village, Greywolf School, Highway 101, commercial areas, industrial parks, parks, Olympic Discovery Trail, etc.).

(v) The County shall work with the Carlsborg community to seek additional recreation opportunities, including trails and potential neighborhood parks-~~should be explored~~. These facilities shall be connected through the development and implementation of a sidewalk/trail plan with mutual agreement from affected property owners.

(vi) Additional zoning standards shall be developed for the UGA to include: minimum lot size and width, maximum building size and height, off-street parking, signage, and buffer provisions to safeguard residential areas from commercial/industrial developments.

(b) Sewage Disposal and Water Supply: [Policy-~~No.~~ 28] Sewage disposal and water supply shall be provided consistent with the following:

(i) All new on-site disposal systems and repairs of failed, on-site or community septic systems shall require that enhanced treatment technologies be installed that demonstrate a minimum of ~~fifty (50)~~ percent reduction of nitrate discharge as compared to conventional treatment systems. Additionally, all new or replacement of existing on-site or community septic systems shall, at a minimum, meet Treatment Standard II per the Washington Department of Health standards for on-site sewage treatment, as now or hereafter amended. In identifying appropriate treatment methods, consideration shall be given to the latest technology available that has demonstrated reliable treatment of biological and chemical contaminants.

(ii) For the purposes of this section, the term "repair," as defined by ~~the~~ Chapter 246-272 WAC, as now or hereafter amended, shall mean "restoration, by reconstruction or relocation, or replacement of a failed on-site sewage system" (refer also to Chapter 246-272 WAC for definition of "failed"). Such repairs require an approved permit issued by the Clallam County Health Department. Minor corrections not requiring an approved permit are exempt from the provisions of the above

standards.

(iii) No land use development shall be permitted to generate and dispose of on-site, more than one unit volume of sewage as defined in WAC 246-272-01001, as now or hereafter amended, for every half acre of land contained within the boundaries of the subject property. ~~To ensure compliance with this requirement, all new commercial and industrial development shall be required to provide a septic volume generation study that identifies estimated peak generation volumes.~~

(iv) As a condition of development approval for any new development that requires sewage disposal approval, the owner may be required to obtain confirmation of sewer availability from a municipal sewer provider prior to the development application and must connect to a public sewer line prior to occupancy approval to ensure that urban development within the UGA will be serviced by urban levels of service.

(iv) All on-site or community sewage disposal systems within the Carlsborg UGA shall be subject to the operation and maintenance program implemented pursuant to Chapter 3 of the Carlsborg CFP, as applicable.

(vi) All new land divisions shall connect to an approved public water supply. Approved public water supply shall consist of either of the following:

(A) Clallam County PUD Carlsborg water system;

(B) Existing Group A public water systems (i.e., private systems with more than ~~fifteen~~ (15) service connections) provided that such system shall:

1. Comply with design and water quality standards established by State law (Chapters 246-290 and 246-291 WAC), as now or hereafter amended, and
2. Provide level of service (LOS) equal to or greater than that specified in the 2000 Carlsborg CFP (Chapter 4).

(vii) Existing individual wells and community water systems shall be allowed to continue indefinitely; provided, they comply with State and County health code requirements for potable water. When existing systems fail to meet these standards, and when the landowner is unable to rectify the deficiency, the land owner shall be required to connect to the PUD system or other approved community water system. To rectify a deficiency, the landowner may make structural or facility repairs, or deepen or replace an existing well, which must be drilled at a minimum into the middle aquifer.

(viii) Existing individual wells or community systems shall not be expanded or altered in any way that would result in the expansion of the system or service area without full compliance with all criteria of this section.

~~(viii)~~ (ix) New community water systems in the Carlsborg UGA shall be permitted only if they meet or exceed the criteria for Group A water systems (~~fifteen~~ (15) or more connections), and demonstrate consistency with the LOS established in the Carlsborg CFP.

(c) Land Use Designations/Boundaries: [Policy ~~No.~~ 29] Land use designations for the Carlsborg UGA shall only be amended consistent with the following:

(i) In order to help provide consistency and certainty for landowners, the Carlsborg UGA shall not be comprehensively reevaluated for changes in land use designations for a period of ~~ten~~ (10) years from the date of adoption of this policy.

(ii) Amendments to land use designations involving individual parcels or groups of parcels shall be reviewed consistent with CCC 31.07.370 (Required Showing for an Amendment).

(iii) The boundaries of the Carlsborg UGA may be reviewed and considered for expansion only after it can be demonstrated that population growth rates and land supply projections did not provide sufficient urban lands within the Carlsborg UGA to accommodate needed future growth.

(9) Land Uses.

(a) ~~{Policy No. 30}~~. The Carlsborg Land Use Map shall serve as the official zoning map for the unincorporated Carlsborg UGA. Land use zones established are shown in Table 1 below:

Table 1 – Conversion Table of Comprehensive Plan and Zoning Designations

Comprehensive Plan Designation	Zoning Designation	Zoning Symbol
Carlsborg Urban Residential	Carlsborg Urban Residential	CR
Carlsborg Village Commercial	Carlsborg Village Commercial	CV
Carlsborg Village Center	Carlsborg Village Center	CN
Carlsborg General Commercial	Carlsborg General Commercial	CGC
Carlsborg Commercial	Carlsborg Commercial	CC
Carlsborg Industrial	Carlsborg Industrial	CI

(b) ~~{Policy No. 31}~~. The purpose of land use zones established under CCC 31.02.350 is as follows:

(i) Carlsborg Urban Residential (CR). ~~The purpose of the Carlsborg Urban Residential designation is to~~ To provide for areas of single- and multi-family residential development that are generally free from encroachment of commercial and industrial activities.

(ii) Carlsborg Village Commercial (CV). ~~The purpose of the Village Commercial designation is to~~ To provide for limited, low impact, commercial activities that generally require larger developable lots and do not depend on a location directly accessible and visible from State Highway 101.

(iii) Carlsborg Village Center (VC). ~~The purpose of the Village Center designation is to~~ To provide for the continuation and enhancement of the historic village as the cultural and social center of the Carlsborg Community. The Village Center will allow for urban-density residential uses intermixed with low-impact commercial uses that promote the community atmosphere, provide neighborhood and tourist-related goods and services, and other uses that are compatible with the village atmosphere.

(iv) Carlsborg General Commercial (CGC). ~~The purpose of the Carlsborg General Commercial designation is to~~ To provide for a wide range of moderate-scale commercial activities that provide for neighborhood, regional, and tourist-related goods and services for both residents and the traveling public.

(v) Carlsborg Industrial (CI). ~~The purpose of the Carlsborg Industrial designation is to~~ To allow for low nuisance, low intensity industrial uses. Residential development and certain types of commercial development (e.g., retail stores, lodging, grocery stores) are prohibited in order to retain the limited amount of land available for industrial development.

(vi) Carlsborg Commercial (CC). ~~The purpose of the Carlsborg Commercial designation is to~~ To provide for a limited area of moderate-density residential development and low impact, neighborhood commercial activities.

Section 3. Section 33.20.060, Development standards – Purpose and intent, is amended to read as follows:

Development standards are established to ensure the compatibility of uses permitted within the Carlsborg UGA and to ensure the protection of the public health, safety and general welfare. All uses located within the Carlsborg UGA shall be subject to the development standards, as applicable, set forth in this section.

(1) Sewage Disposal and Water Supply. Sewage disposal and water supply shall be provided consistent with the following:

(a) All new, and repair or replacement of failed, on-site or community septic systems shall require that the developer install enhanced treatment technologies that demonstrate greater than ~~fifty~~ (50) percent reduction of nitrate discharge as compared to conventional treatment systems. Additionally, all new or replacement of existing on-site or community septic systems shall, at a minimum, meet Treatment Standard II per the Washington Department of Health standards for on-site sewage treatment, as now or hereafter amended. In identifying appropriate treatment methods, consideration shall be given to the latest technology available that has demonstrated reliable treatment of biological and chemical contaminants.

(b) For the purposes of this chapter, the term “repair,” as defined by the Washington Administrative Code, Chapter 246-272 WAC as now or hereafter amended, shall mean “restoration, by reconstruction or relocation, or replacement of a failed on-site sewage system” (refer also to Chapter 246-272 WAC for definition of “failed”). Such repairs require an approved permit issued by the Clallam County Health Department. Minor corrections not requiring an approved permit are exempt from the provisions of the above standards.

(c) No land use development shall be permitted to generate and dispose of on-site, more than one unit volume of sewage as defined in WAC 246-272-01001, as now or hereafter amended, for every half acre of land contained within the boundaries of the subject property. ~~To ensure compliance with this requirement, all new commercial and industrial development should be required to provide a septic volume generation study that identifies estimated peak generation volumes.~~

(d) As a condition of approval for any new development in all zones, except for a single-family dwelling on a lot existing before April 24, 2008 that requires sewage disposal approval, the owner must obtain confirmation of sewer availability from a municipal sewer provider prior to the development application and must connect to public sewer line prior to occupancy approval, UNLESS the development is in connection with an existing development under RCW 36.70A.302(3)(b) and does not meet the definition of expansion as defined in the On-Site Sewage Code in WAC 246-272A-0010.

~~(d)~~ (e) All on-site or community sewage disposal systems within the Carlsborg UGA shall be subject to the Operation and Maintenance Program implemented pursuant to Chapter 3 of the Carlsborg CFP, as applicable.

(e) All new land divisions shall connect to an approved public water supply. Approved public water supply shall consist of either of the following:

(i) Clallam County PUD Carlsborg water system;

(ii) Existing Group A public water systems (i.e., private systems with more than ~~fifteen~~ (15) service connections); provided, that such system shall:

(A) Comply with design and water quality standards established by ~~state~~ State law (Chapters 246-290 and 246-291 WAC), as now or hereafter amended, and

(B) Provide level of service (LOS) equal to or greater than that specified in the 2000 Carlsborg CFP (Chapter 4).

(fg) Existing individual wells and community water systems shall be allowed to continue indefinitely; provided, that they are consistent with State and County health code requirements for potable water. Existing systems that fail to meet these standards and are unable to rectify the deficiency within a reasonable time period shall be required to obtain connection from the PUD system or other approved community water system. To rectify a deficiency, the landowner may make structural or facility repairs, or deepen or replace an existing well, which must be drilled at a minimum into the middle aquifer.

(gh) Existing individual wells or community systems shall not be expanded or altered in any way that would result in the expansion of the system or service area without full compliance with all criteria of this section.

(hi) New community water systems in the Carlsborg UGA shall be permitted only if they meet or exceed the criteria for Group A water systems (fifteen (15) or more connections), and demonstrate consistency with the LOS established in the Carlsborg Capital Facilities Plan. Vacant parcels which were lawfully established prior to the effective date of this eChapter shall be allowed the use of private, individual wells.

(2) ~~Landscaping~~ Landscaping for commercial, industrial, mixed use, duplex, and multifamily developments shall comply with Chapter 33.53 CCC, Landscaping Requirements. The use of existing native and/or drought-tolerant landscape materials shall be utilized whenever possible, and may be used in lieu of or in combination with existing plantings to demonstrate substantial consistency with the plant and screening standards of Chapter 33.53 CCC. The landscaping plan shall also demonstrate compliance with the following performance standards:

(a) Landscaped areas between public roads and parking shall be provided;

(b) Outside storage, garbage, recycling and maintenance facilities, and loading dock areas shall be screened from view from public roads and neighboring properties;

(c) Commercial/industrial development abutting residential areas shall include a landscape plan that describes tree/shrub species, size of plant materials, and the use of fencing, berms, or solid walls so that noise, light, and aesthetic impacts to residential properties are adequately minimized and/or mitigated.

(3) ~~Off-Street Parking~~ Parking for commercial, industrial, mixed use, duplex, and multifamily developments shall comply with Chapter 33.55 CCC, Parking Standards. The parking plan shall also demonstrate compliance with the following performance standards:

(a) Duplexes and multifamily residences shall provide no less than 1.5 parking spaces per unit. Parking areas shall be located behind or under buildings where practicable; except that, attached garages shall be allowed for duplexes.

(b) The number of access points from parking areas to public streets shall be minimized or shall be shared (where possible) within a development.

(c) Parking areas shall include landscaping, fencing and/or berming substantially equivalent to the standards in Chapter 33.55 CCC when abutting existing single-family residences or residential zoning districts.

(d) Where ~~practicable~~ practical, parking for commercial developments should be located to the rear of the development site.

(e) Parking lighting shall not create off-site glare, and shall utilize "cut-off" type fixtures that ensure glare will be downward facing and/or shielded and directed away from neighboring

properties.

(4) Sidewalks. Developers of new commercial, industrial, mixed use, residential subdivisions, duplex, and multifamily developments proposed adjacent to or within the vicinity of proposed pedestrian facilities as depicted in the Carlsborg UGA Sidewalk and Trail Plan, shall be required to construct, or contribute to the construction of pedestrian facilities, consistent with the requirements of the Clallam County Sidewalk and Trail Plan for Carlsborg, when adopted. Sidewalk and other pedestrian facilities shall be a required element for all application site plans processed by the Department of Community Development. For developments occurring prior to the adoption of the Sidewalk and Trail Plan, all such proposals shall be required to construct, or contribute to the construction of pedestrian facilities, as determined by the County Engineer and the Department of Community Development, in accordance with the following standards:

(a) Highway 101 Corridor or within 500 Feet of Highway 101 – Minimum Sidewalk Development Standards. Sidewalks shall be constructed consistent with the City and County Design Standards, 1995 Edition, as amended. Where sidewalk depths of adjacent properties are inconsistent, a transition area shall be provided to avoid hazardous conditions, as approved by the County Engineer (or his/her designee).

(b) Other Roads – Minimum Sidewalk Development Standards. For development more than 500 feet from the right-of-way of SR 101 and abutting roads indicated in Figure 10-2 of the CFP as requiring sidewalks, the owner of the subject property shall dedicate to the County right-of-way, all area abutting the County roadway to a width sufficient to accommodate road improvement and maintenance needs as determined by the County Road Engineer, and a minimum ~~six~~ (6) feet to accommodate sidewalk/pedestrian facilities.

(c) Trails – Minimum Trail Development. For development abutting or containing land indicated in Figure 10-2 of the CFP as requiring trails, the owner of the subject property shall dedicate to the County right-of-way all area along the designated trail to a width of ~~ten~~ (10) feet to the County right-of-way for pedestrian facilities.

(d) In review of site plans for sidewalk and trail facilities, the County Road Department and Department of Community Development shall consider the location of existing pedestrian facilities, the topographic and geographic setting of the subject parcel in relation to adjacent parcels, available space sufficient to accommodate pedestrian facilities, and the character of the vicinity of the subject property. The purpose of this review shall be to ensure pedestrian facilities are designed and developed consistently, safely, and provide for logical connectivity to other pedestrian facilities and community features.

(5) Signage. Signs shall comply with the standards set forth in Chapter 33.57 CCC, Sign Requirements.

(6) Site Planning. Commercial, industrial, mixed use, duplex, and multifamily developments shall provide:

- (a) Compliance with CCC 31.03.350, Carlsborg UGA, and the Carlsborg CFP;
- (b) Safe ingress and egress, and pedestrian and vehicular circulation;
- (c) Adequate stacking or vehicle queuing room at driveways and street intersections, which shall be based on engineered traffic studies and calculations as required by the County Engineer (or his/her designee);
- (d) Shared access and circulation to minimize road approaches, where practicable;
- (e) Off-site traffic controls, devices, or improvements, including traffic signals, intersection improvements, and/or turning lanes as required by the County Engineer, consistent with

the Comprehensive Plan;

(f) Separation of service vehicle access and parking from customer circulation and parking;

(g) Limited use of on-site circulation and parking areas as "cut-throughs;"

(h) Design of residential subdivisions, duplex and multifamily developments to orient to public or private streets and to provide pedestrian and vehicular connections to existing nearby neighborhoods and community features. The following standards are required:

(i) For developments proposing multiple structures of phased development, all buildings shall face an internal street or other access shall be developed,

(ii) Each building shall be provided with direct pedestrian access from a street fronting the building and from established parking areas.

(7) Services. Commercial, industrial, mixed use, duplex, and multifamily developments shall at a minimum include mailboxes, garbage and recycling pickup, pedestrian walkways and parking area lighting. In addition, the following performance standards shall be met:

(a) Adequate safe pedestrian walkways shall be established within the project, which shall be designed to be in conformance with ADA (Americans with Disabilities Act) regulations.

(b) Street lighting shall be provided along walkways adjacent to and within the development. Lighting shall not create glare, and shall be downward facing and/or shielded and directed away from neighboring properties.

(c) Security lighting shall be provided in parking and designated outdoor recreation areas. Security lighting shall minimize glare, shall be downward facing and/or shielded, and shall be directed away from neighboring properties.

(d) Garbage, maintenance and recycling facilities shall be screened.

(e) Pedestrian connections to adjacent development shall be provided, where practicable, in public rights-of-way, or along designated trail corridors.

ADOPTED this _____ day of June 2011

BOARD OF CLALLAM COUNTY COMMISSIONERS

Howard V. Doherty, Jr., Chair

ATTEST:

Stephen P. Tharinger

Trish Holden, CMC, Clerk of the Board

Michael C. Chapman