

December 5, 2000

ORDINANCE NO. 700, 2000

An ordinance repealing and replacing interim land use controls with final land use classifications and policies to establish the Carlsborg Urban Growth Area by adding a new section C.C.C. 31.03.350 to the Sequim-Dungeness Regional Plan, C.C.C. Chapter 31.03. This ordinance adopts associated land use maps and a Capital Facilities Plan for the Carlsborg Urban Growth Area. This ordinance also makes the appropriate editorial corrections to C.C.C. 31.02, County-wide Comprehensive Plan and C.C.C. 31.03, Sequim-Dungeness Regional Plan, to reflect the new requirements set forth in Section 31.03.350 C.C.C.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS

**Section 1** Purpose. The purpose of the Ordinance is to repeal interim land use controls and adopt final land use designations and policies to establish the Carlsborg Urban Growth Area as Section C.C.C. 31.03.350 of the Sequim-Dungeness Regional Plan, and to make the necessary changes to the county-wide regional plan consistent with the new Section 31.03.350 C.C.C. Adoption of this ordinance also provides further distinction between the Carlsborg Urban Growth Area and adjacent rural lands.

**Section 2** Findings of Fact. The Clallam County Planning Commission recommends that the Board of Clallam County Commissioners find the following facts create a need for adopting an amendment to the Clallam County Comprehensive Plan, Title 31, Clallam County Code:

1. On July 1, 1990, the Washington State Legislature enacted legislation under RCW 36.70A, otherwise known as the Growth Management Act of 1990 (GMA). Among other objectives, the Act directed local jurisdictions to: 1.) encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner; and 2.) reduce the inappropriate conversion of undeveloped land into sprawling, low-density development (RCW 36.70A.020). To achieve these and other objectives, the Act required local jurisdictions to designate Urban Growth Areas (UGA) where urban level development is to occur, and outside of which development can only occur if it is not urban in nature. On October 9, 1990, the Board of Clallam County Commissioners committed to planning under the Act by adopting Resolution No. 138, 1990. On October 5, 1993, the Board of Clallam County Commissioners took the first step towards implementing the requirements of the GMA for the Carlsborg area by designating the community an interim Urban Growth Area (Resolution No. 180, 1993; Ordinance No's. 527 and 528, 1993.)
2. The Board of Clallam County Commissioners adopted an updated Comprehensive Plan in June of 1995 and readopted the plan under the authority of the Growth Management Act(GMA) in February of 1996. The plan, which includes the Sequim-Dungeness Regional Plan, stated that the Carlsborg area should contain a mix of residential development at densities of one home per one-half acre and lower and commercial development.
3. The City of Sequim filed a petition in May, 1996, for review of the Clallam County Comprehensive Plan with the Western Growth Management Hearings Board. The petition requested that the Hearings Board determine whether densities of one home per acre or more and regional commercial developments located outside urban growth areas are consistent with the GMA.
4. The City of Sequim and Clallam County agreed to mediate the dispute before the Thurston County Dispute Resolution Center. Clallam County and the City of Sequim drafted a mutually acceptable Memorandum of Understanding during mediation that included the adoption of interim controls relating to the issues of the appeal that preserve options for the community and would be

December 5, 2000

- in the public interest. The Board of Clallam County Commissioners adopted the Memorandum of Understanding (MOU) with the City of Sequim on May 28, 1996 under Resolution 85.
5. Should the City of Sequim and Clallam County have failed to settle the petition before the Western Growth Management Hearings Board, it is possible that the Clallam County Comprehensive Plan, which represents the work of numerous citizens and an expenditure of over \$500,000 over five years, could have been declared invalid.
  6. This MOU stated, in part, that the County would adopt interim land use controls as described in the MOU, pending "Final Resolution", which is described as "adoption by the County of permanent land use controls" consistent with the concepts of the MOU, or a mutually acceptable alternative consistent with the GMA.
  7. The MOU further stated that "it is intended that these Interim Land Use Controls will remain in effect until replaced by permanent land use controls consistent with the above concepts, or a mutually acceptable alternative consistent with the GMA. One alternative that was discussed was the adoption of an Urban Growth Area in the Carlsborg area, consistent with the requirements of the GMA.
  8. In order to maintain consistency with the Clallam County/City of Sequim Memorandum of Understanding, the Board of Clallam County Commissioners have enacted interim land use controls dating back to April 30, 1996, under the following ordinances: Ordinance 588, 1996; Ordinance 595, 1996; Ordinance 596, 1996; Ordinance 599, 1996; Ordinance 623, 1997; Ordinance 629, 1997; Ordinance 640, 1998; Ordinance 658, 1999, Ordinance 662, and Ordinance 674, 1999; Ordinance 682, 2000, and Ordinance 696, 2000. The earlier of these ordinances applied to Carlsborg, the unincorporated Sequim Urban Growth Area (UGA), and lands adjacent to the Sequim UGA. The County adopted final land use controls for the latter two areas, but to date has not adopted final land use controls for Carlsborg.
  9. The current interim land use controls adopted under Ordinance 696, 2000, expire on February 18, 2001.
  10. By action taken December 2, 1998, the Clallam County Planning Commission forwarded a recommendation to the Board of Clallam County Commissioners to support adoption of a Carlsborg UGA. The adoption of the proposed ordinance is necessary to maintain consistency with the MOU by adopting final land use controls for the Carlsborg planning area consistent with the guidelines of the MOU summarized in Finding #5.
  11. In late 1996, the Planning Division of the Clallam County Department of Community Development began work on a Capital Facilities Plan (CFP) and environmental assessment document for the possible establishment of a Carlsborg UGA. KCM, a Seattle consulting firm, was hired to assist in this effort and produced a draft CFP and environmental assessment, including multiple alternatives, dated October 1998. The recommendation of the County Planning Commission (Finding #9) was developed after consideration of the KCM Draft CFP, including the alternatives and environmental assessment, as well as the input obtained at public hearings. The Planning Commission rejected the sections of the KCM draft CFP which proposed alternatives for centralized sewer and water, and recommended: (1) that a decentralized approach to wastewater treatment and water supply be preferred over a centralized system (Decentralized system shall include single or multiple on-site supply and disposal systems that comply with County and State regulations, including substantial compliance with the State Antidegradation Policy.); (2) that existing water systems and sewer systems that are in substantial compliance with County and State regulations be allowed to continue; and, (3) that the County investigate other funding sources such as grants to offset whatever capital improvement expenditures may be needed; and, (4) development and implementation of a study to control nitrate loading attributed to both existing and new sources of nitrates, including continued use of on-site sewage systems, applicable to Carlsborg and other areas of Clallam County with documented elevated or rising nitrate levels. It was recommended that the program consider Appendix B [Continued Use on On-Site Sewage Systems] of the Carlsborg Capital Facilities Plan; the draft summary addendum (dated November

December 5, 2000

- 3, 1998) on wastewater options prepared by County staff; and research of other on-site or cluster-type wastewater facilities methods that more effectively remove nitrates.
12. In December, 1997, the Department of Community Development explored alternatives to achieving final resolution to the Carlsborg planning effort in response to changes in the GMA enacted under Engrossed Senate Bill No. 6094, 1997. The law offices of Hillis, Clark, Martin & Peterson were consulted with respect to utilizing an alternative designating the Carlsborg planning area an area of more intensive rural development as set forth in RCW 36.70A.070(5), as amended. The firm responded on January 7, 1998, with a memorandum generally addressing the questions and issues of the alternative designation. The response, as supported by Western Growth Hearings Board decisions that followed, indicated significant difficulty in designating the Carlsborg planning area an area of more intensive rural development. One primary conclusion of the opinion indicated that any boundary and land use designations would have to consider the character, distribution and intensity of development as it existed in 1990. It was determined that the alternative would fail to address several key planning issues in Carlsborg, including: a) failure to provide for a logical, cohesive boundary defining the extent of the planning area, b) failure to recognize lawfully established developments that occurred since 1990 in the planning area, c) failure to adequately address cumulative infrastructure needs of lawfully established developments within the limited planning area, d) failure to provide an alternative for locating regional commercial development between the cities of Port Angeles and Sequim, and therefore reduce uncontrolled sprawl along the Highway 101 Corridor, and e) failure to provide for the public health, safety and welfare through adequately addressing the above issues. Based on this determination, the County has pursued a UGA alternative that addresses the unique geographic, environmental and development characteristics of the Carlsborg community, while harmonizing the goals of RCW 36.70A.020.
  13. Consistent with the recommendation of the Planning Commission, a Draft CFP for a Carlsborg UGA was developed for public review and comment. In its development, the Board directed Planning staff to make corrections to the original CFP Draft prepared by KCM, which were outlined in Ordinance 682, 2000. The Department of Community Development staff has substantially updated the previous draft CFP consistent with the direction of the Board and the recommendation of the Planning Commission. Because the Planning Commission took action on the earlier draft of the CFP in 1998, the current draft will be reviewed by the Board of Commissioners at a duly advertised public hearing.
  14. The Board of Commissioners and Planning Staff scheduled a public workshop to provide an update of the planning process and draft planning documents to the Carlsborg Community and interested persons. This workshop was held on July 13, 2000, at Macleay Hall, near the Carlsborg area.
  15. In order to fully plan for and implement an UGA for Carlsborg, staff prepared a draft Comprehensive Plan Amendment and Zoning Amendment for review and recommendation by the Planning Commission to the Board of County Commissioners. The draft plans were developed consistent with the goals and policies contained in the Draft CFP. A duly advertised public hearing was held on August 16, 2000, at 6:30 P.M., in the Commissioners Meeting Room. A total of fifteen (15) citizens offered oral testimony on the proposed plans. Following the close of the public hearing, the Planning Commission took action to close the oral portion of the record, and keep the written portion open until August 23, 2000. By that day, a total of 67 letters of comment had been received by the Department of Community Development. All written comments that were timely received were forwarded to the Planning Commission for consideration.
  16. A total of five (5) work sessions (August 30, 2000, September 6, 2000, September 13, 2000, September 20, 2000, and October 4, 2000) were held by the Planning Commission following the close of the public hearing in order to evaluate testimony and develop a recommendation to the Board of County Commissioners regarding the Draft Comprehensive Plan and Zoning Amendments. On October 4, 2000, the Planning Commission took action to forward a recommendation to the Board of County Commissioners to adopt the proposed Comprehensive

December 5, 2000

Plan Amendment and Zoning Amendment, as edited by staff under the direction of the Planning Commission.

17. Consistent with Chapter 3.10, C.C.C., a legal notice of public hearing was transmitted to the Peninsula Daily News, a newspaper of local circulation for the August 16, 2000 public hearing. Notice of the hearing was published in said news paper on August 2, 2000. In addition, a one-page letter notifying area property owners of the public hearing was forwarded via the US Mail to all property owners within 600-feet of the exterior boundary of the proposed UGA, and all properties within the boundaries of the proposed UGA on July 31, 2000. Pursuant to RCW 36.70A.106(1), copies of the Draft CFP, Comprehensive Plan Amendment and Zoning amendment were forwarded to the Washington Department of Community, Trade and Economic Development (C-TED) on June 30, 2000. Copies were also sent to various state agencies as directed by C-TED for agency review on July 12, 2000.
18. The Draft CFP, Comprehensive Plan Amendment and Zoning Amendment were reviewed in accordance with the policies and procedures of the Washington State Environmental Policy Act (SEPA). Pursuant to WAC 197-11-510, the Responsible Official issued a Determination of Significance for the proposed plans on June 30, 2000. This threshold determination was published in a newspaper of local circulation on July 3, 2000. Copies of the DNS, Draft Supplemental Environmental Impact Statement (DSEIS), and draft plans were also forwarded to interested parties and agencies for review and comment pursuant to RCW 43.21C. The 30-day comment period closed on July 31, 2000. After review of pertinent comments, the Responsible Official issued the Final Supplemental Environmental Impact Statement (DSEIS) on August 8, 2000. No appeals have been filed with regard to this final determination.
19. Development of the proposed plans has been evaluated in accordance with the State Growth Management Act (GMA), as specified in RCW 36.70A.110 (Comprehensive Plans – Urban Growth Areas). Alternatives to the UGA designation were explored but did not meet planning objectives and provide for the public health, safety and welfare (Findings #11). Given the thorough consideration of alternatives for the Carlsborg Planning Area, designation as an Urban Growth Area is consistent with RCW 36.70A.110(1) and (3).
20. The Comprehensive Plan Amendment, Capital Facilities Plan, and existing policies of the Clallam County Comprehensive Plan together address all required elements as enumerated under RCW 36.70A.070. Urban services identified under RCW 36.70A.030(19), have been provided for, including funding necessary to maintain adequate levels of service over the six year planning horizon.
21. In setting forth legislation for the Carlsborg UGA, the Board of County Commissioners recognizes the need to develop and implement land use policies and regulations that reflect historic and cultural values as well as the community's vision for future growth and development in the project area. To guide orderly development consistent with the community's vision as well as with County regulations, the Board finds that the creation of a Carlsborg Community Council would be consistent with these objectives. The purpose of such a council would be to provide a formal structure from which Carlsborg residents could work with the County to implement ideas, planning strategies and community projects. Such a structure would enable the community to monitor its experience as an Urban Growth Area and to respond to issues, problems and opportunities that may develop. The authority of the council would be advisory to the Planning Commission and the Board of County Commissioners, with the Council to serve at the pleasure of the Board of County Commissioners.
22. The historic development patterns of the Carlsborg area have resulted in commercial and industrial developments locating adjacent to and within close proximity of residential properties. Conflicts have occurred resulting out of noise, light, fumes and other nuisances from commercial and industrial developments affecting nearby residents. While comprehensive zoning districts can reduce these impacts, the existing development pattern dictates that alternative strategies need to be developed to minimize the impacts of commercial and industrial developments on neighboring residential properties.

December 5, 2000

23. In setting forth legislation for the implementation of the Carlsborg Community as an UGA, the Board of County Commissioners recognize the long-standing urban character of development in the Carlsborg area. While maintaining consistency with the need to control urban sprawl as set forth under RCW 36.70B, the Board finds that allowing regional commercial development to occur within the limits of the natural and built environment will provide a viable alternative to commercial development pressures currently focussed on the Highway 101 Corridor between the cities of Port Angeles and Sequim. This alternative will assist the County in preventing continued commercial sprawl along the Highway Corridor. To further assist in this objective, the Board recognizes the need to allow flexibility in commercial development design and construction; provided, potential land use conflicts are mitigated or avoided altogether. Therefore, land use regulations shall allow a reasonable use of building space, within a reasonable level of lot coverage and structural height; provided further there shall be a heightened level of review and opportunity for public involvement in the permitting process for new commercial and industrial development within the UGA.
24. The Board of County Commissioners held a duly advertised public hearing on October 31, 2000, to receive public testimony on the recommendation of the Planning Commission as specified in Draft 5 of the Comprehensive Plan Amendment, Zoning amendment and CFP for the Carlsborg UGA. An extensive series of work sessions were held by the Board following the close of the public hearing to evaluate the public testimony received and initiate changes to the draft texts based on the public record. With regard to changes made to the proposed texts following the public hearing, the Board finds that all changes are within the scope of the alternatives available to the public at the time of the public hearing, and/or within the range of alternatives considered in the Final Supplemental Environmental Impact Statement prepared for the subject legislation. Therefore, pursuant to RCW 36.70A.035(2)(b), further opportunity for public review and comment is not warranted.

**Section 3** The additional section added to the Sequim-Dungeness Regional Plan, Chapter 31.03 C.C.C. to set forth the Carlsborg UGA land use controls is as follows:

[NEW SECTION] C.C.C. 31.03.350 Carlsborg Urban Growth Area

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

Community Vision:

1. In setting forth the 560-acre Carlsborg UGA, the Board of County Commissioners recognize 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.
2. The twenty 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.
  - a. 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.
  - b. 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,

December 5, 2000

- tourists, and others. New commercial development will be more attractive than past development patterns, with better building designs and landscaping implemented.
- c. 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.
  - d. 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 focused 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 sub-area 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.
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.
  4. Environmental quality will be maintained and enhanced through groundwater, well and stream protection measures.
    - a. 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.
    - b. 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.
    - c. The public-private development of green belts and open spaces and the enhancement of Matriotti Creek as a wildlife corridor will be encouraged.
  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.
  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.
  7. Non-motorized transportation and pedestrian usage will be enhanced by installing sidewalks and paths throughout the UGA within walking distance of Greywolf School and along Highway 101 and

December 5, 2000

major arterial and collector roads, with linkages to regional trails, residential areas and the Village Center through the implementation of a sidewalk/trail plan.

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.
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.

Urban Growth Area Boundaries:

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 Rd. on the east, excluding that portion on the south side of Highway 101 beginning at Parkwood Mobile Home Park east to Taylor Cutoff Rd. (designated in the urban residential center). This also includes those existing businesses on the east side of the intersections of Gilbert/Taylor Cutoff Rd. and Highway 101, as well as the commercial areas along Hooker Rd. between Highway 101 and Atterberry Rd.
  - b. Village Center - generally defined as that area adjacent to Carlsborg Rd. between Runnion Rd. and the Olympic Discovery Trail (including the industrial parks), and property abutting Streit Rd. 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 Rd., east of the Carlsborg/Runnion Rd. intersection.
  - c. Urban Residential Center - generally defined as those lands not described above and east of or including Matriotti Creek, west of Taylor Cutoff Rd., south of Spath Rd. and north of Atterberry Rd.
  - d. The boundaries set forth in the official land use map and generally described in subsections a. through c. above shall not be amended within the 10-year planning period.

Background Data:

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-

December 5, 2000

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 2.5 acres depending on soil conditions.

Public Services & Facilities:

12. Water: The following policies guide water service delivery to this neighborhood:
- a. The PUD shall be the public water purveyor within the Carlsborg UGA.
  - b. 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 CFP.
  - c. Existing lots or buildings are not required to hook up to the PUD water system.
13. Sewage Disposal: The following policies shall guide sewage disposal within the area:
- a. 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).
  - b. All new on-site septic systems and repairs of failed systems shall utilize enhanced treatment technologies in order to achieve a minimum 50% 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.
  - c. To further protect groundwater quality, Clallam County shall encourage the upgrading of existing, on-site sewage disposal systems as specified in (b) above by providing information on possible funding sources to assist landowners in these voluntary efforts.

Critical Areas:

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.
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.
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.

Open Space and Greenbelts:

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.

Transportation:

18. Non-motorized Transportation: Non-motorized trails, paths and sidewalks are required within walking distance of Greywolf school, and in the vicinity of Highway 101, Carlsborg Rd., 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



December 5, 2000

- through an improvement district or grant project approved by the Board of Clallam County Commissioners.
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.
  20. Highway 101: 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.
  21. In Clallam County, S.R. 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 S.R. 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 S.R. 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 Corridor that:
    - a. Identifies intersection improvements and access restrictions /frontage road improvements that are needed to improve safety and enhance regional mobility;
    - b. 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;
    - c. 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.;
  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.
  23. To accommodate new development, frontage roads may need to be developed by property owners with assistance of Clallam County through the Road Improvement District program in the following locations: 1) between Greywolf School and Highway 101 west of Carlsborg Rd., and 2) between Parkwood Mobile Home Park and Hooker Rd. via Valley Center Place and Harrison Rd. (private roads).
  24. Regional County Roads: Carlsborg Rd. 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.
  26. Other County Roads: Improvements to County roads identified in this area are specified in the Carlsborg CFP which includes: Mill Rd., E. Runnion Rd. and Spath Rd. These improvements (road widening) are for safety purposes only.

Development Standards:

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:
  - a. 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.
  - b. 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.

December 5, 2000

- c. 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.
  - d. 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.).
  - e. 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.
  - f. 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.
28. Sewage Disposal and Water Supply. Sewage disposal and water supply shall be provided consistent with the following:
- a. 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 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 ordinance, the term "repair", as defined by the Washington Administrative Code, 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 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 shall be required to provide a septic volume generation study that identifies estimated peak generation volumes.
  - d. 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:
    - 1. Clallam County PUD Carlsborg Water System
    - 2. Existing Group A public water systems (i.e. private systems with more than fifteen (15) service connections) provided that such system shall:
      - i. Comply with design and water quality standards established by state law (Chapters 246-290 and 246-291 WAC), as now or hereafter amended, and
      - ii. Provide Level of Service (LOS) equal to or greater than that specified in the 2000 Carlsborg CFP (Chapter 4).

December 5, 2000

- f. 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.
- g. 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.
- h. 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 or more connections), and demonstrate consistency with the LOS established in the Carlsborg CFP.

29. Land Use Designations/Boundaries. Land use designations for the Carlsborg UGA shall only be amended consistent with the following:

- a. 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 10 years from the date of adoption of this policy.
- b. Amendments to land use designations involving individual parcels or groups of parcels shall be reviewed consistent with C.C.C. 31.07.370 (Required Showing for an Amendment).
- c. 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.

Land Uses

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

<b>Comprehensive Plan Designation</b>	<b>Zoning Designation</b>	<b>Zoning Symbol</b>
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

31. The purpose of land use zones established under C.C.C. 31.02.350 is as follows:

- a. Carlsborg Urban Residential (CR) – The purpose of the Carlsborg Urban Residential designation is to provide for areas of single and multi-family residential development that are generally free from encroachment of commercial and industrial activities.
- b. Carlsborg Village Commercial (CV)– The purpose of the Village Commercial designation is 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.
- c. Carlsborg Village Center (VC) – The purpose of the Village Center designation is 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.

December 5, 2000

provide neighborhood and tourist-related goods and services, and other uses that are compatible with the village atmosphere.

- d. Carlsborg General Commercial (CGC) – The purpose of the Carlsborg General Commercial designation is 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.
- e. Carlsborg Industrial (CI) – The purpose of the Carlsborg Industrial designation is 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.
- f. Carlsborg Commercial (CC) – The purpose of the Carlsborg Commercial designation is to provide for a limited area of moderate-density residential development and low impact, neighborhood commercial activities.

**Section 4.** The official land use and zoning maps shall be amended by changing the classification of property use in the Carlsborg Urban Growth Area pursuant to the map attached to this ordinance as Figure A.

**Section 5.** The Carlsborg CFP labeled as Exhibit B, related to this ordinance, is hereby adopted as Appendix A to C.C.C. 31.03 Sequim-Dungeness Regional Plan.

**Section 6.** The following miscellaneous, editorial amendments to Chapters C.C.C. 31.02 County-wide Comprehensive Plan and C.C.C. 31.03 Sequim-Dungeness Regional plan are being made to reflect the change of designation of the Carlsborg planning area from a 'Rural Center' to an 'Urban Growth Area' in accordance with Section 1 above: County-wide plan - C.C.C. 31.02.255, C.C.C. 31.02.265; Sequim-Dungeness Regional Plan -CCC 31.03.020, 280, 290(3), and 345.

**Section 7.** The following amendments to Section C.C.C. 31.03.340 Carlsborg are made to in remove the policies that only apply to the UGA (former Rural Center) from this neighborhood as provided in Section 1 above. [NOTE: *The deleted text is shown as stricken text -and new text is shown as underlined text. Also, the changes only reflect the deletion of the policies applicable to the Carlsborg UGA – they are not intended to update nor change neighborhood policies that were established in the 1995 plan. Lastly, to avoid confusion with the Carlsborg UGA name, the neighborhood name is proposed to change as stated below.*]

Section 31.03.340 Carlsborg Dungeness – Kitchen Dick Road Neighborhood

Community Vision:

1. The twenty year vision for the Dungeness – Kitchen Dick Road Carlsborg neighborhood is for moderate rural growth centered along Highway 101, ~~village type growth along Carlsborg Road,~~ and maintenance of rural densities and open spaces outside the Carlsborg Urban Growth ~~core~~ area.
2. The Dungeness – Kitchen Dick Road Neighborhood Carlsborg community ~~expects~~ will foresee only limited population growth. ~~New commercial businesses locating along the highway corridor and in the Carlsborg village will be more attractive than past development patterns, with better building designs and landscaping implemented. No further expansion of industrial businesses will occur, except internal redevelopment of the Carlsborg (Port) Industrial Park and Idea Development (north of Carlsborg Industrial Park).~~
3. ~~Public water systems from the Public Utility District will be extended throughout the highway and village corridor. Sanitary sewers will only occur if financially feasible and the community elects to have sewers. Improvements to public transit will occur. Non-motorized transportation will be~~

December 5, 2000

enhanced by increasing sidewalks and paths through the neighborhood, including along Highway 101, Carlsborg Road/Hooker Roads and the Olympic Discovery Trail.

43. Environmental quality will be maintained and enhanced through groundwater, wetland and stream protection measures. The community will continue to monitor development and ways to increase the livability of the community for future generations.

Community Boundaries:

54. The Carlsborg area is described with the following two boundaries:

- a. ~~Dungeness – Kitchen Dick Road Neighborhood~~ Carlsborg Neighborhood is generally defined as the area west of the Dungeness River, south of Old Olympic Highway, east of Kitchen-Dick Road, and north of Roupe Road, and which excludes the Carlsborg UGArban Growth Area.
- b. ~~Carlsborg Rural Center – the Carlsborg Rural Center is composed of three areas: the Carlsborg Commercial Center, Carlsborg Village Center, and the Rural Residential Center. These areas are more specifically defined as follows:~~
- i. ~~Carlsborg Commercial Center – 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, except for that portion on the south side of Highway 101 beginning at Parkwood Mobile Home Park east to Taylor Cutoff Road (designated in the rural residential center) and existing businesses on the east side of the intersections of Gilbert/Taylor Cutoff Road and Highway 101 (designated in the commercial center).~~

65. Considerable information was obtained by a Task Force in the course of developing the Dungeness – Kitchen Dick Road (formerly the Carlsborg Nneighborhood) plan. The information is summarized as follows:

- a. Population: Growth in the Dungeness-Kitchen Dick Road Carlsborg Nneighborhood is expected to be 750-285 in the next twenty year period. ~~Of that growth, 465 have been allocated to the Rural Center and 285 to areas outside the Rural Center (rural lands).~~
- b. Land Supply Needs: Based on expected population growth, the community should expect a total of approximately 400-150 new dwelling units, ~~with 250 allocated to the Rural Center and 150 allocated outside the Rural Center (rural lands).~~
- c. Water: The P.U.D. provides water service to portions of the Dungeness – Kitchen Dick Road Carlsborg community. The water reservoir on Frost Road is designed to handle 350 connections (only 40 connections are currently on the system). ~~The P.U.D. is discussing acquisition of a private water system (Smith) in order to increase water supply and provide fire flows to areas along Highway 101. If these systems are combined, then it is possible for a total of 792 connections. This is within the estimated demand for residential units, both in the urban and rural areas.~~
- d. Sewage Disposal: Currently, there is not a public sewer or community on-site sewage system in the Dungeness – Kitchen Dick Road Carlsborg area operated by a public entity. ~~A study is currently underway to identify the feasibility of sewer service. This area Carlsborg predominantly has excessively permeable soils which requires pressurized sand-lined trench systems for individual on-site sewage disposal. Under the new state health regulations, these soils will require a minimum of half-acre lots when there is public water supply. Where there is no public water supply, then minimum lot sizes range from one to 2.5 acres.~~

Public Services & Facilities:

76. Water: The following policies guide water service delivery to this neighborhood:

December 5, 2000

- a. The P.U.D. water system should be expanded to serve the Carlsborg Rural Center. Outside the Rural Center, the water system should be extended at the request of landowners.
- b. New land divisions within the Carlsborg Rural Center should require connection to the P.U.D. water system when economically feasible to serve the property.
- c. Existing lots or buildings are not required to hook into the P.U.D. water system.

87. Sewage Disposal: The following policies should guide sewage disposal within the area:

- a. If the conclusions of the sewer study are that sewer service is feasible and reasonable, then the County and sewer provider should work with landowners to develop the system serving the commercial center of Carlsborg. Other areas outside the commercial center do not appear likely candidates for extension of the sewer system due to financial constraints.
- b. If actual construction of the sewer system is expected to take several years to complete, development in the interim should be conditioned on requiring later hook-up to the sewer facility.
- c. Those areas with existing functioning systems shall not be required to finance or hook into the system, unless they volunteer. For example, Parkwood Mobile Home Park has a functioning community on-site sewage system. It is not practical, nor needed, for sewers to be extended into the Park.
- d. If the sewer system development is not likely, then new commercial or residential development in the Carlsborg Rural Center exceeding one unit per acre is encouraged to pursue community on-site sewage systems, rather than individual systems. Community systems managed and maintained by a public entity will provide greater assurance that water resources will be protected.

Critical Areas:

98. The Dungeness River and various wetlands within and near the rural center, shall be protected from encroachment of urban development consistent with the County Critical Areas Ordinance.
409. The County and community should continue to work towards protecting and enhancing Matriotti Creek for fish and wildlife habitat.
4410. A large portion of this Dungeness/Kitchen Dick neighborhood 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, and other potential sources of contaminants are prevented from entering the aquifer. Also, any commercial and industrial land uses with hazardous substances, such as gas and oil, shall require spill containment and other measures to assure water quality protection.

Resource Lands:

4211. Agricultural lands designated along the Dungeness River north of the Railroad Park Bridge, along the Sequim Valley airport, and near Kitchen-Dick Road should be protected from encroachment of urban development.
4312. Forest lands of long-term commercial significance (State lands) designated south of the Agnew ditch (south of Atterberry Road) should be protected from encroachment of urban development.

Open Space and Greenbelts:

134. The Dungeness River has been designated as an open space corridor for the benefit of fish, wildlife, flood protection, people and open space. Maintaining the river corridor for these benefits is critical. In addition, the river separates the urban areas of Carlsborg and Sequim.

December 5, 2000

Development along Highway 101 adjacent to the Dungeness River should be low-intensity, maintaining rural character and open space values.

- 4514. The agricultural lands which are adjacent to the airport and Dungeness River should be conserved in open space patterns, preferably through the purchase of development rights, planned unit developments, or very low-density residential subdivisions.
- 4615. Matriotti Creek shall be considered as an open space corridor and greenbelt within the Urban Growth Areas. Consideration should be given to public access (e.g. trails) along the creek only with the mutual agreement of property owners.

Transportation:

- 4716. Highway 101: New development along the highway corridor should reduce conflicts and congestion with the regional mobility of traffic. Access points should be directed to existing intersections, particularly the Carlsborg Hooker Road intersection.
- 4817. Regional County Roads: Carlsborg and Kitchen-Dick Roads are considered of regional significance to the County and beyond. The County shall work to ensure that these roads continue to function as regionally significant components of the transportation system.
- 4918. Other County Roads: Improvements to County roads identified in this area include the intersection of Heath and Runyon roads, Mill Road, and Spath Road. These improvements are for safety purposes only.
- 2019. Airport: The County shall ensure the continued viability of the Sequim Valley airport, including assurance that adjacent land uses do not cause conflicts with the continued use and maintenance of the airport.
- 24920. Non-motorized Transportation: Non-motorized trails, paths and sidewalks along Highway 101, Carlsborg Road, and the abandoned railroad corridor should be implemented.

Land Uses: (See Land Use Map):

- 212. The land uses identified in the Dungeness – Kitchen Dick Road Carlsborg neighborhood land use map described below, together with the policies, shall guide development:

December 5, 2000

<i>Carlsborg Commercial</i>	Low intensity commercial land uses	Limited to the Highway 101 corridor and along portions of Hooker Road. No further east than Taylor Cutoff-Gilbert (except existing businesses on east side of intersection) and no further west than Matriotti Creek.
<i>Industrial (M2)</i>	Light Manufacturing	Carlsborg Industrial Park and Idea Development.
<i>Village Commercial</i>	Convenient services to neighborhood, such as stores, cafes, taverns, churches, repair service, plant nurseries, small overnight lodging facilities.	Along the west side of Carlsborg Road between Runnion and just south of the abandoned railroad grade. Also includes one property along Spath Road previously designated Industrial.
<i>Rural (old name RR3)</i>	Rural Residential land uses; 1 dwelling per acre density	Generally limited to the area outside of the Carlsborg UGArban Growth Area including: eastwest of the north-south line of Mill Road to the north-south line of Grandview and continuing north to Old Olympic Highway; east-west of Matriotti Creek to the north-south line of Boyce and Joslin Roads; and north of Atterberry (inclus to Spath Roadive of Parkwood), and south of Spath Road and Runnion Road, and 1) land bounded by Runnion, Mill, Gupster and Gilbert; 2) land bounded by Hwy. 101, Boyce, Atterberry, Matriotti Creek; and 3) land bounded by Hwy 101, Matriotti Creek, Runnion and Joslin.
<i>Rural Moderate (old name RR2)</i>	Rural Residential land uses; 1 dwelling per 2.4 acres density	land to the north, northeast and west of the Carlsborg UGArban Growth AreaVillage Center.
<i>Rural Low (old name RR1)</i>	Rural Residential land uses; 1 dwelling per 4.8 acres density	lands adjacent to the Dungeness River and south of Atterberry Road
<i>Agriculture</i>	Agriculture with Cluster Residential development allowed.	land north of the abandoned railroad corridor along the Dungeness River, and land adjacent to and inclusive of the Sequim Valley Airport

23. 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:

- a. Landscaping of commercial and industrial uses shall include street trees, and colorful shrubs/plants (e.g. rhododendrons, azaleas, etc.) along the roadside edge of the developments.
- b. Buildings should be placed toward the street, avoiding placing large parking areas in front.
- c. Recreation opportunities, including trails and potential neighborhood parks should be explored.



December 5, 2000

Land Use Statistics:

24. ~~Overall, this neighborhood plan reduces the total area of urban zoning (commercial, industrial and urban residential) that is in the current comprehensive plan and zoning ordinance adopted in 1984. The plan also reduces rural densities by reducing the land designated for one acre lots~~
25. ~~Amendment of Plan: The Carlsborg area should be a smaller regional community center whereas the City of Sequim should be the primary center for commercial, urban residential or industrial land uses.~~

**Section 8** The signed ordinance shall be recorded in the Auditor's Office and the official comprehensive plan map shall be amended consistent with this ordinance.

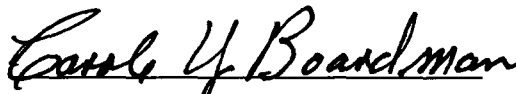
**Section 9** This ordinance shall become effective ten (10) days after adoption.

PASSED AND ADOPTED this 5<sup>th</sup> day of December, 2000.

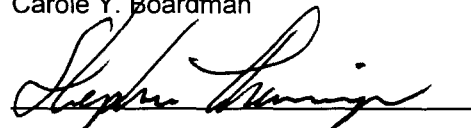
BOARD OF CLALLAM COUNTY COMMISSIONERS



Howard V. Doherty, Jr., Chair



Carole Y. Boardman



Stephen P. Tharinger

ATTEST:



Trish Perrott, Clerk of the Board

FIGURE A – OFFICIAL LAND USE MAP

