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ORDINANCE NO. 101, 2000

An ordinance adding a new chapter 33.20 to the Clallam County Zoning Code, Title 33 C.C.C., on Carlsborg Urban Growth Area Zoning, and repealing interim controls. Chapter 33.20 establishes zoning districts and controls for the unincorporated Carlsborg Urban Growth Area to implement the mapped land use designations and policies of the Clallam County Comprehensive Plan. Zoning controls include: permitted use tables; bulk and dimensional standards; and development standards on sewage and water supply, maximum building area, landscaping, off-street parking, sidewalks, signage, site planning, services, and open space and recreation.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Section 1 Purpose. The purpose of the proposed Ordinance is to adopt land use controls for the Carlsborg Urban Growth Area as Chapter 33.20 of the Clallam County Zoning Code, Title 33, and repeal interim land use controls. The proposed amendments are as follows:

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 greater 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 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,

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- 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 will 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 (UGA) 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 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 CFP; the draft summary addendum (dated November 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 &

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Peterson were consulted with respect to utilizing an alternative designating the Carlsborg planning area an area or 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 it's 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. Following the close of the written portion of the record on August 23, 2000, 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 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-

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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 have been evaluated in accordance with the GMA, as specified in RCW 36.70A.110 (Comprehensive Plans – Urban Growth Areas). Alternatives to the UGA designation were explored but determined to fail to 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 UGA is consistent with RCW 36.70A.110(1) and (3).
20. The Comprehensive Plan Amendment, CFP, 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.
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.
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

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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 Clallam County Zoning Code, Title 33, C.C.C., to implement zoning designations, development standards and land use controls for the Carlsborg UGA is as follows:

[NEW SECTION] Chapter 33.20 - Carlsborg Urban Growth Area

Sections:

- C.C.C. 33.20.010 Purpose
- C.C.C. 33.20.020 Establishment of Land Use Zones
- C.C.C. 33.20.030 Purpose of Districts
- C.C.C. 33.20.040 Use Tables
- C.C.C. 33.20.050 Bulk and Dimensional Standards
- C.C.C. 33.20.060 Development Standards

C.C.C. 33.20.010 CARLSBORG URBAN GROWTH AREA ZONING - PURPOSE. The purpose of this chapter is to establish zoning controls for the unincorporated Carlsborg UGA consistent with the adopted Sequim-Dungeness Regional Comprehensive Plan.

C.C.C. 33.20.020 ESTABLISHMENT OF LAND USE ZONES. The Carlsborg Land Use Map, as amended, shall serve as the official zoning map for the unincorporated Carlsborg UGA. Land use zones established to implement the comprehensive plan land use designations on the Carlsborg Land Use Map, as amended, are shown in Table 33.20.020 (A):

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Table 33.20.020(A) 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 |

C.C.C. 33.20.030 PURPOSE OF DISTRICTS. The purposes of land use zones established under C.C.C. 33.20.020 are as follows:

1. 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.
2. Carlsborg Village Commercial (CV)– The purpose of the Village Commercial 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, provide neighborhood and tourist-related goods and services, and other uses that are compatible with the village atmosphere.
3. Carlsborg Village Center (CN) – The purpose of the Village Center designation is to provide for a limited area of moderate-density residential development and low impact, neighborhood commercial activities within the historic village center of Carlsborg.
4. 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.
5. 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.
6. 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.

C.C.C. 33.20.040 USE TABLES. This section establishes whether a specific use is an allowed, conditional, or prohibited land use under the various land use zones established under C.C.C. 33.20.(020,030). Allowed, conditional, and prohibited land uses are represented as "A", "C", and "X", respectively, as shown in Table 33.20.040(A).

1. With the exception of conditional land uses, as regulated in Chapter 33.27 of this Title, only those allowed land uses appearing in the use table of this section are deemed to be consistent with the comprehensive plan and in the interests of public health, safety, and general welfare of residents of the unincorporated Carlsborg UGA.
2. No land, building, or structure shall be used and no building or structure shall be erected which is intended or designed to be used, in whole or in part, for any of the uses listed as "conditional land uses" without the specific approval of Clallam County pursuant to Chapter 33.27 of this Title.
3. Any person may request that an unclassified use be authorized as similar to an allowed or conditional land use pursuant to C.C.C. 33.40.050, General Requirements. Unclassified uses may be allowed through the issuance of a conditional land use pursuant to C.C.C. 33.05.010, Land Use Zones.
4. Pursuant to the procedures and criteria set forth in C.C.C. 26.10.555, the Administrator may determine that a proposed unclassified use is prohibited based on a written finding that such use is similar to a prohibited land use and does not meet the purpose of the land use zone under C.C.C. 33.20.030, Purpose of Districts.

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| Zoning District Use Table C.C.C. 33.20.040(A) | CR | CV | CN | CC | CGC | CI |
|--|-----------|-----------|-----------|-----------|------------|-----------|
| Agriculture | A | A | A | A | A | A |
| Asphalt Plant | X | X | X | X | X | C |
| Bed and Breakfast | A | A | A | A | X | X |
| Business Park | X | A | A | A | A | A |
| Cemetery | C | C | C | C | X | X |
| Child Day Care Center | C | A | A | A | A | X |
| Church | C | A | A | A | A | X |
| Commercial Greenhouse | X | A(*) | A(*) | A(*) | A(*) | A(*) |
| Commercial Horse Facility | X | A | A | A | A | C |
| Commercial Storage | X | A(*) | C | A(*) | A(*) | A(*) |
| Duplex | A | A | A | A | X | X |
| Family Child Care Home | A | A | A | A | X | X |
| Gas Station | X | A(*) | A(*) | A(*) | A(*) | A(*) |
| Grocery Store | C | A(*) | A(*) | A(*) | A(*) | X |
| Group Homes (16 or fewer persons) | A | A | A | A | X | X |
| Group Homes (17 or more persons) | A | A | A | A | X | X |
| Home Based Industry | A | A | A | A | X | X |
| Home Enterprise | A | A | A | A | X | X |
| Indoor Shooting Range | X | X | X | X | C | X |
| Limited industrial Uses | X | X | X | X | X | A |
| Lodge | A | A | A | A | A | X |
| Medical Service Facility | C | A | A | A | A | C |
| Mobile Home Park | A | C | C | C | X | X |
| Motel | X | A | A | A | A | X |
| Multiple Family Dwelling | A | C | C | C | X | X |
| Outdoor Oriented Recreation Facility | C | A(*) | A(*) | A(*) | A(*) | X |
| Planned Unit Development | A | A | A | A | X | X |
| Professional Office | X | A | A | A | A | A |
| Race Track | X | X | X | X | X | X |
| Research Facility | X | C | C | C | A(*) | A(*) |
| Restaurant | X | A(*) | A(*) | A(*) | A(*) | C |
| Retail Use (Not Listed) | X | A | A | A | A | C |
| RV-Park | C | A(*) | A(*) | A(*) | A(*) | X |
| School | A | A | A | A | A | X |
| Single Family Dwelling | A | A | A | A | X | X |
| Tavern | X | A(*) | A(*) | A(*) | A(*) | X |
| Timber Harvesting | A | A | A | A | A | A |
| Tourist Shop | X | A | A | A | A | X |
| Vehicular Repair | X | A(*) | A(*) | A(*) | A(*) | A(*) |
| Veterinarian Clinic/Kennels | X | A(*) | A(*) | A(*) | A(*) | A(*) |
| Wholesale Commercial Use | X | X | X | C | A(*) | C |
| Wood Manufacturing | X | A(*) | X | A(*) | A(*) | A(*) |
| Wood Manufacturing, small scale | X | A(*) | A(*) | A(*) | A(*) | A(*) |
| Wrecking Yard | X | X | X | X | X | A(*) |

A - Allowed Land Use C - Conditional Land Use X - Prohibited Land Use

(*) – NOTE: A conditional use permit is required for applicable uses when any portion of the subject parcel abuts residentially-zoned property. In addition to the criteria for review and approval specified under C.C.C. 33.27.040 (Conditional Use Permit), project review shall also include particular attention to the following to ensure adequate buffering and protection for residential uses: 1.) sound levels and time of day of anticipated sound impacts; 2.) objectionable odors; 3.) light and glare; and 4.) aesthetic impacts from buildings, parking, loading docks, storage areas, trash bins, and other operational or structural aspects of the development that could result in impacts to neighboring residences. The expansion of pre-existing uses subject to this requirement shall be exempt from the conditional use permit process; PROVIDED, the subject structure(s) in which the use occurs is not expanded by more than ten (10) percent within any three (3) year period, as measured by the exterior dimensions of the foundation of the enclosed structure(s).

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C.C.C. 33.20.050 BULK AND DIMENSIONAL STANDARDS

1. BULK AND DIMENSIONAL PURPOSE. In recognition of the varied topography and geographical relationships within the Carlsborg UGA, and for the safety and general welfare of the public, bulk, dimensional and general requirements for the zoning districts shall be required as a necessary part of the development review process. All permitted uses and conditional uses, EXCEPT as otherwise established in an approved Planned Unit Development, shall comply with the requirements of this section.

2. BULK, DIMENSIONAL AND GENERAL REQUIREMENTS. Bulk, dimensional, and general requirements are herewith established and shall be provided in accordance with the minimum standards set forth in Table (A) of this subsection. Additional criteria are provided in Section B. Bulk and dimensional standards measure the spatial, four-dimensional limitations of the site, including building height and size, and minimum lot width. Lot size and residential density is also subject to C.C.C. 33.20.050 (3), Exceptions, and C.C.C. 33.20.060 (1), Development Standards.

Table 33.20.050(2)(A) Bulk, Dimensional and General Requirements: Carlsborg Residential, Commercial, and Mixed Zones.

| Zone | Minimums | | | | | | | Maximums | | |
|------|-----------------------|-----------|--------------------------------|----------------|---------------|---------------------|---------------------|---|-----------------|---------------------|
| | Lot Size | Lot Width | Required Setbacks ¹ | | | | | Building Size | Building Height | Residential Density |
| | | | Front | | | Side (each) | Rear | | | |
| | | | Access Road | Collector Road | Arterial | | | | | |
| CR | 0.5 acre ² | 50 ft. | 45 ft. | 50 ft. | 60 ft. | 10 ft. ³ | 15 ft. ⁴ | 6,500 sq. feet ² (See also Sect. 3) | 36 ft. | 2 du/acre |
| CV | 0.5 acre ² | 50 ft. | 45 ft. | 50 ft. | 60 ft. | 10 ft. ³ | 15 ft. ⁴ | 6,500 sq. feet ² (See also Sect. 3) | 36 ft. | 2 du/acre |
| CN | 0.5 acre ² | 50 ft. | 45 ft. | 50 ft. | 60 ft. | 10 ft. ³ | 15 ft. ⁴ | 6,500 sq. feet ² (See also Sect. 3) | 36 ft. | 2 du/acre |
| CGC | 0.5 acre ² | 50 ft. | See Section 3 | See Section 3 | See Section 3 | See Section 3 | See Section 3 | 20,000 square feet ² (See also Sect. 3) | 36 ft. | Not Applicable |
| CI | 0.5 acre ² | 100 ft. | 25 ft. | 30 ft. | 50 ft. | 20 ft. | 20 ft. | 20,000 square feet ² (See also Sect. 3) | 36 ft. | Not Applicable |
| CC | 0.5 acre ² | 50 ft. | 45 ft. | 50 ft. | 60 ft. | 10 ft. ³ | 15 ft. ⁴ | 5,000 square feet ² (See also Sect. 3) | 25 ft. | 2 du/acre |

¹Setbacks are measured as per C.C.C. 33.20.050 (5). Where required setbacks under the Uniform Building Code adopted by Clallam County differ from the minimum setbacks established in C.C.C. 33.20.050 (2) and (3), the more restrictive regulation shall apply.

²Subject to public health requirements for sewage disposal and water supply. Square footage shall be determined pursuant to C.C.C. 33.20.050 (3).

³Forty (40) feet from the centerline of the right-of-way of a side street.

⁴Forty (40) feet from the centerline of the right-of-way of a rear street.

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3. ADDITIONAL CRITERIA. In order to comply with the spirit and intent of the Comprehensive Plan and the purpose of the land use zones as described in C.C.C. 33.20.030, all residential, commercial, and industrial uses shall demonstrate consistency with the additional standards set forth in this section.

- a. Carlsborg Urban Residential (CR) Zone. Neighborhood grocery store structures must be less than 10,000 square feet in area, as measured by the exterior dimensions of the foundation of the enclosed structures, per parcel. Total lot coverage is limited to 35% (20% for the structure and 15% for all related improvements, including parking).
- b. Carlsborg Village Commercial (CV) Zone. Neighborhood commercial activities permitted within the Carlsborg Village Commercial zone are limited to structures no larger than 6,500 square feet as measured by the exterior dimensions of the foundation of the enclosed structures, per parcel.
- c. Carlsborg Village Center (CN) Zone. Neighborhood commercial activities permitted with the Carlsborg Village Center zone shall be limited to structures no larger than 6,500 square feet as measured by the exterior dimensions of the foundation of the enclosed structures, per parcel.
- d. Carlsborg General Commercial (CGC) Zone. All uses shall be limited to a maximum of 20,000 square feet, as measured by the exterior dimensions of the foundation of the enclosed structures, per parcel. Setbacks in the CGC zone are those required by the Uniform Building Code (UBC), except that no structure shall be located closer than 50 feet from the centerline of a fronting, side, or rear street, and excepting further that no structure shall be located closer than 15 feet from residentially-zoned property.
- e. Carlsborg Commercial (CC) Zone. Permitted activities within the Carlsborg Commercial zone shall be limited to structures totaling no more than 5,000 square feet, as measured by the exterior dimensions of the foundation of the enclosed structures, per parcel, except:
 - i. Restaurants shall not exceed 3,000 square feet in size.
 - ii. Neighborhood scale grocery stores shall not exceed 10,000 square feet in size.
- f. Carlsborg Industrial (CI) Zone. Maximum building area for all permitted uses within the Carlsborg Industrial zone shall be limited by public health requirements for sewage disposal and water supply.

4. EXCEPTIONS. The bulk, dimensional and general requirements set forth in C.C.C. 33.20.050(2) shall apply to specifically permitted and conditional uses tabulated in C.C.C. 33.20.040, excepting the following:

- a. The maximum building height provided in C.C.C. 33.20.050(2) shall not apply to antennas, provided that antennas are setback from all exterior property lines at a minimum ratio of one (1) foot of setback for every three (3) feet of vertical height as measured from grade.
- b. Antennas, satellite dishes, or other communication devices shall not be located in the front setback area.
- c. No structures excepting signs, fences and berms, shall be placed within the front setback area.
- d. Planned Unit Developments approved consistent with this Title and Title 29, Clallam County Land Division Code, may specifically delineate setback, bulk, height or dimensional requirements which differ from these standards.

5. MEASUREMENT OF SETBACKS. All setbacks shall be measured from the lot line to the foundation of any building as defined in Chapter 33.03.

6. SIGHT CLEARANCE. In all zones, corner lots shall maintain a triangular safety zone consisting of an area in which no physical obstruction, such as a structure, fence, tree or shrub higher than thirty-six (36) inches above grade shall be permitted. Such triangular area shall have one angle formed by the front lot line and the side lot line separating the lot from the side street, the length of

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which lot line sides of the triangle shall be fifteen (15) feet. The third side of the triangle shall be a line connecting the two lot lines at the fifteen-foot (15') point on each.

7. ROAD CLASSIFICATIONS. The purpose of establishing road classifications is to clarify the setbacks for development activities consistent with the requirements of this section. The following road designations shall apply to the following streets maintained by either Clallam County or Washington Department of Transportation that are within the Carlsborg UGA; all roads not specifically listed shall be classified as local access roads:

| <u>Arterials</u> | <u>Collectors</u> |
|------------------------|---|
| <u>State Route 101</u> | <u>Atterberry Rd.</u> <u>Carlsborg Rd.</u> <u>E. Runnion Rd.</u> <u>Hooker Rd.</u> <u>Mill Rd.</u> <u>Taylor Cut-Off Rd.</u> |

C.C.C. 33.20.060 DEVELOPMENT STANDARDS (Purpose and Intent). 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 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 should 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:

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- 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).
- f. 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.
- 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 Capital Facilities Plan. Vacant parcels which were lawfully established prior to the effective date of this Ordinance shall be allowed the use of private, individual wells.

2. LANDSCAPING. Landscaping for commercial, industrial, mixed use, duplex, and multi-family developments shall comply with C.C.C. 33.53, Landscaping Requirements. The use of existing native and/or drought-tolerant landscape materials shall be utilized whenever possible, and may be used in lieu or in combination with existing plantings to demonstrate substantial consistency with the plant and screening standards of C.C.C. 33.53. 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 multi-family developments shall comply with C.C.C. 33.55, Parking Standards. The parking plan shall also demonstrate compliance with the following performance standards:

- a. Duplexes and multi-family 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 when abutting existing single-family residences or residential zoning districts.
- d. Where practicable, 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 multi-family developments proposed adjacent to or within the vicinity of proposed pedestrian facilities as depicted in the Carlsborg UGA Sidewalk and Trail Plan, shall be

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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-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 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 C.C.C., Sign Requirements.

6. SITE PLANNING. Commercial, industrial, mixed use, duplex, and multi-family developments shall provide:

- a. Compliance with Section 31.03.350 C.C.C. 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 multi-family developments to orient to public or private streets and to provide pedestrian and vehicular connections to

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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 multi-family 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.

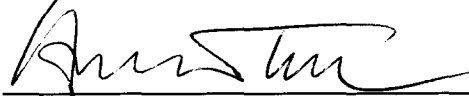
Section 4 The following section of Title 33, Zoning Code, is hereby repealed by this Ordinance:
C.C.C. 33.15.015 - Carlsborg Commercial.

Section 5 The signed ordinance shall be recorded in the Auditor's Office and the official Comprehensive Plan and Zoning maps shall be amended consistent with this Ordinance.

Section 6 This Ordinance shall become effective ten (10) days after adoption.

PASSED AND ADOPTED this 5th day of December, 2000

BOARD OF CLALLAM COUNTY COMMISSIONERS



Howard V. Doherty, Jr., Chair

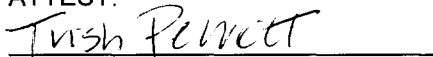


Carole Y. Boardman



Stephen P. Tharinger

ATTEST:



Trish Perrott, Clerk of the Board

FIGURE A – OFFICIAL ZONING MAP

