

Ordinance 857

An ordinance amending Clallam County Code 31, Comprehensive Plan; 33.19, Sequim Urban Growth Area; and the Official Comprehensive Land Use and Zoning Map of Clallam County, to expand the Sequim Urban Growth Area to include the Battelle Marine Research Operations site

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Incorporation of testimony. The Board of Commissioners adopts and incorporates herein the recitals made by staff, and public testimony and documents received before the Planning Commission and the Board at their respective public meetings and hearings.

Incorporation of Resolution of specific findings and attachments. The Board adopts and incorporates herein the Resolution of Specific Findings and Attachments thereto on amendments to Clallam County Code Titles 31 and 33 and the Official Comprehensive Land Use and Zoning Map of Clallam County.

Severability. Should any section, clause or provision of this ordinance or any code adopted hereby be declared by a court to be invalid, the same shall not affect the validity of the remainder, either in whole or in part.

Limitations. This ordinance addresses only those sections that are the subject of this ordinance. This ordinance shall not affect any pending suit or proceeding; or any rights acquired; or liability or obligation incurred under the sections amended or repealed; nor shall it affect any proceeding instituted under those sections. Except as otherwise proscribed above, the remainder of Titles 31 and 33 CCC and the enabling ordinances thereto shall remain in full force and effect.

Effective Date. This Ordinance shall become effective December 31, 2009.

Section 1. Clallam County Code Section 31.03.280, Urban growth – Discussion, is hereby amended to read as follows:

(1) GMA Goals. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Encourage the availability of affordable housing to all economic segments of the population of this State, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Encourage economic development throughout the State that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this State, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the State’s natural resources, public services, and public facilities.

Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

(2) Definitions. The Growth Management Act defines “urban growth” as development that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services.

The Growth Management Act defines “characterized by urban growth” as referring to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

The Growth Management Act and County-wide Planning Policies define “urban governmental services” to include those services historically and typically delivered by cities or other identified service provider, such as a utility district, and which at a minimum include the provision for sanitary waste, solid waste disposal systems, water systems, urban roads and pedestrian facilities, public transportation systems, stormwater systems, police and fire and emergency service systems, electrical and communication systems, school and health care facilities, and neighborhood and/or community parks.

(3) Urban Growth Areas. The Growth Management Act requires Clallam County to designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in the County shall be included within an urban growth area. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth.

Based upon the growth management planning population projection made for the County by the Washington State Office of Financial Management (see County-wide Plan for population projections and allocations), the urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in the succeeding 20-year period.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas.

Urban growth should be located first in areas already characterized by urban growth (see definition) that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, it is appropriate that urban government services be provided by cities, and urban government services should not be provided in rural areas.

(4) Why UGAs? The Growth Management Act states that growth outside urban growth areas can occur “only if it is not urban in nature.” Furthermore, urban governmental services should not be extended into rural areas.

There are several areas within the Sequim-Dungeness Regional Planning area that are “urban in nature,” “characterized by urban growth,” and have “urban governmental services.” At Sunland: is the urban residential development, sewer and water systems urban in nature? At Diamond Point-Sunshine Acres: is the urban residential, commercial and industrial development urban in nature?

Failure to designate an area for urban growth means growth that is “urban in nature” will not be allowed and extension of urban governmental services might not be allowed. Designation of urban growth areas is one of several “tools” in the Growth Management tool box. It is a tool by which the

County can say NO to further development outside the UGA boundary and YES to planning and providing urban services and facilities within the UGA boundary.

(5) UGA Objectives. The Clallam County Comprehensive Plan works toward conserving rural and resource lands, and making most efficient use of scarce public resources through encouraging development within urban growth areas.

With higher densities, it is possible to provide more efficient transportation, fire and police, water, sewage disposal, and other public services. Public transit studies point out that public transportation systems are not cost-effective until densities of seven dwellings per acre are achieved. It is important that when urban areas are set aside, that urban densities and services get established. Continuing to allow rural densities and rural services within urban areas will not achieve UGA or GMA objectives.

Encouraging urban growth also helps protect rural and resource lands from conversion. When sufficient land within urban areas is provided at a reasonable price and well-designed, there is less demand for rural lands. In the past 20 years, a large portion of the rural growth occurred because the property was less expensive, and affordable housing opportunities (such as manufactured housing) were allowed.

Urban lands are also the area where the region's primary economic activity takes place: retail, wholesale, professional offices and industry. Commercial and industrial uses often encourage other urban development around it, and increase the need for extension or improvement of public services and facilities. Therefore, those types of commercial and industrial uses should not be allowed outside of urban growth areas.

(6) Battelle. Battelle Memorial Institute's, Sequim Marine Research Operations (MRO), a non-profit research institute and operator of the Pacific Northwest National Laboratory for the Department of Energy is located on approximately 105 acres along the west shore of Sequim Bay generally situated between West Sequim Bay and Washington Harbor Roads. The MRO also owns approximately 35 acres of Sequim Bay tideland areas, including portions of Travis Spit, to support research efforts. The MRO targeted this location in 1965 specifically for access to Sequim Bay, which provides the essential marine resources required for Battelle's preeminent research activities.

Primary research activities are related to marine and coastal resources, environmental chemistry, water resource modeling, ecotoxicology and biotechnology, and more recently, national and homeland security. This facility is emerging as a leader in these additional areas: sustainable development of ocean energy and understanding and mitigating long-term impacts of human activities, including climate change, on marine resources.

The marine research operations campus currently supports about 100 staff. Approximately 7.3 acres are developed consisting of 8 facilities providing: 6,000 sf of analytical and general-purpose laboratory space; 5,300 sf of wet/bioassay laboratory space; 2,000 sf of electronics and maintenance shop areas; and 38,700 sf of offices, conference rooms, and support/storage structures.

Battelle's conceptual plan for expansion of the Sequim MRO campus addresses the need for additional buildings and infrastructure to continue research on local, regional, national, and global marine environmental and coastal issues. The Campus Master Plan identifies potential future expansion of the MRO facility footprint by as much as 180,000 to 240,000 square feet. This additional square footage would be used for new research laboratories, conference/training/learning facilities, and transitory facilities for project related housing. The ultimate build-out of this campus is expected to add 200 to 300 researchers and staff over a 10 to 20 year timeframe. To accommodate this additional development, it is imperative to receive water and sewer utilities, and other municipal services from the City of Sequim.

Inclusion of the Battelle property adjacent to the City within the Sequim Urban Growth Area is needed for long-term retention, growth and sustainability of Battelle's marine based research operations. Battelle's growth and sustainability is dependant on urban services. No other viable alternative sites exist in the Sequim UGA that provide the land and water access to support Battelle research activities.

Section 2. Clallam County Code Section 31.03.310 City of Sequim urban growth area (UGA), is hereby amended to read as follows:

(1) UGA Boundary: ~~[(Policy No. 1)]. The interim urban growth area boundary made in October, 1993, should be amended to reduce the area designated for urban growth. A land use analysis of required land for projected development indicates that the 1993 boundary far exceeded the land supply necessary. The new boundaries should be Sequim Bay on the east, West Sequim Bay Road in the northeast, Highland ditch below Bell Hill on the south, River Road or the top of the bluff over the Dungeness River on the west, and Old Olympic Highway on the north. The Sequim Urban Growth Area boundary is set forth on the adopted Comprehensive Plan Land Use Map, as amended, that is part of this chapter and title.~~

(2) Critical Areas.

(a) ~~[(Policy No. 2)].~~ The Dungeness River should not be encroached upon by the City of Sequim urban growth area. The Dungeness River should remain under a single local government's jurisdiction and management.

(b) ~~[(Policy No. 3)].~~ Implementation of the urban growth area should include specific measures to protect the water quality and resources of Sequim Bay, Bell Creek, Gierin Creek, and Johnson Creek.

(c) ~~[(Policy No. 4)].~~ Groundwater resources should be protected through City/County adoption of stormwater and erosion control measures, water quality education programs, and other best management practices which avoid or minimize impacts to groundwater.

(3) Resource Lands: ~~[(Policy No. 5)].~~ Agricultural lands to the north of the sewer treatment plant should not be impacted from urban development, as these lands are the largest remaining contiguous tracts of agricultural lands in the Dungeness Valley and should be conserved.

(4) Transportation: ~~[(Policy No. 6)].~~ Improve circulation patterns around the Sequim urban growth area (see Figure 4):

(a) Complete improvements to Highway US 101, including the Sequim Bypass, as outlined in the final environmental impact statement for the Palo Alto to O'Brien Road corridor study.

(b) Improve circulation from the north by increasing the capacity of Port Williams to Brown Road, and Hendrickson to Priest Road.

(c) Encourage improvements to the circulation patterns within the City, including consideration of interim measures to reduce congestion until the Sequim Bypass is constructed and mobility improvements to West Sequim Bay Road.

See paths, trails and sidewalk policies in CCC 31.03.140.

(5) Open Space and Greenbelts: ~~[(Policy No. 7)].~~ The City shall designate greenbelts within the urban growth area. Areas that should be considered include Bell Creek, Gierin Creek, Sequim Bay, Johnson Creek, and some remaining farms within the urban growth area. (See Figure 8 for critical habitat corridors.)

(6) Public Services and Facilities.

(a) ~~[(Policy No. 8)].~~ The City, the Public Utility District, and the County should agree on water service boundaries within the urban growth area. The comprehensive plan for the City of

Sequim UGA shall designate water service boundaries. Individual or private community water or on-site sewage systems within the UGA should be prohibited for new land divisions. All urban services should be provided by the City of Sequim, unless the Public Utility District is an identified service provider.

(b) ~~{Policy No. 9}~~. Development within the urban growth area should be provided with improvements constructed to City of Sequim standards. The city development standards should include roads, sidewalks, water, sewer, lot area, lot shape, setbacks, and land uses.

(c) ~~{Policy No. 10}~~. The County and City should prohibit development within the urban growth area if it is not built to urban standards, including the prohibition of rural density subdivisions with individual wells and on-site septic systems.

(7) Joint Planning.

(a) ~~{Policy No. 11}~~. The City of Sequim should take the lead responsibility for planning the urban growth area. The Sequim-Dungeness Regional Plan should adopt the City's plan by reference, provided the plan is consistent with the Clallam County Comprehensive Plan and the Growth Management Act.

(b) ~~{Policy No. 12}~~. The City should develop a phased annexation plan consistent with the extension of urban services to the annexed areas.

(8) Land Uses.

(a) ~~{Policy No. 13}~~. The City of Sequim should be the primary commercial and service center for the Sequim-Dungeness region. Commercial development should be concentrated in the core of the City and not allowed to sprawl into rural areas and cause congestion on Highway US 101 or other arterials of regional significance.

(b) ~~{Policy No. 14}~~. The maximum lot size for new land divisions within the Sequim urban growth area should be less than one acre; provided, however, that lots greater than 10 acres may be allowed.

(c) ~~{Policy No. 15}~~. The City should attempt to site industrial activities within the urban growth area in order to provide economic opportunities (see economic development policies).

(d) ~~{Policy No. 16}~~. A range of housing opportunities should be available throughout the urban growth area.

(e) Policy 17. Designate and zone the approximately 105 acre Pacific Northwest National Laboratories (Battelle) properties along the west-side of Sequim Bay and adjacent to the City of Sequim for research and development park activities. The research and development park land use and zoning designation should be limited to national security, campus-style research, and development facilities involved in environmental, chemical, biotechnology, energy efficiency, and marine and coastal security research. This designation should also allow for facilities and uses associated with coordinated/collaborative educational partnerships fostering commercially valuable research and prototype development.

Section 3. Clallam County Code Section 33.19.010, Sequim urban growth area zoning – Purpose, is hereby amended to read as follows:

The purpose of this chapter is to establish zoning controls for the unincorporated Sequim urban growth area consistent with the comprehensive plan. ~~The comprehensive plan includes both the City of Sequim Comprehensive Plan and the Sequim Optimum Land Use Map, as amended, which apply to the Sequim urban growth area, and were adopted by reference under the Sequim-Dungeness Regional Comprehensive Plan, Chapter 31.03 CCC.~~

Section 4. Clallam County Code Section 33.19.020, Establishment of land use zones, is hereby amended to read as follows:

~~The Sequim Optimum Land Use Map, as amended, shall serve as the official zoning map for the unincorporated Sequim urban growth area.~~ Land use zones established to implement the comprehensive plan land use designations adopted by Clallam County on the Sequim Optimum Land Use Map, as amended, are shown in Table 33.19.020(A):

Section 5. Clallam County Code Table 33.19.020(A) – Conversion Table of Comprehensive Plan and Zoning Designations, is hereby amended to read as follows:

Comprehensive Plan Designation	Zoning Designation	Zoning Symbol
R-II	Sequim Urban Residential – II	S(R-II)
Residential R-III	Sequim Urban Residential – III	S(R-III)
Residential R-IV	Sequim Urban Residential – IV	S(R-IV)
Neighborhood Commercial C-I(NC)	Sequim Neighborhood Commercial	S(NC)
Bypass Commercial C-I(B)	Sequim Bypass Commercial	S(BC)
General Retail District C-II(G)	Sequim General Retail District	S(GC)
Light Manufacturing (M-I)	Sequim Light Manufacturing	S(LM)
Mixed Use II (MU-II)	Sequim Mixed Use	S(MU)
Research and Development Park	Research and Development Park	S(RDP)

Section 6. Clallam County Code Section 33.19.030, Purpose of districts, is hereby amended to read as follows:

The purpose of land use zones established under CCC 33.19.020 is as follows:

(1) Sequim Urban Residential – II [S(R-II)]. The S(R-II) zone establishes areas of low density, urban residential development consisting primarily of single-family detached residences up to one dwelling unit to one acre without required urban level facilities and services and up to five dwellings units per acre with transfer of development rights and the provision of urban level facilities and services. The S(R-II) zone provides for consistency and predictability in established single-family neighborhoods.

(2) Sequim Urban Residential – III [S(R-III)]. The S(R-III) zone establishes areas of medium density, urban residential development consisting of single-family, duplex, or multifamily residences up to 10 dwelling units per acre with transfer of development rights and provision of urban level facilities and services. The S(R-III) zone is located in areas where urban services are or will be provided concurrent with development, and is typically found in close proximity to transit, with easy access to neighborhood parks, schools and shopping.

(3) Sequim Urban Residential – IV [S(R-IV)]. The S(R-IV) zone establishes areas of medium to high density, urban residential development consisting of single-family attached and detached; single-family small lot; multifamily duplexes, triplexes, and apartment development allowed at a density of up to 16 dwelling units per acre with transfer of development rights and the provision of urban level facilities and services. The S(R-IV) zone is located in areas where urban services are currently available or will be provided concurrent with development, and is typically found in close proximity to transit, with easy access to neighborhood parks, schools, and shopping.

(4) Sequim Research and Development Park – S(RDP). The S(RDP) zone establishes a land use designation that allows for national security, campus-style research, and development facilities involved in environmental, chemical, biotechnology, energy efficiency, and marine and coastal security research. This zone also allows facilities and uses associated with coordinated/collaborative educational partnerships fostering commercially valuable research and prototype development.

~~Sequim Bypass Commercial [S(BC)]. The S(BC) zone establishes areas primarily devoted to providing services to the traveling public that are limited in size and use.~~

~~— (5) Sequim Neighborhood Commercial [S(NC)]. The S(NC) zone establishes areas primarily devoted to convenience services for neighborhood residences that are limited in size and use.~~

~~— (6) Sequim General Retail District [S(GC)]. The S(GC) zone establishes areas primarily devoted to smaller-scale retail and service sector businesses.~~

~~— (7) Sequim Light Manufacturing [S(LM)]. The S(LM) zone establishes areas primarily devoted to light manufacturing, processing, light and medium intensity agricultural uses, fabrication and assembly of products and materials, warehousing and storage, and transportation facilities.~~

~~— (8) Sequim Mixed Use II [S(MU)]. The S(MU) zone establishes areas that allow larger light manufacturing businesses, light and medium agricultural processing uses, campus style business parks and office facilities, tourist related and neighborhood commercial uses as part of a mixed-use planned development, or those commercial uses related to the light and medium manufacturing or office use. The S(MU) is also intended to provide for enterprises that do not fit neatly under either the light manufacturing or commercial designations and to provide a receiving area for mixed-use planned development, larger regional retail uses, and other uses that are not easily accommodated in existing zoning designations.~~

Section 7. Clallam County Code Table 33.19.040(A), is hereby amended to read as follows:

Zoning District Use	S(R-II)	S(R-III)	S(R-IV)	S(BC)	S(NC)	S(GC)	S(LM)	S(MU)	S(RDP)
Agriculture	A	A	A	A	A	A	A	A	A
Airport	X	X	X	X	X	X	X	X	X
Asphalt plant	X	X	X	X	X	X	C	X	X
Bed and breakfast	A	A	A	A	A	A	X	C	X
Business park	X	X	X	C	C	A	X	A	X
Cemetery	C	C	C	X	C	C	X	C	X
Child daycare center	C	C	C	X	C	C	X	C	A ²
Church	C	C	C	C	C	C	C	C	C
Commercial greenhouse	X	X	X	A	A	A	A	A	X
Commercial horse facility	C	X	X	X	X	X	X	X	X
Commercial storage	X	X	X	X	X	X	A	A	X
Communication relay facilities	C	C	C	C	C	C	C	C	C
Duplex	A ¹	A	A	X	C	C	X	C	X
Family daycare provider	A	A	A	X	A	A	X	A	A ²
Gas station	X	X	X	A	A	A	X	C	X
Grocery store	C	C	C	A	A	A	X	C	X
Group homes (16 or fewer persons)	C	C	C	X	C	C	X	A	X
Group homes (17 or more persons)	C	C	C	X	C	C	X	C	X
Home-based industry	C	C	C	X	A	A	X	A	X

Zoning District Use	S(R-II)	S(R-III)	S(R-IV)	S(BC)	S(NC)	S(GC)	S(LM)	S(MU)	S(RDP)
Home enterprise	A	A	A	X	A	A	X	A	X
Industrial use	X	X	X	X	X	X	X	X	X
Limited industrial uses	X	X	X	E	X	X	A	E	X
Lodge	C	C	C	X	A	A	X	A	X
Medical service facility	C	C	C	X	A	A	X	E	X
Mineral extraction	X	X	X	X	X	X	X	X	X
Mobile home park	A	A	A	X	X	X	X	X	X
Motel	X	X	X	E	X	A	X	E	X
Multiple-family dwelling	C	A	A	X	E	E	X	E	X
Outdoor-oriented recreation facility	C	C	C	E	E	E	X	E	A ²
Outdoor shooting range	X	X	X	X	X	X	X	X	X
Planned unit development	A	A	A	A	A	A	A	A	X
Primitive campground	X	X	X	X	X	X	X	X	X
Professional office	X	X	X	X	A	A	X	A	X
Race track	X	X	X	X	X	X	X	X	X
Research facility	X	X	X	X	X	A	A	A	A ²
Retail use (not listed)	X	X	X	E	E	A	E	E	X
RV park	X	X	X	A	X	E	X	X	X
School	C	C	C	X	A	A	X	E	A ²
Single-family dwelling	A	A	A	X	E	E	X	E	X
Tavern	X	X	X	X	E	E	X	E	X
Timber harvesting	A	A	A	A	A	A	A	A	A
Timber labor camp	X	X	X	X	X	X	X	X	X
Tourist shop	X	X	X	A	E	A	X	E	X
Vehicular repair	X	X	X	A	A	A	A	A	X
Veterinarian clinic/kennels	X	X	X	X	A	A	A	A	X
Wholesale commercial use	X	X	X	X	E	A	A	A	X
Wood manufacturing	X	X	X	X	X	X	E	E	X
Wood manufacturing, small-scale	X	X	X	X	X	A	A	A	X
Wrecking yard	X	X	X	X	X	X	E	E	X

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

¹New duplexes require a conditional use on a parcel that either does not share a common property line with property containing an existing duplex or multifamily dwelling, or does not share a common street frontage with a parcel located within 200 feet that contains an existing duplex or multifamily dwelling.

²Allowed use where associated with research facility. Allowed research facility uses and activities include: product and material testing facilities oriented towards marine, life sciences, energy efficiency and environmental health system analysis, research education and training facilities, offices supportive of research activities and facilities, intellectual institutes, and software technology through beta development. Accessory uses and improvements include: accessory buildings, uses and improvements supporting permitted uses as defined under CCC 33.03.010 (4); recreational facilities for on-site personnel; day care facilities for on-site personnel; education facilities as related to research and prototype development activities; cafeterias for on-site personnel; user housing facilities for visiting researchers and guests for on-site research facilities; and accessory apartments and caretaker apartments that comply with CCC 33.050.050. Accessory uses also include the use of hazardous and toxic materials in testing protocols; provided that, acquisition, storage, use and disposition of all materials must meet state and federal requirements.

Section 8. Clallam County Code Section 33.19.050, Bulk and dimensional standards, is hereby amended to read as follows:

(1) Bulk and Dimensional Purpose. In recognition of the varied topography and geographical relationships within the Sequim urban growth area, and for the safety and general welfare of the citizens, bulk, dimensional, and general requirements for the zoning districts shall be required as a necessary part of the development and use of land. 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 hereinafter set forth in Tables (A) and (B) of this subsection. Bulk and dimensional standards measure the spatial, four dimensional limitations of the site, including height, width, depth, and coverage. Lot size and residential density is also subject to subsection (3) of this section and CCC 33.19.060(1).

Section 9. Clallam County Code Table 33.19.050(2)(A) – Bulk, Dimensional and General Requirements: Residential Zones, is hereby amended to read as follows:

Zone	Lot Size	Lot Width	Minimum (feet)					Maximum		
			Required Setbacks ¹					Lot Coverage	Building Height (feet)	Residential Density
			Front			Side (each)	Rear			
Access Road	Collector Road	Arterial								
S(R-II)	9,000 square feet	50'	20'	25'	35'	10'	15'	50%	35'	4 du/acre without TDR ² OR up to 5 du/acre with TDR
S(R-III)	9,000 square feet for single-family 9,000 square feet plus 2,000 square feet per additional unit for duplex and multifamily residences regardless of the number of buildings	50'	20'	25'	35'	10'	15'	50%	35'	4 du/acre without TDR ² OR up to 10 du/acre with TDR

Zone	Minimum (feet)							Maximum			
	Lot Size	Lot Width	Required Setbacks ¹				Side (each)	Rear	Lot Coverage	Building Height (feet) ^t	Residential Density
			Access Road	Collector Road	Arterial	Front					
S(R-IV)	6,000 square feet for single-family 6,000 square feet plus 2,000 square feet per additional unit for duplex and multifamily residences regardless of the number of buildings	50'	20'	25'	35'	10'	15'	50%	50'	4 du/acre without TDR ² OR up to 16 du/acre with TDR	
S(RDP)	2 acres	100'	25'	50'	50'	100'³	100'³	50%	50'	N/A	

¹Setbacks are measured as per subsection (5) of this section. Where required setbacks under the International Building Code adopted by Clallam County differ from the minimum setbacks established in this table, the more restrictive regulation shall apply.

²Clallam County will allow for a maximum residential density of four dwelling units per acre without the transfer of development rights from lands zoned Agricultural Retention. Residential density greater than four dwelling units per acre up to the maximum allowed residential density of the zone (see above) shall require transfer of development rights from an Agricultural Retention zoned lot(s) pursuant to CCC 33.19.050(3). The requirement for the purchase or transfer of development rights shall not apply to the construction of up to two dwelling units on a legal lot of record created prior to July 28, 1998.

³Setback applies in the S(RDP) zone where abuts adjacent rural or urban residential land use and zoning districts.

Section 10. Clallam County Code Section Table 33.19.050(2)(B) – Bulk, Dimensional and General Requirements: Commercial/Manufacturing/Mixed Use Zones, is hereby deleted in its entirety.

Section 11. Clallam County Code Section 33.19.060, Development standards (purpose and intent), is hereby amended to read as follows:

Development standards are established to ensure the compatibility of uses permitted within the Sequim urban growth area and to ensure the protection of the public health, safety, and general welfare. All uses located within the Sequim urban growth area 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 Interlocal Agreement/Service Extension Review Process (SERP), as amended, jointly adopted by Clallam County and the City of Sequim.

(2) Maximum Building Area. In order to comply with the spirit and intent of the comprehensive plan and the purpose of the land use zones as described in CCC 33.19.030, all commercial and industrial uses shall demonstrate consistency with the following maximum building area standards:

(a) S(R-II), S(R-III), and S(R-IV) Residential Zones. Grocery stores shall be limited to a single structure no larger than 2,000 square feet.

~~(b) S(NC) and S(BC) Commercial Zones. Total ground floor area of all structures containing commercial or industrial uses shall be 10,000 square feet or less.~~

~~(c) General Retail District S(GC) Commercial Zone. Total ground floor area of all structures containing commercial uses shall be 20,000 square feet or less.~~

(3) Landscaping. Landscaping for commercial, industrial, mixed use, duplex, and multifamily developments shall comply with Chapter 33.53 CCC. The use of existing native vegetation is preferred whenever possible, and may be used in lieu of or in combination with new plantings to demonstrate substantial consistency with the plant and screening standards of Chapter 33.53 CCC. The landscaping plan shall also demonstrate compliance with the following performance standards:

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

(b) Outside storage, including garbage, recycling and maintenance facilities, shall be screened from view from public roads and neighboring properties.

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

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

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

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

(d) Parking lighting shall not create off-site glare, and shall be downward facing and/or shielded and directed away from neighboring properties.

(5) Sidewalks. Sidewalks are required to be provided in public right-of-way abutting the subject property for commercial, industrial, mixed use, duplex, and multifamily developments, as follows:

(a) If the street grade has been approved by the County Engineer (or his/her designee), or if the curbs and gutters are currently in place along the public road abutting the subject property, then any new construction, or a remodel which increases the square footage of the primary structure by 50 percent or more, of that property shall require the property owner to provide and fully develop sidewalks along the entire frontage of the subject property which abuts public right-of-way which is consistent with CCC 33.19.060(5)(c) and prior to issuance of a building permit.

(b) If the street grade has not been approved by the County Engineer (or his/her designee) then any new construction, or a remodel which increases the square footage of the primary structure by 50 percent or more, of that property for all allowed uses, shall require the property owner to provide and fully develop sidewalks along the entire frontage of the subject property consistent with CCC 33.19.060(5)(c) prior to issuance of a building permit for said construction.

(c) Minimum Sidewalk Development Standards. Sidewalks shall be established 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).

(6) Signage. Signs shall comply with the Clallam County Sign Code, Chapter 33.57 CCC.

(7) Site Planning. Commercial, industrial, mixed use, duplex, and multifamily developments shall demonstrate compliance with the following site planning performance standards:

(a) Provision of safe ingress and egress, pedestrian and vehicular circulation.

(b) Provision of adequate stacking or vehicle queuing room at driveways and street intersections shall be required, based on engineered traffic studies and calculations, as required by the County Engineer (or his/her designee), consistent with the Comprehensive Plan.

(c) Where practicable, shared access and circulation should be provided to minimize vehicular curb cuts or road approaches.

(d) Off-site traffic controls, devices, or improvements, including traffic lights, intersection improvements, and/or turning lanes shall be installed, as required by the County or City Engineer, consistent with the Comprehensive Plan.

(e) Outside storage for commercial, industrial, and mixed-use developments shall be screened from view from public roads and neighboring properties.

(f) Where practicable, service vehicle accesses and parking areas should be separated from customer parking and circulation.

(g) Commercial developments should be designed to limit the use of on-site circulation and parking areas as cut-throughs.

(h) Duplex and multifamily developments shall be designed to orient to public or private streets and to provide pedestrian and vehicular connections to existing nearby neighborhoods. 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.

(8) Services. Commercial, industrial, mixed use, duplex, and multifamily developments shall at a minimum include mailboxes, garbage and recycling pickup, transit stops, and 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.

(9) Open Space and Recreation (Duplex and Multifamily Developments). Usable open space and recreation areas within developments shall be required within duplex and multifamily residential developments consistent with Sequim Comprehensive Plan Policy OSR 13. The following open space and recreation standards are required:

(a) For developments of more than five units, a minimum of 200 square feet of usable open space for each dwelling unit in the project is required. A portion of the usable open space may be required to provide for active recreational uses allowed by this subsection.

(b) Play Space for Children. Duplex and multifamily residential projects comprised of five or more dwelling units that are anticipated by their unit type and design to accommodate families shall provide a safe play space for children. Projects that are established solely for the occupancy of adults shall not be required to establish play spaces. The required play space shall address the following standards:

(i) Play spaces shall include play equipment which is manufactured and installed in conformance with the safety standards of the American Play Equipment Industry, or other adopted standards.

(ii) Play spaces may be established within side and rear yard setbacks, excepting that no play space shall be located within 10 feet of any road, driveway or alleyway, parking area, or adjacent single-family residence or single-family residential zone without the provision of fences or buffers.

(iii) To maximize the personal safety of children resident in the development, play spaces shall be located so as to provide maximum visibility from surrounding duplex and multifamily dwelling units.

(iv) Play space should be adequately sized and equipped to be roughly proportional to the anticipated recreational impact.

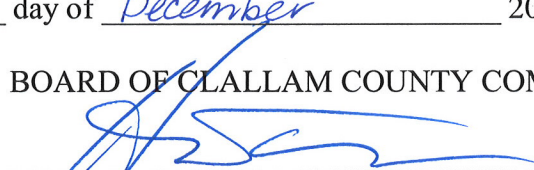
(c) The provision of usable open space, play spaces, and/or recreational spaces within duplex or multifamily developments of five or more units may be phased concurrent with the approval of a phasing plan consistent with the requirements of this Code; provided, that each phase shall include usable open space and play spaces (if required) established in proportion to the size and impacts of each phase.

Section 12. The Official Comprehensive Plan Land Use and Zoning Map is hereby amended as follows:

The Official Comprehensive Land Use and Zoning Map of Clallam County is amended pursuant to Sections 1 through 11 above as set forth in Exhibit 1 attached hereto and incorporated herein.

ADOPTED this eighth day of December 2009

BOARD OF CLALLAM COUNTY COMMISSIONERS


Howard V. Doherty, Jr., Chair

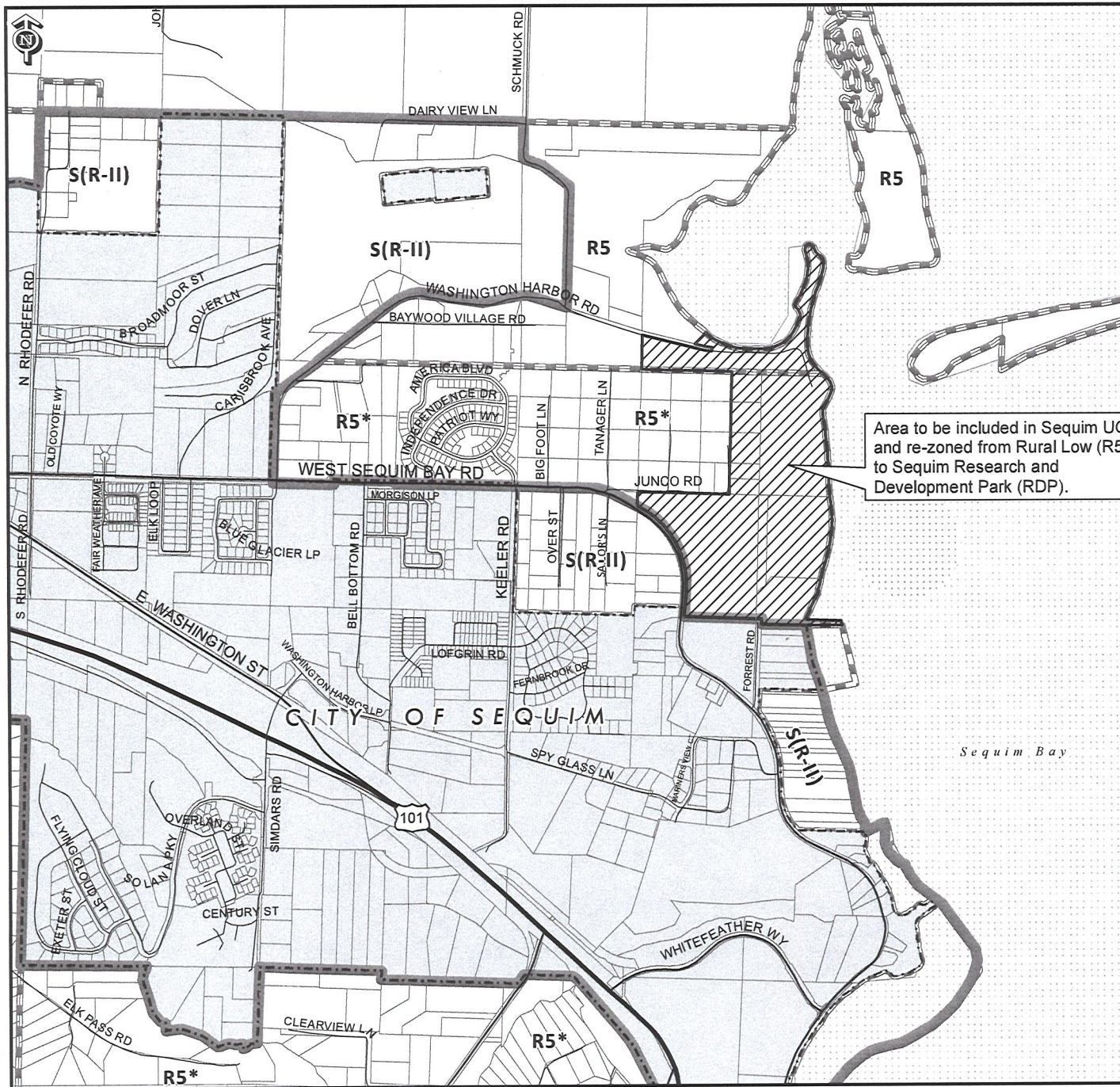

Stephen P. Tharinger








ATTEST:


Trish Holden, CMC, Clerk of the Board


Michael C. Chapman

Exhibit 1



-  Area to be included in Sequim UGA and re-zoned from Rural Low (R5) to Sequim Research and Development Park (RDP).
-  City of Sequim
-  Unincorporated Sequim UGA
-  Zoning Boundaries (not shown in City)
-  Parcel Boundaries
-  Open Water
-  Roads



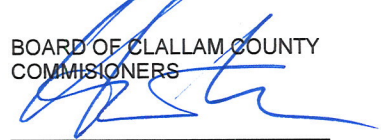
Area to be included in Sequim UGA and re-zoned from Rural Low (R5) to Sequim Research and Development Park (RDP).

Amending Title 31 Comprehensive Plan Map and Title 33 Zoning Map of the Clallam County Code.

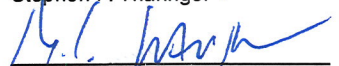
Pursuant to Ordinance 857 the property shown on this map is hereby included in Sequim UGA and re-zoned from Rural Low (R5) to Sequim Research and Development Park (RDP).

Signed this 8th day of Dec, 2009.

BOARD OF CLALLAM COUNTY COMMISSIONERS


Howard V. Doherty, Jr., Chair


Stephen P. Tharinger


Michael C. Chapman

ATTEST

Trish Holden, Clerk of the Board