



WORK SESSION AGENDA

BOARD OF CLALLAM COUNTY COMMISSIONERS

223 East 4th Street Room 160

Port Angeles, Washington

Monday, March 4, 2024 – 9:00 a.m.

Board of Clallam County Commissioner meetings will also be available virtually at:

If you would like to participate in the meeting via Zoom audio only, call 253-215-8782 and use meeting ID: 875 561 7844 and passcode: 12345

If you would like to participate in the meeting via Zoom video conference, visit <https://zoom.us/j/8755617844> and use meeting ID: 875 561 7844 and passcode: 12345

This meeting can be viewed on a live stream at this link: <https://www.clallamcountywa.gov/669/Live-Archived-Meetings-Online>

Public comment can be directed to the Clerk of the Board at 360-417-2256 or Loni.Gores@clallamcountywa.gov

Modification

Modification added 2-29-24 Item 15 

Administration ? 9 a.m.

1. Calendar/Correspondence

2. Resolution appointing Janice Wilson to the Planning Commission

Resolution 

3. Resolution appointing Karolyn Burdick to the Heritage Advisory Board

Resolution 

4. Lease Agreement with Nancy J. German for warehouse space for storage of evidence collection

Lease Agreement 

5. Pre-application questionnaire with Recreation Conservation Office for Community Outdoor Athletic Facilities Grant

Pre-application questionnaire 

Community Development

6. An Ordinance adding a Chapter 21.06 to the Clallam County Code titled Recreational Park Trailer Placement

Update and next steps

7. Briefing and call for hearing to be held on Tuesday, March 26, 2024 at 10:30 a.m. regarding proposed comprehensive plan map and zoning map amendments Yakovich REZ2023-00001 and REZ2023-00002

Briefing and call for hearing

8. Dungeness River Management Team representative appointments

Appointment form

9. Agreement with Department of Commerce for Growth Management Services

Agreement

10. Towne Road update

Update

Board of Commissioners

11. Letter of concurrence to Commissioner Franz regarding Lake Sutherland ? Shore Thing timber sale

Letter

12. Discussion and next steps regarding participation on the Department of Natural Resources Ecosystem Services Work Group

Discussion and next steps

13. Legislative session update

Update

Budget

14. Review the ?How Did We Do? reports comparing each month?s actual performance

Review

PUBLIC WORKS

15. Certification of the 2024 Road Levy & Estimated Revenue Produced/County Road Administration Board (5c)*

Certification form

General Discussion/Items for Future Agendas

- A. Olympic National Forest Update (March 11)
- B. Forest Hydrology Presentation - Oliver Grah (March 11)
- C. Department of Transportation Highway 101 Project Discussion (March 18 at 9 a.m.)

- D. Department of Natural Resources Meeting (March 18 at 1 p.m.)
- E. Joint Meeting with Port of Port Angeles (April 22 at 11 a.m. ? hosted at Port)
- F. CASA Update (May 13)
- G. Department of Transportation Highway 101 Project Discussion (June 10 at 9 a.m.)
- H. Department of Natural Resources Meeting (June 17 at 1 p.m.)
- I. Department of Natural Resources Meeting (August 19 at 1 p.m.)
- J. Department of Transportation Highway 101 Project Discussion (September 9 at 9 a.m.)
- K. Joint Meeting with Port of Port Angeles (October 28 at 11 a.m. ? hosted at BOCC)
- L. Department of Natural Resources Meeting (November 18 at 1 p.m.)
- M. Department of Transportation Highway 101 Project Discussion (December 9 at 9 a.m.)
- N. Fair Rodeo Update (TBD)

EXECUTIVE SESSION

The Board may recess into Executive Session to consider employment or dismissal of personnel, to review the performance of a public employee, to consult with legal counsel, to consider the position to be taken in collective bargaining, to consider acquisition or sale of real estate, or other matters per RCW 42.30.110

- Other items may be added at the discretion of the Board and additional Work Sessions may be scheduled if more time is needed to allow for adequate discussion.
- Written testimony presented by members of the public during the Board meeting is considered a public document and must be submitted to the Clerk of the Board.
- Copies of public documents from Board meetings are available by contacting the Public Records Department.

MEMORANDUM

LONI GORES
Clerk of the Board

February 29, 2024



TO: Board of Commissioners, Administrator Mielke

RE: Agenda Modification(s)

FILE: A14.09.18

- Item 15 has been added to the March 4 work session agenda:

PUBLIC WORKS

15 Certification of the 2024 Road Levy & Estimated Revenue Produced/County Road Administration Board (5c)*

- Item 5C has been added to the March 5 regular agenda:

PUBLIC WORKS

5C Certification of the 2024 Road Levy & Estimated Revenue Produced/County Road Administration Board



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AGENDA ITEM SUMMARY

MAR 04 2024

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

Department: BOCC

WORK SESSION ☒ **Meeting Date: 3-4-24**

REGULAR AGENDA ☒ **Meeting Date: 3-12-24**

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

A vacancy exists on the Planning Commission for representation of District IIIa due to a resignation.

A press release was issued during the months of January and February 2024 soliciting applications from interested citizens. One application was received.

The Director of the Department of Community Development and the District III County Commissioner supports the appointment of Janice Wilson to fill the vacant position as the District IIIa representative.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve and sign resolution appointing.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners and Department of Community Development

Relevant Departments: Board of Commissioners and Department of Community Development

* Work Session Meeting - Submit 1 single sided/not stapled copy

** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2024

APPOINTING A MEMBER TO THE PLANNING COMMISSION

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. A vacancy exists on the Planning Commission for representation of District IIIa due to a resignation.
2. A press release was issued during the months of January and February 2024 soliciting applications from interested citizens. One application was received.
3. The Director of the Department of Community Development and the District III County Commissioner supports the appointment of Janice Wilson to fill the vacant position as the District IIIa representative.

NOW, THEREFORE, BE IT RESOLVED by the Clallam County Board of Commissioners, in consideration of the above findings of fact:

1. **Janice Wilson** is appointed to the unexpired term as the District IIIa representative for a term ending December 31, 2025.

PASSED AND ADOPTED this 12th day of March 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

Randy Johnson

ATTEST:

Loni Gores, CMC, Clerk of the Board

Mark Ozias

A22.172
Appointee
DCD



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MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: BOCC

WORK SESSION ☒ **Meeting Date:** 3-4-24

REGULAR AGENDA ☒ **Meeting Date:** 3-12-24

Item summary:

- | | |
|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☒ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

A vacancy exists on the Heritage Advisory Board for a representative of District III due to an expiration of term.

A press release was issued during the month of January and February 2024 soliciting applications from interested citizens. Two applications were received.

Commissioner Mike French endorses the appointment of Karolyn Burdick to the Heritage Advisory Board.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

Approve and sign resolution appointing.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: BOCC

Relevant Departments: BOCC

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



RESOLUTION _____, 2024

APPOINTING A MEMBER TO THE HERITAGE ADVISORY BOARD

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

1. A vacancy exists on the Heritage Advisory Board for a representative of District III due to an expiration of term.
2. A press release was issued during the month of January and February 2024 soliciting applications from interested citizens. Two applications were received.
3. Commissioner Mike French endorses the appointment of Karolyn Burdick to the Heritage Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Clallam County Board of Commissioners, in consideration of the above findings of fact:

1. **Karolyn Burdick** is appointed as the District III representative for a term expiring December 31, 2027.

PASSED AND ADOPTED this 12th day of March 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

ATTEST:

Randy Johnson

Loni Gores, MMC, Clerk of the Board

Mark Ozias

cc: Appointee
A22.161
BOCC



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MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: Sheriff

WORK SESSION ☒ Meeting Date: 3/4/24

REGULAR AGENDA ☒ Meeting Date: 3/12/24

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # 811-24-02 |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary: The Sheriff's Office leases warehouse space for storage of property and vehicles collected as evidence. This contract is a 5 year renewal of lease terms consistent with the previous lease, with updates to the duration dates and compensation sections. This storage space is partially funded by OPNET and Port Angeles Police Department, as they store evidence there as well.

Budgetary impact: The 2024 budget will not be effected as the lease rate will remain as projected. Future year's changes will be incorporated into each budget cycle.

Recommended action: Board approval

County Official signature & print name: Brian King, Sheriff

A handwritten signature in black ink, appearing to read "Brian King", written over a horizontal line.

Name of Employee/Stakeholder attending meeting: Beth Waknitz

Relevant Departments: Sheriff

Date submitted: 2/23/24

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

LEASE AGREEMENT

THIS LEASE made and entered into effective beginning the 1st day of January, 2024, by and between Nancy J. German, hereinafter referred to as "Landlord", and Clallam County, a political subdivision of the State of Washington, hereinafter referred to as "Tenant".

In consideration of the terms, conditions, covenants and performances contained herein, IT IS MUTUALLY AGREED AS FOLLOWS:

1. That the Landlord does hereby lease to Tenant, and Tenant does hereby rent from the Landlord approximately 7,000 square feet in the east end of the building commonly known as 730 East Front Street, Port Angeles, Washington 98362 and on the property described as:

Lots 1 through 4 and east ½ of Lot 5, Block 22 of Norman R. Smith subdivision of Townsite of Port Angeles according to the plat thereof in Volume K of Deeds, page 1 records of Clallam County, Washington.

And the parking spaces adjacent to the leased area on the north side of said building.

2. The premises herein leased shall be used for the purpose of storage.
3. The term of this lease shall commence with the 1st day of January 2024 and shall be in effect for a period of one (1) year, with an automatic renewal for up to four (4) additional one (1) year terms. This lease will automatically renew as described, unless either party gives written notice of the party's intent to terminate the lease, at least 60 days in advance of the last day of the lease term, i.e. on or before October 31.
4. The Tenant agrees to pay the Landlord rental in the amount of \$2,459.06 per month starting January 1, 2024 (35.13 cents per square foot). Such rental shall be paid in advance on the first (1st) day of each month. Beginning January 1, 2025 the rent shall be adjusted to more closely match current market rates of 50.00 cents per square foot, which will be \$3,500 per month. Subsequent rent price adjustments shall be made effective each following January 1 and based on the change in the consumer price index by comparing such index for the month of June with the index for the prior year month of June. The percentage difference shall then be applied to the rental rate (50.00 cents per square foot) to determine the adjusted rent for the ensuing year. Provided however that the adjusted rent shall not be less than the beginning rent provided for herein nor greater than the initial rent increased by a 5% margin (\$3,500.00 divided by

.95 equals \$3,684.21). Subsequent rental adjustments using the same methods shall be made annually.

5. The Tenant may alter, repair or remodel any or all of the premises herein leased, at its own discretion, provided it first obtains written consent from the Landlord. Any such alteration, repair or remodeling shall be at the sole expense of the Tenant. The Tenant shall be allowed to install an alarm system on the premises. The alarm system will be the property of the Tenant and will be removed upon vacation by the Tenant. The Tenant shall be allowed to change the locks on the outside entrances to maintain security of the building. Upon vacation by the Tenant, the Tenant will reinstall the original locks or provide the Landlord with all keys to the new locks. The Tenant shall be allowed to re-enforce the doors and windows of the premises for security purposes at the Tenant's expense.
6. The Landlord shall pay all real property taxes assessed against the leased premises.
7. The Landlord shall further provide and maintain insurance on the leased premises insuring the structure against loss, damage or destruction by casualty. In the event of casualty to such structure, as the result of which the Tenant's use of the premises shall be substantially impaired, the Landlord shall forthwith use proceeds of such insurance to restore the premises to the condition in which they were immediately before such casualty, provided the structure is not so damaged as to make repairs and restoration economically or reasonably unfeasible; and provided further, that any repairs or restoration shall be to the structure only, including roof, wall, and foundation but not to fixtures, equipment or inventory of the Tenant; and the Tenant shall during period of impairment or repair pay rentals prorated in the degree to which it may be reasonably using the premises for the allowed purposes.
8. The Landlord shall maintain the structural portions of such premises in a sound and substantial condition; the structural portions being defined as the weight-bearing and non-decorative portions of the floors, ceilings, and outer walls of the leased premises. The Tenant shall maintain all other portions of the leased premises and shall keep the same in good and reasonable repair, save for normal wear and tear. The Tenant shall replace at its own expenses all glass of all windows and doors in and about the leased premises which may become cracked or broken due to the negligent actions of the Tenant. In the event of water damage to any part of the premises arising through a defect in the portion of the water or heating system serving the premises which are to be maintained by the Landlord, the Landlord shall repair such defect; and shall pay for other repairs, redecorating, or damages arising therefrom.

9. The Tenant shall provide and pay for light, water and all utilities and services to the leased premises, including heat.
10. The Tenant agrees to pay rent as and when due; that it will permit no waste upon the leased premises; and will keep the same in sanitary, safe and good condition; that it will conduct no illegal business upon the premises nor cause or permit any illegal acts thereon; it will cause or permit no dangerous substances, articles or condition to be placed, maintained or kept about the leased premises and that it will keep such premises free of all charges and liens.
11. The Tenant acknowledges that it has carefully inspected the leased premises and accepts the same in their present condition.
12. The Tenant shall not use the premises for any other purpose other than that of a storage facility for property and vehicles. The leased premises shall at all times be kept and used in accordance with the laws of the State of Washington and ordinances of the City of Port Angeles; and in accordance with the laws, directions, rules and regulations of the State of Washington and of the health officers, fire marshal, building inspector or other proper officers of any governmental agency rightfully having jurisdiction therefore; and conformance therewith shall be at the sole cost and expense of the Tenant. Provided, that this provision shall not require the Tenant to purchase or install any fire prevention equipment which shall become a component part of the structural portion of the premises or to make any substantial alteration to the building structure.
13. The Tenant shall keep all drainage pipes free and open and will protect all pipes so they will not become frozen or clogged, and will repair all leaks and repair all damages caused by leaks or by reason of Tenant's failure to protect and keep free, open and unfrozen any of the pipes and plumbing on leased premises, and the Tenant shall provide adequate heat in the leased premises to prevent pipes from become frozen.
14. The Tenant's obligations herein expressed shall be binding unless prevented from conformance therewith by strikes, fire, act of God, or other causes beyond the control of the Tenant, save that such causes shall not diminish the Tenant's obligation to pay rent except as herein otherwise provided.
15. The Tenant agrees to keep the sidewalks and exterior of the leased premises free and clear of rubbish, debris, ice, snow, and other dangerous, unsightly or unwholesome substances and conditions.
16. The Landlord gives approval to the Tenant to sublet a portion of the premises to the City of Port Angeles for the use of the premises for storage of property and vehicles. The Landlord shall not be barred from subsequently refusing to consent to any further assignments.

17. The Tenant shall allow the Landlord or their agents and representatives access to the premises for the purpose of inspection or of making repairs, additions or alterations to the premises, through the reservation and use of such right shall not be deemed to obligate the Landlord or make any such repairs, additions or alterations. Access by the Landlord will be at reasonable times except in case of emergency or abandonment. Access shall be coordinated in advance with a Clallam County Sheriff's Office members.
18. At any time within the last ninety (90) days from the term of this lease, unless extended, the Landlord shall have the right to place and maintain proper signs in a conspicuous place on and within the premises, stating that such premises are for sale or rent and indicating where inquiry may be made.
19. Alterations, additions or improvements on and about the leased premises shall, subject to the Tenant's right hereinafter expressed to remove fixtures, immediately upon installation or affixing become the property of the Landlord and shall remain in and be surrendered with the premises as part thereof at the termination of this lease, all without disturbance, molestation or injury.
20. In regard to those spaces for which the Tenant has exclusive control, the Tenant shall be solely liable for any injury or damages to any property or any person caused as a result of the Tenant's negligent acts or omissions and shall save and hold harmless the Landlord from and shall defend the Landlord against all claims, demands, actions or lawsuits arising out of the negligent acts or omissions of the Tenant. In regard to all other areas of the premise, including those areas jointly used by the Landlord and the Tenant, the Landlord shall be solely responsible for any injury or damages to any property or person caused by reason of any condition in those portions of the premises and shall save and hold the Tenant harmless from and shall defend the Tenant against all claims, demands, actions or lawsuits arising out of the areas of the premise in which the Landlord has either exclusive or joint control and possession except for those injuries or damages caused by the negligence of the Tenant, its agents, or employees.
21. Rent provided for herein shall be paid to Landlord at:
Nancy J. German
P.O. Box 3056
Port Angeles, WA 98362
Or such other place or address as Landlord may hereafter specify.
22. The Tenant is a self-insured entity. Although the Tenant is relieved of the obligation to provide commercial liability insurance, the Tenant shall never the less assume the same liabilities arising out of its, or any of its designated contractors, use of commercial lease property. Tenant shall provide Landlord with a Certificate of Liability Insurance.

23. If, by reason of any default or breach on the part of either party in the performance of any of the provisions of this agreement, a legal action is instituted the losing party agrees to pay all reasonable costs and attorney's fees in connection therewith. It is agreed that the venue of any legal action brought under the terms of this agreement may be in the county in which the premises are situated.
24. The failure of the Landlord to insist upon strict performance of any of the covenants or agreements of this lease, or to exercise any option or discretion herein conferred in any one or more instances shall not be construed to be a waiver of or relinquishment of any such or any other covenants, agreements or options; but the same shall be and remain in full force and effect.
25. Provided the Tenant has performed this lease or its extension in full, then upon the expiration of such lease or extension the Tenant shall have the right to remove from such leased premises all goods, wares, merchandise, equipment, machinery, fixture and personal property, so long as it forthwith repairs and restores any structural portions to the conditions in which they were at the Tenant's first taking occupancy under this lease; Provided, that at Landlord's discretion and election in writing, the Landlord may direct that the Tenant leave on the leased premises such interior flooring and covering, and interior walls as the Tenant may have placed in and about premises all without cost to the Landlord.
26. In the event of the Tenant's failure to perform any term, covenant, condition or obligation imposed or assumed by this lease or by the operation of law, the Landlord shall in writing deliver to the Tenant at the Tenant's business address, describe such breach and demand the correction or performance thereof; and the Tenant shall within thirty (30) days from date of mailing of notice thereof, fully correct such breach and perform such obligation; Provided, that in the event such breach may be that of nonpayment of rent, then such notice shall be not more than ten (10) days. In the event of the Tenant's failing fully to comply with such demands within such periods of time, then this lease forthwith shall be canceled without further notice, and the Tenant shall vacate the premises immediately.
27. Either party may request changes in the agreement. Any and all agreed modifications shall be in writing, signed by each of the parties.
28. This written contract represents the entire agreement between the parties and supersedes any prior statements, discussions or understandings between the parties except as provided herein.

IN WITNESS THEREOF, the parties hereto have hereunto subscribed their names

LANDLORD:

NANCY GERMAN

A handwritten signature in black ink, appearing to read "Nancy J. German", written over a horizontal line.

NANCY J. GERMAN

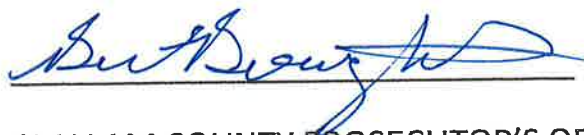
TENANT:

CLALLAM COUNTY BOARD OF COMMISSIONERS

MIKE FRENCH, CHAIR

DATE: _____

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Butte County", written over a horizontal line.

CLALLAM COUNTY PROSECUTOR'S OFFICE

DATE: 2/23/24



5
MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: Parks, Fair, & Facilities

WORK SESSION ☒ Meeting Date: March 4, 2024

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☐
Will be provided on:

Item Summary:

- | | |
|---|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☒ Other: Grant Application |

Documents exempt from public disclosure are attached: ☐

Executive summary: The Community Outdoor Athletic Facilities Grant (COAF) funds comprehensive renovations to the fairground rodeo arena to expand its use by area youth organizations and increase tourism-related income associated with the annual county rodeo.

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

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve the submittal of the COAF Grant

County Official signature & print name:  Don Crawford, Director

Name of Employee/Stakeholder attending meeting: Shari Ioffrida

Relevant Departments: Board of Commissioners, Parks, Fair & Facilities Department

Date submitted: 2.27.2024

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



WASHINGTON STATE
Recreation and
Conservation Office

Community Outdoor Athletic Facilities

Recreation and Conservation Office

PO Box 40917

Olympia WA 98504-0917

Telephone: (360) 902-3000

Hearing Impaired, call 711

Email: info@rco.wa.gov

Web: <https://rco.wa.gov/>

Staff Contact

Nick Norton, policy specialist

Nicholas.Norton@rco.wa.gov

Who May Apply?

- Cities, counties, towns
- Local government subdivisions authorized to own outdoor athletic facilities
- Native American Tribes
- Nonprofits
- Special purpose districts

Types of Projects

- Development
- Renovation
- Land acquisition

Funding Source

Funding comes from state bond revenues left when construction of Seattle's Lumen Field was completed.

Matching Resources

None required.

Providing Places to Play Statewide

Washington State has many fantastic outdoor places to play, from neighborhood basketball courts to regional athletic complexes that host major tournaments, and everything in between.

Benefits of Outdoor Athletic Facilities

Nearly 50 percent of the state's population participates in ball sports, spending more than \$445 million annually on equipment and trip-related expenses and creating jobs across the state.¹

In addition to helping the economy, participating in sports can improve one's health, both physical and mental, improve academic achievements, and increase social behavior.

While Washington offers many athletic facilities, not everyone has equal access to them and the economic and health benefits they generate.

Purpose

To ensure that communities can offer safe and varied places to play, this grant program will help communities build outdoor athletic facilities and expand or renovate existing ones. Funding is allocated to five different regions across the state.

The grants will target communities that lack recreational opportunities, have underserved populations, and have limited financial resources. Underserved communities include people who face barriers to using facilities because of their geographic location, income, religion, sexual orientation, gender identity, race, ethnicity, or special needs (such as language barriers, disabilities, citizen status, or age).

Clallam County

Grant Application Information

DEPARTMENT: **Parks, Fair, & Facilities**

DATE SUBMITTED TO W/S: **2/27/2024**

GRANT NAME: **Community Outdoor Athletic Facilities Grant (COAF)**

APPLICATION DEADLINE: **3/13/2024**

ISSUING AGENCY: **RCO**

IS THIS A RENEWAL? **NO**

LENGTH OF GRANT: **18 mo.**

RENEWAL POSSIBLE? **No**

TOTAL AWARD: **TBD**

ANNUAL AMOUNT : **N/A**

MATCH REQUIRED? **NO**

MATCH AMOUNT: **N/A**

DESCRIPTION OF GRANT AND PURPOSE:

The RCO has developed this grant to aid in developing additional or expanding exterior athletic spaces for increased public access and tourism dollars.

EXPLAIN HOW THIS GRANT WILL BE USED FOR THE GOOD OF CLALLAM COUNTY CITIZENS:

This grant award will fund comprehensive renovations to the fairground rodeo arena to expand its use by area youth organizations and increase tourism-related income associated with the annual county rodeo.

DOES THE GRANT ACTIVITY FURTHER THE DEPARTMENT'S MISSION OR CORE FUNCTIONS? HAS IT BEEN A PART OF LONG TERM DEPARTMENT OR COUNTY GOALS?

The annual County Fair Rodeo is witnessing a historic resurgence. It is incumbent on the county to renovate the existing facility to allow for expansion and increased use by youth programs at other times of the year.

DOES THE GRANT ACTIVITY INCREASE AN EXISTING SERVICE OR ADD A NEW SERVICE? TO WHAT DEGREE? IF THE GRANT WERE NOT AVAILABLE, WOULD THE SERVICE HAVE BEEN NECESSARY?

This grant award will address many years of deferred maintenance. It will organically expand the use of the facility, which should generate additional revenues to address preventative maintenance requirements.

WHAT MEASUREMENTS (PERFORMANCE MEASURES) WILL BE USED TO EVALUATE THE SUCCESS OF THE ACTIVITIES PROVIDED BY THE GRANT? WILL PERFORMANCE MEASURES BE DEVELOPED?

Expanded facilities use and related revenue generation should provide evident performance measures.

DOES THE GRANT ACTIVITY CREATE A NEW SERVICE OR LEVEL OF SERVICE WHICH IS EXPECTED TO BE CONTINUED FROM LOCAL FUNDING AT THE END OF THE GRANT PERIOD?

There will be increased preventative maintenance requirements associated with a renovated facility. However, increased usage should generate increased revenue to absorb those costs.

IF MATCHING FUNDS ARE REQUIRED, WHERE WILL THEY COME FROM? DOES THE DEPARTMENT HAVE EXISTING RESOURCES TO COVER MATCH REQUIREMENTS? FROM WHERE?

No matching funds are required.

WILL THE ACTIVITY IN THIS GRANT HAVE IMPACTS ON OTHER DEPARTMENTS? HAS THIS BEEN DISCUSSED? DO OTHER DEPARTMENTS HAVE SUFFICIENT RESOURCES TO DEAL WITH ADDITIONAL IMPACTS?

Any impacts will be felt within the department.

WILL NEW POSITIONS BE ADDED? IF SO, HOW MANY AND WHAT TYPE ARE EXPECTED? ARE ALL WAGES AND BENEFITS PAID IN THE GRANT? WHAT WILL HAPPEN TO THE POSITIONS WHEN THE GRANT PERIOD ENDS?

N/A

DOES YOUR DEPARTMENT HAVE SUFFICIENT RESOURCES TO ADMINISTER THE GRANT? PROVIDE FOR TIMELY REIMBURSEMENT AND ACTIVITY REPORTS?

It is always a stretch for our small department to absorb additional projects. However, there is no alternative if we wish to improve our facilities and programs.

ARE THERE IMPACTS TO THE COUNTY IF THE GRANT IS NOT RECEIVED? WHAT ARE THEY?

A grant award will eliminate Rodeo Arena-related preventative maintenance expenses for as many as three years.

ARE INDIRECT COSTS ALLOWABLE ON THIS GRANT? IF SO, ARE THERE LIMITATIONS? WILL THEY BE CHARGED AND ALLOCATED AS INDIRECT?

- Administrative costs up to 20 percent of the total construction amount (architectural and engineering, bidding, construction supervision, environmental site planning, surveys, project administration, project closeout, etc.).
- Development and/or renovation costs (cultural resources, permits, surveys, demolition and site prep, construction, fixed equipment, rental or purchase of maintenance or construction equipment, etc.). COAF Manual 6 February 2024
- Acquisition costs (administration, real property costs, appraisal, appraisal review, boundary line adjustments, land survey, closing and recording fees, etc.), if the project has an acquisition component.

ARE THERE OTHER ACTIVITIES (GRANT OR OTHERWISE) THAT ARE BUDGETED FOR THIS YEAR THAT WILL NOT BE COMPLETED IF THIS GRANT IS APPROVED?

This Grant award will require additional staff efforts beyond what is currently planned to successfully

WHAT BUDGET CHANGES ARE NECESSARY? INCLUDE REVENUES AND EXPENDITURES.

The grant is reimbursable, so the county will need to plan on initially covering costs until it is reimbursed.

OTHER COMMENTS



ELECTED OFFICIAL/DEPARTMENT HEAD SIGNATURE

Todd Mielke, ADMINISTRATOR

APPROVAL

Submit in **duplicate** to the Board of Commissioners for Work Session discussion and approval by the Administrator prior to application for any grant. The approved form must be included with the grant contract when it is submitted to the Board for approval. Refer to Administrative Policies 120 and 562.



6

AGENDA ITEM SUMMARY

MAR 04 2024

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

Department: DCD

WORK SESSION ☒ **Meeting Date: 3-4-2024**

REGULAR AGENDA ☐ **Meeting Date:**

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|--|--------------------------------------|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☒ Final Ordinance | ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Board of County Commissioners held their public hearing regarding a proposed ordinance that would require issuance of a placement permit for Recreational Park Trailers (ie. Park Models) on February 13, 2024. The Board discussed the ordinance with staff and asked that revisions to the ordinance be brought back in two weeks.

Staff has removed the term "Recreational" despite this being the term used by L&I to describe these units and has decided to use the common term of Park Model for the references in the document. Staff simplified the definition referencing the WAC that regulates the manufacturing and alteration of recreational park trailers and the designation of their insignia. Staff added a provision per the request of Environmental Health regarding storage of solid waste, and made other minor changes based on public comment and suggestions.

Staff also made changes to better reflect the overall purpose for requiring this permit by allowing existing park models placed for housing to provide verification of compliance with existing regulations in lieu of a permit. The intended purpose of this ordinance is to provide assurance to those placing park models that they are allowed and to provide assurance to the public that they meet zoning setbacks, critical areas and shoreline buffers, drainage requirement, and environmental health regulations that are already required per existing regulations. The issuance of a placement permit will allow the coordinated review by the County that these existing regulations are being met, and will hopefully reduce the number of code enforcement cases related to Park Models. Section .030 (3) has been rewritten to allow existing Park Models placed prior to this ordinance the ability to continue to be occupied unless they are found to be noncompliant with the underlying regulations that already exist, and a pathway for those providing housing to legitimize their placement without paying for a permit. If the ordinance is approved, those properties with current code enforcement cases will be sent a letter to explain how to comply with these regulations which will hopefully resolve over 20

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Agenda 2-28-2024
Revised: 3-04-2019

cases currently active. Staff will also reach out to our local park model dealers, post the news on our website, advertise in the PDN regarding the requirement for a placement permit, and obtain addresses on units that are being taxed and send letters regarding the placement permit if the ordinance is approved.

The Board may now discuss these changes and make a decision regarding how to proceed with the adoption of the ordinance.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Adoption of Recreational Park Trailer Ordinance.

County Official signature & print name:  Bruce Emery

Name of Employee/Stakeholder attending meeting: Donella Clark, Principal Planner

Relevant Departments: DCD

Date submitted: 2-28-2024

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Agenda 2-28-2024
Revised: 3-04-2019

Ordinance _____

An ordinance adding a Chapter 21.06 to the Clallam County Code titled
~~Recreational Park~~ Model Trailer Placement

Section 06. Section .010, Purpose, is created to read as follows:

The purpose of this chapter is to provide an avenue for ~~recreational~~ park model trailers to be legally placed on property in unincorporated Clallam County. Through the issuance of a placement permit the County can ensure proper installation, maintenance of setbacks, appropriate connection to potable water and waste disposal, and location outside of any critical areas or shorelines and their buffers.

Section 06. Section .020, Definition, is created to read as follows:

“Park Model, Recreational Park Trailer, or Tiny Home on Wheels” shall means a trailer-type unit that has substantially lost its identity as a mobile unit by virtue of its being permanently fixed on property primarily designed to provide temporary living quarter for recreational, camping or seasonal use complying with American National Standards Institute A119.5 standard for park trailers as defined by WAC 296-150P-0020. These units shall bear an insignia issued by the Washington Department of Labor & Industries or equivalent. This definition does not include Recreational Vehicles as defined by L&I.

Section 06. Section .030, ~~Recreational Park~~ Model Trailer Placement requirements, is created to read as follows:

(1) Placement of a ~~Recreational Park~~ Model Trailer (including Recreational Park Trailers, Park Models ~~or and~~ Tiny Home on Wheels with appropriate L&I insignia or equivalent) within Clallam County requires approval of a placement permit issued by the Clallam County Department of Community Development (DCD).

(2H) An application for placement shall be submitted to DCD Building Division on the appropriate forms and shall include the following:

- (a) Site Plan showing the location of the park model, other structures, distances from property lines, distances from critical areas and/or shorelines.
- (b) Means of managing stormwater runoff if the area of the park model and other new impervious surfaces (e.g. decks, patios, driveways) of the site exceed 400 square feet.
- (c) Source of approved water connection.
- (d) Approved sewage disposal (ie. Sewer connection, approved septic system)
- (e) Accessory improvements, such as decks, skirting, parking, access, etc.
- (f) Means of securing the unit to prevent overturning or roof uplift

(32) A ~~Recreational Park~~ Model Trailer may not be occupied until a Placement Permit has been issued and a final inspection performed and approved by the Clallam County Department of Community Development (DCD) or if a previously issued permit related to the placement of a Park Model is on file with DCD. Existing ~~Recreational Park Models~~ Trailers placed prior to adoption of this ordinance may continue to be occupied, but if found to be noncompliant with any existing regulations in place at the time of adoption of this title (drainage, septic, potable water, zoning, Critical Areas, Shorelines) may be subject to Code Enforcement action. Existing Park Models used for housing purposes may choose to submit a site plan, approved potable water source, approved sewage disposal, compliance with Critical Area/Shoreline buffers and Zoning setbacks in lieu of a placement permit within 24 months of adoption of this title. ~~may continue to be occupied, but are required to obtain a placement permit within 18 months of adoption of this title.~~

(43) Only one ~~Recreational Park Model Trailer~~ may be placed on a legal lot zoned for residential purposes with or without an existing single-family residence. Multiple Park Trailers may be, unless located within an approved binding site plan established for the purpose of placing multiple park models.

~~— (4) Recreational Park Trailers are designed for temporary, recreational, camping, or seasonal use as identified by Labor & Industries A119.5 and shall bear the L&I Recreational Park Trailer insignia through its lifetime.~~

(65) A ~~Recreational Park Model Trailer~~ placed on property with a single-family residence will disqualify the property for an accessory dwelling unit while the park model is present. Likewise, a property containing an accessory dwelling unit is not eligible for the placement of a park model, unless allowed per Zoning.

(76) Placement of a ~~Recreational Park Model Trailer~~ shall comply with all use and dimensional requirements of the County Code, including setbacks established in the Zoning Code, requirements of the Shoreline Master Program, Critical Areas Code, drainage requirements, and environmental health regulations.

~~(8) Storage of solid waste shall meet the requirements of WAC 173-350-300 which requires solid waste to be held in rigid, durable, corrosion resistant, watertight, rodent-proof, easily cleanable containers.~~

(97) Improvements to a site for the placement of a ~~Recreational Park Model Trailer~~ shall not disturb the native vegetation within a critical area, shoreline, or their associated buffers without compliance with Shoreline and Critical Area regulations. ~~Recreational Park Models Trailers~~ shall not be placed in a designated floodplain.

(108) ~~Recreational Park Model Trailer~~ shall be secured with a system that meets the requirements per the manufacturer's installation instructions or, by engineered design, and shall be installed to prevent overturning and roof uplift.

(119) Placement of ~~Recreational Park Model Trailers~~ shall require service connection to an approved means of sewage disposal, potable water supply, and electrical service.

(120) ~~Recreational Park Model Trailer~~ may have skirting and freestanding detached decks, but shall have nothing structurally connected or adjacent to the park model. Such a Accessory improvements shall be included and reviewed during the placement permit process and may require compliance with existing building codes.

~~(11) An application shall be submitted to DCD Building Division on the appropriate forms and shall include the following:~~

~~— (a) Site Plan showing the location of the park model, other structures, distances from property lines, distances from critical areas and/or shorelines.~~

~~— (b) Means of managing stormwater runoff if the area of the park model and other impervious surfaces (e.g. decks, patios, driveways) of the site exceed 400 square feet.~~

~~— (c) Source of approved water connection.~~

~~— (d) Approved sewage disposal (ie. Sewer connection, approved septic system)~~

~~— (e) Accessory improvements, such as decks, skirting, parking, access, etc.~~

~~— (f) Means of securing the unit to prevent overturning or roof uplift~~

Section 06. Section .040, Effective date, is created to read as follows:

This chapter shall take effect (i.e., the effective date shall be) the date of adoption of the ordinance codified in this chapter.

ADOPTED this _____ day of _____ 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

ATTEST:

Randy Johnson

Loni Gores, MMC, Clerk of the Board

Mark Ozias

DRAFT

Public and Agency Comments received by DCD

Clark, Donella

From: Rebecca Larson <larsontinyhomes@gmail.com>
Sent: Monday, February 26, 2024 2:34 PM
To: Clark, Donella
Cc: Emery, Bruce; Sandra Wilton
Subject: Re: park model

You don't often get email from larsontinyhomes@gmail.com. [Learn why this is important](#)

Donella, Thank you for the response. I do understand what you were saying about the previous established Park Models. I still don't think you need to mention anything about previous Park models that are placed in Clallam County. Usage is not so much your concern as much as having them properly hooked up/ health concerns. I think that managing the potable water and septic tanks from the health department is still something that can be done after this code goes into enforcement, whether it's written into code or not. Any livable home in clallam county has to have these items.

I would consider saying something along the lines of, permitting for previously placed park models have 24mo to acquire a permit.

Just leave it at that. I think you will get a positive response for the rule followers/ legit residents.... All the others may just be a battle and a waste of the county's energy. No retroactive or fees for non compliant customers... still will have to follow water/septic codes no matter what. Leave them separate.

In the section about "homes with park model will be disqualified for ADU." Instead of stating this ... maybe the simplest is to just remove it... you arent advocating for additional dwelling units but you also aren't saying no. How many residents are trying to do both? I really don't think it will be a huge population growth... either way residents will now have to permit both an ADU and a park models. This will also make current people with this setup a chance to become compliant. It will be difficult for most residents to have both... having to add on or change the current septic system.... I think that will weed out the residents who may not be able to afford two additional living spaces and septic upgrades. This will also leave all the family dwelling properties and farm communities alone.

This will also leave it general for potential ADU changes later this year. You really have been really easy and great to work with. Thank you for taking the time and energy to get this right. I know there are a lot of boxes to check and I appreciate the efforts.

If you are planning to make any further changes to this code, can you please forward them to me? I will be speaking at the meeting tomorrow on The changes I noted in this email. If you are willing to make any more adjustments, I would really appreciate it. Thank you

Seth & Rebecca Larson
Larson Tiny Homes, LLC
261133 HWY 101
Sequim WA 98382
360-670-7010

On Mon, Feb 26, 2024 at 10:46 AM Clark, Donella <donella.clark@clallamcountywa.gov> wrote:

Thank you both for coming in to discuss the draft Park Model ordinance with us.

I took your suggestion and modified the definition and clarified that RV's do not meet the definition. I also decided to just change it to park model since this is the most common term.

I spoke with Environmental Health and park models will be treated the same as an ADU when a home is on-site, and Environmental Health already waives the potable water fee if the water source for the home already has an existing water availability case and it is intended to be the same source. They are interested in people drinking clean water, not taking money. And regarding septic they just want to be sure there is capacity for the proposed use.

I am stuck on what to do with existing park models. I understand your concerns about retroactivity of needing a permit, but I also want people to be able to legitimize their use. Park models placed without the benefit of a permit exist in a gray zone that is neither permitted nor prohibited when just placed on a property. In accordance with our ADU code if there is a park model that is used more than 90 days it would be a violation. I cannot "grandfather" a use that was not allowed and that I cannot ensure is meeting all other requirements without them coming in. This is the wording I am thinking:

"Existing Park Models placed prior to adoption of this ordinance may continue to be occupied, but if found to be noncompliant with any existing regulations in place at the time of adoption of this title (drainage, septic, potable water, zoning, Critical Areas, Shorelines) will be subject to Code Enforcement action. Existing Park Models used for housing purposes may choose to submit a site plan, approved potable water source, approved sewage disposal, compliance with Critical Area/Shoreline buffers and Zoning setbacks in lieu of a placement permit within 24 months of adoption of this title."

This will give people wanting to legitimize their use a waiver and ensure compliance with the existing regulations.

I would appreciate any comments from you before noon on Wednesday so that I can incorporate them into the packet that will be going to the Board for discussion on their next steps.

Donella Clark

Principal Planner

Clallam County Department of Community Development

223 E 4th St, Suite 5

Ordinance _____
An ordinance adding a Chapter 21.06 to the Clallam County Code titled
Recreational Park Trailer Placement

Section 06. Section .010, Purpose, is created to read as follows:

The purpose of this chapter is to provide an avenue for Park Model's and THOW (Tiny Homes on Wheels)- because this code is being written for exactly what I wrote, I think we leave RV and trailers out of wording to remove confusion. to be legally placed on property in unincorporated Clallam County. Through the issuance of a placement permit the County can ensure proper installation, maintenance of setbacks, appropriate connection to potable water and waste disposal, and location outside of any critical areas or shorelines and their buffers.

Section 06. Section .020, Definition, is created to read as follows:

"Park Model, Recreational Park Trailer, or Tiny Home on Wheels" means a trailer-type unit primarily designed to provide temporary living quarter for recreational, camping or seasonal use complying with American National Standards Institute A119.5 standard for park trailers as defined by WAC 296-150P-0020. These units shall bear an insignia issued by Washington Department of Labor & Industries. It's ok to leave this, but when reading Port Townsend and Port Angeles they included wording of " L and I regulates construction of the units and Clallam County regulates placement." Clallam county will not be able to regulate usage.

Section 06. Section .030, Recreational Park Models and THOW Placement requirements, is created to read as follows:

(1) Placement of a Park Models and THOW with appropriate L&I insignia if purchased in WA State. Some used units purchased outside of WA state will not have an L&I insignia) Clallam requires approval of a placement permit issued by the Clallam County Department of Community Development (DCD).

(2) A Recreational Park Trailer *may not* be occupied until a Placement Permit has been issued and a final inspection performed and approved by the Clallam County Department of Community Development. (Existing Recreational Park Trailers placed prior to adoption of this ordinance may continue to be occupied, but are required to obtain a placement permit within 18 months of adoption of this title.) **Remove this bold section**

(3) Only one Park Model or THOW may be placed on a legal lot zoned for residential purposes, unless located within an approved binding site plan established for the purpose of placing multiple park models.

(4) Recreational Park Trailers are designed for temporary, recreational, camping, or seasonal use as identified by Labor & Industries A119.5 and shall bear the L&I Recreational Park Trailer insignia through its lifetime. **Remove this section, DCD is only regulation placement**

(5) A Recreational Park Trailer placed on property with a single-family residence will disqualify the property for an accessory dwelling unit while the park model is present. Likewise, a property containing an accessory dwelling unit is not eligible for the placement of a park model. (lot size?)

(6) Placement of a Recreational Park Trailer shall comply with all use and dimensional requirements of the County Code, including setbacks established in the Zoning Code, requirements of the Shoreline Master Program, Critical Areas Code, drainage requirements, and environmental health regulations.

(7) Improvements to a site for the placement of a Park Model or TWOW shall not disturb the native vegetation within a critical area, shoreline, or their associated buffers without compliance with Shoreline and Critical Area regulations. Park Models or THOW shall not be placed in a designated floodplain.

(8) Park Models or THOW shall be secured with a system that meets the requirements per the manufacturer's installation instructions or, by engineered design, and shall be installed to prevent overturning and roof uplift.

(9) Placement of Park Model or THOW shall require service connection to an approved means of sewage disposal, potable water supply, and electrical service.

(10) Park Model or THOW may have skirting and detached decks, but shall have nothing structurally connected to the park model. Such accessory improvements shall be included and reviewed during the placement permit process.

(11) An application shall be submitted to DCD Building Division on the appropriate forms and shall include the following:

(a) Site Plan showing the location of the park model or THOW, other structures, distances from property lines, distances from critical areas and/or shorelines.

(b) Means of managing stormwater runoff if the area of the park model and other impervious surfaces (e.g. decks, patios, driveways) of the site exceed 10% of property or 5,000 sqft.

(c) Source of approved water connection.

(d) Approved sewage disposal (ie. Sewer connection, approved septic system, tank- affordable option)

(e) Accessory improvements, such as decks, skirting, parking, access, etc.

(f) Means of securing the unit to prevent overturning or roof uplift

Section 06. Section .040, Effective date, is created to read as follows:

This chapter shall take effect (i.e., the effective date shall be) the date of adoption of the ordinance codified in this chapter.

ADOPTED this _____ day of _____ 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, MMC, Clerk of the Board

Mike French

1. More than one unit may be allowed depending on lot size/zoning- clarify? up to 2 or 3
2. More than one unit may be allowed for home health care/emergency needs. up to 2 or 3
3. More than one unit may be allowed for affordable housing that is permanent. up to 2 or 3
4. A recreational vehicle may also be allowed on the property in addition to a Park Model/ THOW
5. An ADU and park model can be allowed on the property depending on lot size and to not exceed a total of 1,200sqft or 50% of the primary residence sqft.
6. Park Model or THOW is considered under 400sqft not including Lofts or attached decks
7. Clarify that affordable septic options would be: holding tank, removing a closet in a bedroom to meet 1 bedroom addition.
8. Drainage laws applied are the same that apply currently in Clallam county- not to exceed 10% or 5,000sqft.
9. I believe apply these changes to new permits only is going to be the best way to have a positive response to this new code. Applying it to grandfathered or pre-exisintg Park Model or THOW owners will only cause headache and negative responses, as well as financial hardship and displacement. This will not stand up in court due to the Ex post facto law, (expressly forbidden by the United States Constitution in Article 1, Section 9, Clause 3 (with respect to federal laws) and Article 1, Section 10 (with respect to state laws). which is a law that retroactively changes the legal consequences of actions that were committed before the enactment of the law.
10. clarifying hardship for permit waivers and affordable hookup options/assistance.

Ordinance _____

An ordinance adding a **Chapter 21.06** to the Clallam County Code titled:

PARK MODEL TRAILER PLACEMENT

21.06.010 Purpose.

The purpose of this chapter is to create a permit process for placement of Park Model Trailers on residential property in unincorporated Clallam County. This chapter provides for minimum standards to safeguard life or limb, health, property and public welfare by regulating placement of Park Model Trailers.

21.06.020 Definitions.

The words and phrases as used in this chapter shall have the following meaning:

(1) "Park Model Trailer" means

- a) a structure that is 400 sf or less of living space, excluding lofts that are less than four (4') foot high, and excluding exterior decks (covered or uncovered) that are not part of the interior living space, and excluding the hitch, and that are not built on site;**
- b) a "single-family dwelling" or "dwelling" that is "a structure maintained and used as a residential dwelling that is designed exclusively for occupancy by one family";**
- c) it "is an independent and free-standing structure containing one dwelling unit and having a permanent foundation"; and**
- d) that it "has substantially lost its identity as a mobile unit by virtue of its being permanently fixed in location upon land owned or leased by the owner of the ...park model trailer and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, or other utilities." [see WAC 458-16-080(2)(b)].**

(2) "THOW" means "tiny home on wheels", and has the same meaning as "Park Model Trailer".

(3) "Recreational Vehicles", including 5th Wheels, travel trailers, motor homes, are NOT included in the definition of "Park Model Trailer" herein.

(4) "Structure Size" means a Park Model Trailer that is 400 sf or less of living space, excluding lofts that are less than four (4') foot high, and excluding exterior decks (covered or uncovered) that are not part of the interior living space, and excluding the hitch, and that is not build on site.

21.06.030 Procedures for Compliance.

(1) Make application on the appropriate form(s) for a Park Model Trailer placement permit from the Clallam County Department of Community Development (DCD) Building Division, which shall include:

a) Site map showing placement and distance from lot lines, utilities and other structures on the site, and including setback distances and parking area;

b) Utility plans for sewage disposal, potable water supply, and electrical service, and obtain permits as required. Stormwater drainage is addressed for structures if the Park Model Trailer and other impervious surfaces on the site exceed 10% of the property size or 5,000 sf. DCD cannot require new utility systems for systems that have not failed, nor require updated utility plans for systems that were already in place on the property and that have not failed. Park Model Trailers that come with optional holding tanks shall submit plans accordingly; and

c) Plans for pad, blocking and tie-downs, skirting, stairs and decking that are not inconsistent with the Manufactures installation instructions.

(2) Nothing in this chapter prevents the DCD Building Division from enforcing other chapters of the Clallam County code as it relates to Critical Areas Code, dimensional requirements, setbacks established in the Zoning Code, Shoreline Master Program, and environmental health regulations not addressed herein.

(3) In recognition of the housing crisis that is currently facing Washington State and including Clallam County, the DCD shall not be required to count Park Model

Trailer placement as an accessory dwelling unit (ADU), and placement shall not result in denial of an ADU on the same property, along with the primary home.

(4) Washington State Department of Labor and Industries governs the construction and building requirements for Park Model Trailers built for the purpose to sell to Washington residents, and those units shall be identified and bear the ANSI A119.5 insignia. For Park Model Trailers built outside the State of Washington in a manufacture facility for factory-built structures located within the United States of America, and which are for sale outside of Washington State, and brought into the State of Washington at a later date and sold to a Washington resident, the insignia requirement is waived.

21.06.040 Affordable Options.

The DCD Building Department and Environment Health shall be required to provide affordable options to applicants that are housing insecure, or to those that are providing housing to those that are housing insecure, and to include but not be limited to waiving permit fees.

21.06.050 Effective date.

This chapter shall take effect on the date of adoption of the ordinance codified in this chapter, and shall not apply retroactively to Park Model Trailers already placed prior to its adoption.

ADOPTED this ____ day of _____, 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

ATTEST: _____
Randy Johnson

Loni Gores, MMC, Clerk of the Board

Mark Ozias

Subject: FW: Park Model meeting today

From: Kindall, Abbey <Abbey.Kindall@clallamcountywa.gov>

Sent: Wednesday, February 14, 2024 10:13 AM

To: Clark, Donella <donella.clark@clallamcountywa.gov>; Reed, Janine <janine.reed@clallamcountywa.gov>; Garcelon, Jennifer <jennifer.garcelon@clallamcountywa.gov>

Subject: RE: Park Model meeting today

Per Clallam County Department of Health & Human Services Environmental Health Division Technical Policies and Procedures approved by the Clallam County Board of Health:

520.3 section 5 subsection 52:

All requirements (quantity and potability) of RCW 19.27.097 apply to :

1. the first structure with plumbing to be built on a parcel such as but not limited to a single-family dwelling, garage/shop with a bathroom or a commercial structure with a restroom;
2. any structure resulting an increase in the number of bedrooms (single family residence, ADU) or a greater than 50% increase in gross floor area in a commercial structure, and the water source is a private well with flow data more than 10 years old .

520.3 section 5 subsection 55:

Decisions of adequacy granted for sources identified as surface water or dug wells will require:

1. Notice to Title regarding the type of water supply authorized for any habitable building.
2. Proof that the applicant has filed a water right application with the Washington State Department of Ecology.

520.3 section 5 subsection 51: EXEMPTIONS

Requirements of RCW 19.27.097 do not apply when:

1. The structure contains no plumbing fixtures; or
2. The structure is a remodel , replacement, or improvement to a building that will not result in increased water use, such as no additional bedrooms, and the water supply is a public water system.

Per RCW 19.27.097 Building Permit Application - Evidence of Adequate Water Supply-Authority of a county or city to impose additional requirements

19.27.097 section 1:

1. Each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. An application for a water right shall not be sufficient proof of an adequate water supply.

19.27.097 section 2:

1. In addition to other authorities, the county or city may impose additional requirements, including conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency.

90.44.050:

2. After June 6, 1945, no withdrawal of public groundwaters of the state shall be begun, nor shall any well or other works for such withdrawal be constructed, unless an application to appropriate such waters has been made to the department and a permit has been granted by it as herein provided: EXCEPT, HOWEVER, That any withdrawal of public groundwaters for stock-watering purposes, or for the watering of a lawn or of a noncommercial garden not exceeding one-half acre in area, or for single or group domestic uses in an amount not exceeding five thousand gallons a day, or as provided in RCW 90.44.052 (ONLY APPLICABLE TO WHITMAN COUNTY), or for an industrial purpose in an amount not exceeding five thousand gallons a day, is and shall be exempt from the provisions of this section, but, to the extent that it is regularly used beneficially, shall be entitled to a right equal to that established by a permit issued under the provisions of this chapter: PROVIDED, HOWEVER, That the department from time to time may require the person or agency making any such small withdrawal to furnish information as to the means for and the quantity of that withdrawal: PROVIDED, FURTHER, That at the option of the party making withdrawals of groundwaters of the state not exceeding five thousand gallons per day, applications under this section or declarations under RCW 90.44.090 may be filed and permits and certificates obtained in the same manner and under the same requirements as is in this chapter provided in the case of withdrawals in excess of five thousand gallons a day.

*****Ultimately, Clallam County Environmental Health's main concern when enforcing potable water requirements stipulated within the above information is to safeguard everyone in Clallam County and make sure the water on any property regardless of the dwelling being a park model or not is potable. Severe health risks can occur to our community members if water on a property where someone is dwelling in any compacity is not potable, can range from mild gastrointestinal issues to severe illnesses such as cholera and typhoid fever and in certain situations can be fatal.

Please let me know Donella if you need anything else from me ☺

Thank you,
Abbey Kindall (she/her)
EHS-Drinking Water/Lab
HHS-EH



Clark, Donella

From: Owens, Eli
Sent: Tuesday, February 6, 2024 1:53 PM
To: Clark, Donella; Garcelon, Jennifer
Subject: RE: RE: SW language for park trailer placement

Here's the WAC regarding requirements for the storage of solid waste:

173-350-300 On-site Storage, collection, and transportation standards

Thanks,

Eli Owens

Environmental Health Specialist - Solid Waste

Clallam County Health & Human Services

111 E. 3rd St. - 2nd Floor

Port Angeles, WA 98362

Telephone: 360.417.2358

Email: **PLEASE NOTE:** As of 5/18/2022 my email has changed to the following: Eli.Owens@ClallamCountyWA.gov - emails sent to the old email will still be forwarded to me for the time being. Please update your contact card at your earliest convenience.

Public Records Disclaimer: Pursuant to the Washington State Public Records Act (RCW 42.56), this e-mail is a public record and may be considered subject to disclosure to a third-party.

From: Owens, Eli
Sent: Tuesday, February 6, 2024 7:05 AM
To: Clark, Donella <donella.clark@clallamcountywa.gov>; Garcelon, Jennifer <jennifer.garcelon@clallamcountywa.gov>
Subject: RE: RE: SW language for park trailer placement

If possible, that would be great. The first sentence is required for every single property in the county that aren't permitted to accept solid waste. The second sentence was because that's often what happens and I wanted to make it abundantly clear that it's not an acceptable means of storing garbage.

Thanks,

Eli Owens

Environmental Health Specialist - Solid Waste

Clallam County Health & Human Services

111 E. 3rd St. - 2nd Floor

Port Angeles, WA 98362

Telephone: 360.417.2358

Email: **PLEASE NOTE:** As of 5/18/2022 my email has changed to the following: Eli.Owens@ClallamCountyWA.gov - emails sent to the old email will still be forwarded to me for the time being. Please update your contact card at your earliest convenience.

Public Records Disclaimer: Pursuant to the Washington State Public Records Act (RCW 42.56), this e-mail is a public record and may be considered subject to disclosure to a third-party.

From: Clark, Donella <donella.clark@clallamcountywa.gov>
Sent: Monday, February 5, 2024 4:40 PM

To: Garcelon, Jennifer <jennifer.garcelon@clallamcountywa.gov>; Owens, Eli <eli.owens@clallamcountywa.gov>
Subject: RE: RE: SW language for park trailer placement

Eli,
Are you hoping to have this be integrated into the placement permit process for park models? Do you require this for single-family dwellings such as mobile homes?
-Donella

From: Garcelon, Jennifer <jennifer.garcelon@clallamcountywa.gov>
Sent: Monday, February 5, 2024 3:55 PM
To: Clark, Donella <donella.clark@clallamcountywa.gov>; Fleming, Holden <Holden.Fleming@clallamcountywa.gov>
Subject: FW: RE: SW language for park trailer placement

Here is information for solid waste.

From: Owens, Eli <eli.owens@clallamcountywa.gov>
Sent: Monday, February 5, 2024 10:37 AM
To: Garcelon, Jennifer <jennifer.garcelon@clallamcountywa.gov>
Subject: RE: SW language for park trailer placement

Recreational Park Trailer Placement language update for SW:

(##) Temporary storage of solid waste (garbage) must be held in containers which are rigid, durable, corrosion resistant, watertight, rodent-proof, easily cleanable, and equipped with a close-fitting cover. Solid waste must not accumulate under or around the park trailer unless stored in an appropriate container.

Eli Owens

Environmental Health Specialist - Solid Waste

Clallam County Health & Human Services

111 E. 3rd St. - 2nd Floor

Port Angeles, WA 98362

Telephone: 360.417.2358

Email: **PLEASE NOTE:** As of 5/18/2022 my email has changed to the following: **Eli.Owens@ClallamCountyWA.gov** - emails sent to the old email will still be forwarded to me for the time being. Please update your contact card at your earliest convenience.

Public Records Disclaimer: Pursuant to the Washington State Public Records Act (RCW 42.56), this e-mail is a public record and may be considered subject to disclosure to a third-party.



7
MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: DCD

WORK SESSION ☒ Meeting Date: March 4, 2024

REGULAR AGENDA ☒ Meeting Date: March 12, 2024

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | |
|--|--|
| ☒ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☐ Other |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Department of Community Development received two application requests for rezones for the 2023 round. The Planning Commission completed their review and final recommendations to forward to the Board of County Commissioners at their February 7, 2024 meeting. The Board of County Commissioners shall now hold their public hearing on the requests and decide if they approve the proposed Comprehensive Plan and Zoning Map Amendments REZ2023-00001 and REZ2023-00002. The staff reports, letter of transmittal from the Planning Commission, and draft ordinances with maps are attached.

REZ2023-00001 is a request to change the zoning of an approximate 38.19 acre parcel referenced as parcel number 093132-120000 and owned by Dennis and Karen Yakovich from the current Commercial Forest (CF) zone to Commercial Forest Mixed-5 (CFM5). Staff recommended approval of the proposal, but the Planning Commission voted 3-2 to deny the application.

REZ2023-00002 is a request to change the zoning of an approximate 5.19 acre parcel owned by Fire District #3 and referenced as parcel number 053014-240050 from the current Public (P) zone to Rural Character Conservation-3 (RCC3). Staff recommended approval of the proposal and the Planning Commission voted 5-0 to approve the application.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approve or Deny draft ordinances to rezone properties.

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

County Official signature & print name: Bruce Emery, Bruce W. Emery

Name of Employee/Stakeholder attending meeting: Donella Clark, Principal Planner

Relevant Departments: DCD

Date submitted: 2/28/2024

-
- * Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

agenda2-28-2024
Revised: 3-04-2019

Questions? Call Loni Gores, Clerk of the Board, ext 2256

PUBLIC HEARING

Proposed Comprehensive Plan Map and Zoning Map amendment

NOTICE IS HEREBY GIVEN that the Clallam County Board of Commissioners will conduct a public hearing on Tuesday, March 26, 2024 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington. The purpose of the public hearing is to receive public testimony on the proposed Comprehensive Plan Map, Title 31, and Zoning Map, Title 33, amendments.

SUMMARY OF PROPOSALS: REZ2023-00001 is proposing to change the classification of the 38.19-acre property referenced as Assessor's Tax Parcel Number 093132-120000 from "Commercial Forest" (CF) to "Commercial Forest Mixed-5" (CFM5).

REZ2023-00002 is proposing to change the classification of the 5.19-acre property referenced as Assessor's Tax Parcel Number 053014-240050 from "Public" (P) to "Rural Character Conservation-3" (RCC3).

HOW TO COMMENT: All persons wishing to comment are welcome to either submit their written comments before the hearing is commenced or present written and/or oral comments during the public hearing. Written comments should be sent to the Clallam County Board of Commissioners, 223 East 4th Street, Suite 4, Port Angeles, WA 98362-3015 or via email to loni.gores@clallamcountywa.gov

DOCUMENTS AND INFORMATION: The staff report and other information regarding the proposal is available for review at the Clallam County Department of Community Development located in the Clallam County Courthouse at 223 E. 4th Street, Port Angeles, WA and on-line at <https://www.clallamcountywa.gov/178/Community-Development-DCD>

In compliance with the Americans with Disabilities Act (ADA), appropriate aids and/or reasonable accommodations will be made available upon request. Requests must be received by the Commissioner's office (Phone: 360-417-2233; see address above) at least 7 days prior to the hearing. The facility is considered "barrier free" and accessible to those with physical disabilities.

Publish: March 16 and 23

Bill: Dept. of Community Development

Loni Gores, Clerk of the Board

LETTER OF TRANSMITTAL

To: Clallam County Board of Commissioners

From: Clallam County Planning Commission

Subject: Transmittal to BOCC: Findings and Conclusions regarding proposed Comprehensive Plan and Zoning Map Application REZ2023-00001, Dennis and Karen Yakovich

Dear Commissioners:

The Clallam County Planning Commission has completed its review and public hearing on the proposed Type C Application to amend the Clallam County Comprehensive Plan and Zoning Map and recommends denial of the proposal. The Planning Commission completed its review and approved its final recommendations to forward to the BOCC at its meeting of February 7, 2024. As Chairman of the Clallam County Planning Commission, having first received the authorization of the Commission, I am transmitting herewith the findings and recommendations of the Commission on this Comprehensive Plan and Zoning Map Amendment Application:

FINDINGS OF FACT:

1. The Planning Commission held a public hearing February 7, 2024, on Comprehensive Plan and Zoning Map Amendment Application No. REZ2023-00001, submitted by Steve Wirth on behalf of Dennis and Karen Yakovich, to amend the Clallam County Zoning Code, Title 33 CCC, to change parcel 093132-120000 from the current Commercial Forest (CF) designation to Commercial Forest Mixed-5 (CFM5).
2. The property is an undeveloped 38.19 acre property located west of the Joyce Urban Growth Area, south of Highway 101, identified as parcel number 093132-120000.
3. In 1995, the County adopted final Commercial Forest (CF) comprehensive plan land use and zoning designations. The subject property was owned by a timber company at the time of the CF zoning designation, whereas the surrounding privately owned properties were designated CFM5.
4. The required showing for comprehensive plan and zoning map amendments must demonstrate consistency with all of the criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan.
5. The state Growth Management Act (GMA) enacted in 1990 supports maintaining and enhancing productive timberlands and discouraging incompatible land uses RCW 36.70A.020 (8).
6. The Countywide Comprehensive Plan Policy CCC 31.02.140(23) states that:

"Land designated as Commercial Forest shall remain in this classification unless a strong case can be made that the zoning could be changed without affecting

the commercial viability of the surrounding forest land. Zone change applications shall meet one of the following criteria:

- a. An error was made in application of the criteria establishing the zone; or
 - b. The Board of County Commissioners after giving careful consideration to the value of the resource to the community finds that commercial forestry cannot generate a reasonable return on investment when compared to other forested properties and that growth could not be directed to other non-forested rural lands in the same vicinity." CCC 31.02.140(23)
7. The Staff report presented with this case states that the parcel does not meet all criteria for designation of Commercial Forest zone, but was rightfully designated because of the ownership of the property by a timber company at the time the CF and CFM5 zones were designated in the area. Since the timber company sold the parcel to an individual owner the conditions of the original designation have been altered.
8. The subject property borders State lands to the south and west and privately owned properties zoned CFM5 to the east and north. The property to the north is a 33.23 acre parcel with a residential component and the property to the east is an 18.53 acre parcel with a single-family residence. Rezones must be evaluated with respect to application to other similarly situated properties. The subject property borders State lands to the south and west that are zoned CF and CFM5 zoning of the privately owned residentially developed parcels to the north and east.
9. With the large amount of State owned lands west of Joyce, there are limited areas for residential development. The Comprehensive Plan acknowledges that parcels less than 80 acres can realize long-term timber production, but would likely require a residential development component [CCC 31.02.130 (4); CCC 31.02.140 (12)].
10. The Zoning Code is to "direct the future growth and development of the County consistent with the Comprehensive Plan"; and "implement the goals and policies of the Comprehensive Plan in a manner which protects private property rights and is the least intrusive manner possible."
11. An evaluation of the cumulative effects of a decision to approve or deny a particular application must consider whether the rationale for the decision would be sustainable and consistent with adopted policies and standards if applied to similarly situated properties across the County.
12. The Planning Commission voted 3-2 with one abstention to recommend denial of the application. Commissioners on the side of approval deemed the application appropriate and consistent with the surrounding neighborhood. Those who voted for denial did so in the interest of continuing forest land and preserving this property as a transitional land from residential to the larger timber lands also in the CF zone.

Because of the above-described facts and findings, and attachments hereto, the Commission adopts and transmits the following conclusion to the Clallam County Board of Commissioners.

CONCLUSION: The required showing for map amendments to the comprehensive plan and zoning land use and zoning map designations did not meet all of the criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan.

Now therefore in light of the above Findings of Fact, the Clallam County Planning Commission concludes that the proposed revisions to the Clallam County Comprehensive Plan and associated development and zoning regulations, and mapping changes, recommended for denial to the BOCC and as Chair of the Commission, has directed me as its duly authorized agent to transmit this recommendation to the BOCC on the above-inscribed date.

	
_____ Steve Gale, Chair	_____ Date

Ordinance _____

An ordinance amending Title 31, Comprehensive Plan Map, and Title 33, Zoning Map, of the
Clallam County Code (Application REZ 2023-00001)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section.010, Property.

Title 31, Comprehensive Plan Map, and Title 33, Zoning Map of the Clallam County Code is hereby amended by changing the classification of the property referenced by Assessor's Tax Parcel Number 093132-120000 from "Commercial Forest" (CF) to "Commercial Forest Mixed-5" (CFM5). The property is an approximate 38.19 acre parcel within a portion of the Northwest ¼ of the Northeast ¼ of Section 32, Township 31 N, Range 9 and is described in the Statutory Warranty Deed Auditor File Number 2007-1204994. The subject property is shown on the map prepared by the Clallam County Department of Community Development that is attached to this Ordinance as Exhibit A.

Section 2. Section.020, Applicability.

The Board has determined that this amendment is in the best interest of the public health, safety, and welfare.

Section 3. Section.030. Effective Date.

This ordinance shall become effective on the date upon which the Board of County Commissioners takes legislative action to comply with the requirements of RCW 36.70A.130 for annual updates, or on December 31, 2024, whichever date comes first.

ADOPTED this _____ day of _____ 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

ATTEST:

Randy Johnson

Loni Gores, Clerk of the Board

Mark Ozias

Exhibit A

Amending Title 31, Comprehensive Plan Map, and Title 33, Zoning Map of the Clallam County Code (Application No. REZ2023-00001)

Pursuant to Ordinance _____, the property described below and shown on this map is hereby re-designated from Commercial Forest (CF) to Commercial Forest Mixed-5 (CFM5). The property is described as 38.19 acres, located south of Hwy 112, west of the Urban Growth Area of Joyce, near Springhaven Road (APN 093132-120000).

ADOPTED this _____ day of _____, 2024

**BOARD OF CLALLAM COUNTY
COMMISSIONERS**

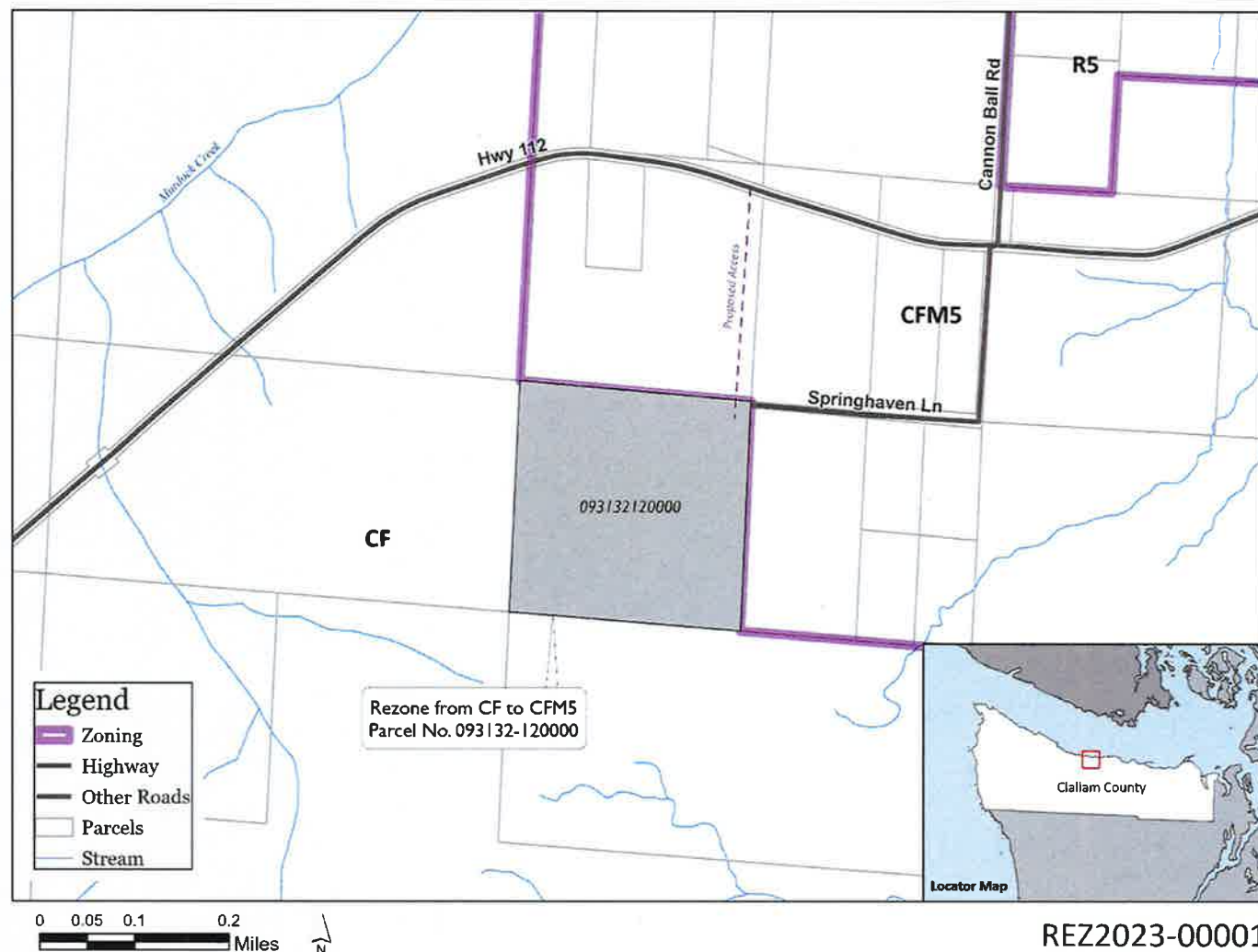
Mike French, Chair

Randy Johnson

Mark Ozias

ATTEST:

Loni Gores, Clerk of the Board



REZ2023-00001



Staff Report

Clallam County Department of Community Development

Date: January 10, 2024
To: Clallam County Planning Commission
From: DCD Planning Division
Re: Rezone and Comprehensive Plan and Zoning Map Amendment
Application 2023-00001 – Yakovich

REQUEST

Dennis and Karen Yakovich submitted an application to request a Comprehensive Plan Land Use and Zoning Map amendment for approximately 38.19 acres, referenced as parcel number 093132-120000. The property is located south of Highway 112, west of the Urban Growth Area of Joyce, near Springhaven Lane. The request is:

- Change the designation of the property from Commercial Forest (CF) to Commercial Forest Mixed-5 (CFM5).

APPLICATION SUMMARY

The full application submitted is provided in Appendix A. The rationale in support of the requested rezone is found in the applicant's "Justification". The rationale is reliant on the opportunity of the landowner to be able to develop at the density of the other surrounding private landowners. The property changed ownership from a large timber company to a private landowner in 2007.

BACKGROUND

Ownership

The property is described as "NW NE 32-31-9" in a Statutory Warranty Deed Auditor File Number 2007-1204994 recorded July 12, 2007 transferring the property from Green Crow Timber LLC to Dennis Yakovich (Exhibit). Green Crow Corporation purchased the property from GC Forest Inc in 1997 through a Bargain and Sale Deed, AFN 762642. The property has historically been owned by timber companies, presumably since the designation of the property as the current Commercial Forest zone implemented in 1995.

Existing Land Use/Land Cover

The property is currently forested and undeveloped. The purpose of CF zone is to "*protect large forest land parcels from encroachment of uses which threaten effective forest management practices*" (CCC 33.07.020). The property was part of a survey conducted in 1982 for L. Baker, Vol 8 Pg 10 for the entire 80 acre section. The subject property is currently described as a quarter quarter section and is just shy of 40 acres. The property is enrolled in, and taxed as, Open Space Timberland through the Assessor's Office and is currently forested.

Residential density in the CF zone is one dwelling unit per 80 acres. Development of a single-family residence on the subject property would require approval of a conditional use permit since the property was part of an ownership with more than 640 acres of other Commercial Forest lands on June 27, 1995, CCC 33.07.

Surrounding Land Use/Land Cover

The property abuts State owned timberlands on the southern and western property boundaries. The surrounding privately owned parcels in the near vicinity are all designated Commercial Forest Mixed-5 (CFM5). These parcels are largely forested with development of single-family residences, and vary in size from 5 to 35 acres.

Access

The property is served by a private easement that travels south from Highway 112 to the subject property.

Utilities

Electricity and telephone services would need to be extended to the subject property, but there is existing services to the residences to the north and east of the subject property. The surrounding properties are served by on-site septic systems and are within the service area of Fire District #4.

Critical Areas

There are no critical areas identified on the subject property. The property sits south of Highway 112 and is over 3800 feet from the Strait of Juan de Fuca.

MAP AMENDMENT CRITERIA OF APPROVAL

When considering an application for rezone, the Planning Commission and Board of County Commissioners (BOCC) are required to evaluate the amendment with regard to six criteria contained under CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan. These six criteria, or "Required Showing for an Amendment," provide the scope of consideration that the Planning Commission and BOCC must respond to in order to determine if a rezone should be approved. The following summarizes staff's preliminary analysis with regard to the required showing for amendment.

Criterion 1. The proposed amendment is consistent with the spirit and intent of the Clallam County Comprehensive Plan.

The goals and policies adopted by the Board of County Commissioners in the Clallam County Comprehensive Plan, the various Regional Plans, and the Clallam County Zoning Code provide the framework for land use decisions in Clallam County. Particularly relevant to this request are the goals and policies that were specifically developed to guide the designation of both Commercial Forest (CF) and Commercial Forest Mixed-5 (CFM5), both resource zones in the Clallam County Code. For your convenience, excerpts of any referenced county code sections are attached as Appendix B. For the full text of the County's Code, go to <https://clallam.county.codes/CCC>

The Comprehensive Plan states that *"It is the task of this plan to provide the policy framework necessary to protect our remaining forest lands from conversion to other uses, through regulations and incentives to landowners,"* at CCC 31.02.130(2), and lists as its very first forest land use goal that *"suitable forest land in the County [be retained] in commercial forest land use, because of general economic benefits to the people of the county derived from forests, including timber production and processing, watershed conservation, recreation, and fish and wildlife*

conservation." CCC 31.02.140(1). Pressure to Forest Lands comes from permanent conversion to uses incompatible with growing trees. Parcels devoted to growing trees have been identified as being economically viable if they remain 20 to 80 acres in size with a residential component necessary to achieve practical use of the property.

Specific criteria is identified for the designation of Commercial Forest Lands and is defined in the Comprehensive Plan as:

"land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered:

- (a) The proximity of the land to urban, suburban, and rural settlements;*
- (b) Surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses;*
- (c) Long-term local economic conditions that affect the ability to manage for timber production;*
- (d) The availability of public facilities and services conducive to conversion of forest land to other uses. (CCC 31.02.050 (18))"*

Designation of Commercial Forest (CF) Land. The Comprehensive Plan contains several key policies that guide designation of Commercial Forest land from both a "county-wide" and "regional" standpoint.

The Comprehensive Plan establishes eight criteria for designating Commercial Forest lands under CCC 31.02.140(8). These criteria apply as follows to the subject property:

- 1. The land is primarily devoted to growing trees (includes clearcuts and plantations).** The property was zoned Commercial Forest in 1995 when it was owned by a timber company. The property was transferred to Dennis and Karen Yakovich on July 12, 2007 through a Quit Claim Deed. County records indicate that the property continues to be enrolled in, and taxed as, Open Space Timberland.
- 2. The "private forest land grade" established in RCW Title 84 is 1 through 4 or the site index for Douglas Fir is greater than 83 feet and for Hemlock is greater than 82 feet (50 year rotation base).** The soil type found on the subject property is identified as "Sadie gravelly loam, 0 to 35 percent slopes" which has a mean index for Douglas fir estimated at 118 for a 50 year period, well above the minimum standard for commercial forest land of 82-feet.
- 3. The land does not have access (hookup rights) to municipal sewers.** The property does not have access to municipal sewer service. The surrounding residential developments are served by on-site septic systems.
- 4. The parcel has a minimum parcel size of 80 acres or 1/8 of a standard section subdivision or contiguous parcels under one ownership can be grouped to total 80 acres or 1/8 of a standard section subdivision.** The subject property is described as "the Northwest Quarter of the Northeast Quarter in Section 32, Township 31 North, Range 9 West, W.M., Clallam County, Washington" and is indicated in the Assessor's Records as being 38.19 acres. The property was surveyed with the northern 40 acres in

1982 for L. Baker under Volume 8 Page 10, but was separately sold over time from the subject property. The northern portion of the 80 acres was divided in 1986, creating an approximate five acre and 35 acre parcels that are currently developed with single-family residences and zoned CFM5. The subject property has historically been owned by timber companies and was acquired by the current owner in 2007 from Green Crow Timber LLC.

5. *The parcel does not meet criteria a) through d) above, but are surrounded on at least three sides by lands meeting the definition of Commercial Forest Resource Lands.*

The subject parcel meets three of the four criteria for designation as commercial forest and is only adjacent to State owned Department of Natural Resources land on the south and western property lines. The residential parcels to the north and east are zoned Commercial Forest Mixed-5 (CFM5) and are developed with single-family residences, but retain large forested areas on those residential lots.

6. *The parcel is not within the city limits of an incorporated city.* The subject property is not within any city limits.

7. *Forest lands are usually found in large contiguous blocks of ownership and are not generally surrounded by residential development (densities do not exceed one dwelling per five acres).* The property is a single privately owned parcel surrounded to the north and east by residential development. When the parcel was owned by Green Crow, a timber company, the commercial forest designation of the 40 acre parcel was understandable. Circumstances changed when the property was sold in 2007 to a private land owner.

8. *While slope is not a primary criteria for determination of commercial forest, steep slopes in excess of 40% slope should generally be included with commercial forest lands due to their unsuitability for development.* The subject property is relatively flat and is not unsuitable for development.

The subject property does not appear to meet the full extent of the criteria for designation in the Commercial Forest land, CCC 31.02.140(8), however, at the time of its designation the intended use and ownership appeared to factor into the decision of its designation.

Conversion of Commercial Forest (CF) land. The Comprehensive Plan at CCC 31.02.130(2) states that "*County forest lands are being permanently and irreversibly lost through conversion to other uses such as residential development.*" The first goal listed under CCC 31.02.140(1) is to "*Retain suitable forest land in the County in commercial forest land use, because of general economic benefits to the people of the County derived from forests, including timber production and processing, watershed conservation, recreation, and fish and wildlife conservation.*"

The Countywide Comprehensive Plan Policy CCC 31.02.140(23) states that "*lands designated as Commercial Forest shall remain in this classification unless a strong case can be made that the zoning could be changed without affecting the commercial viability of the surrounding forest land*" [emphasis added]. It goes on to state that zone change applications "shall meet one of the following criteria:

- *An error was made in application of the criteria establishing the zone; or*
- *The Board of County Commissioners after giving careful consideration to the value of the resource to the community finds that commercial forestry cannot generate a*

reasonable return on investment when compared to other forested properties and that growth could not be directed to other non-forested rural lands in the same vicinity.” CCC 31.02.140(23) [emphasis added].

An analysis of how CCC 31.02.140(23) applies to this request follows:

Point One: The first part of Policy CCC 31.02.140(23) indicates Commercial Forest zoning shall not be changed unless it can be shown that a change will not affect the commercial viability of the surrounding forest land. The property is adjacent to residential development to the north and east and State owned commercial forest lands to the south and west. Conversion to the Commercial Forest Mixed-5 zone will allow continued timber production with a residential component to increase its economic viability. The property is currently only 40 acres in size, which the Comprehensive Plan identifies as being economically viable with a residential component, CCC 31.02.130(4).

The Straits Regional Plan recognizes commercial forestry/residential mixed zoning as a tool to manage commercial forestry by smaller land owners, CCC 31.05.300(4). The intent of the zone is to allow some development while maintaining buffers from commercial forest operations and residences. CFM zones allow for the clustering of residences or development on larger parcels at low densities. Under the proposed rezone, the property would be similarly zoned to the properties adjacent to the subject property and will be zoned to allow residential development and the retention of forested property.

Point Two. Removal of land from Commercial Forest designation may occur if it can be shown that an “error” in designation occurred in the application of the criteria for establishing the zone. As discussed above, an initial review of the Comprehensive Plan polices for designating Commercial Forest lands reveals no evidence that the subject property was designated in error. The property met many of the criteria for designation as a Commercial Forest zone and was owned by timber companies until 2007. The property was designated based on the criteria of commercial forest lands as well as the ownership and intended use of the property during the Comprehensive Planning and Zoning Map of 1995.

Point Three. Excluding evidence that an error in designation was made, CCC 31.02.140(23)(b) does allow the Board of County Commissioners to *“find that commercial forestry cannot generate a reasonable return on investment when compared to other forested properties and that growth could not be directed to other non-forested rural lands in the same vicinity.”*

The property is described as 1/16th of a section of land and is nearly 40 acres in size. The property was formerly owned by Green Crow Timber until 2007 when it became owned by the applicant. Surrounding properties are a mixture of State managed Commercial Forest lands and residentially developed timbered properties. According to the Comprehensive Plan, CCC 31.02.130 (4), *“long-term commercial timber production can be realized on parcels 80 acres and larger. Owners of land between 20 and 80 acres in size can realize long-term timber production, but would likely require a residential development component in order to achieve economic and practical use of the parcel.”* To implement this policy, the Zoning Code at CCC 33.07.020, Commercial Forest, lists “single family dwellings” as an allowed use in Commercial Forest lands *“[o]n lots which were not part of an ownership of more than 640 acres located in the Commercial Forest zoning district, on June 27, 1995,”* and otherwise lists “single family dwellings” as a conditional use. Because the subject property was owned by a large timber company until 2007, construction of a single-family residence would require conditional use approval. Approval of a conditional use permit

would allow standards to be enforced to protect the surrounding commercial forestry lands from intrusion by a non-compatible use.

Under the proposed rezone to CFM5, residential development could be expanded to include up to 7 single family dwellings, plus associated accessory dwelling units. Development of the parcel will be reviewed for protection of the forestry potential and would encourage clustering with a forest reserve. CFM5 is considered a resource zone and the surrounding lots are similarly zoned with the same potential for development on similarly sized lots.

Conclusion: The parcel does not meet all criteria for designation of Commercial Forest Land, but was rightfully designated Commercial Forest Land because of the ownership at the time the zoning was decided. Rezoning of the property would provide the same opportunities for this property as those adjacent with similar characteristics in the near vicinity, and allow for the protection of timber resources by allowing a residential component. The Comprehensive Plan identifies that parcel less than 80 acres should have the ability to add residences to achieve economic and practical use of the parcel.

Criterion 2. The proposed amendment is consistent with the spirit and intent of the Clallam County Zoning Code and with interlocal agreements, transportation, parks and recreation, capital facility, utility, watershed, and other applicable land use and environmental plans and policies adopted by the County.

The spirit and intent of the Clallam County Zoning Code is defined under the purpose statement of CCC 33.01.020. This section identifies a clear link between the Zoning Code and the Comprehensive Plan in that the Zoning Code is to *"direct the future growth and development of the County consistent with the Comprehensive Plan"*; and *"implement the goals and policies of the Comprehensive Plan in a manner which protects private property rights and in the least intrusive manner possible."*

The stated purpose of the Commercial Forest (CF) zoning district that currently applies to the subject property is to *"protect large forest parcel from encroachment of uses which threaten effective forest management practices."* CCC 33.07.020. The purpose of the Commercial Forest/Residential Mixed Use 5 zone is to *"maintain and enhance the forest resources of Clallam County through conservation of productive forest lands and discouragement of incompatible land uses. The Commercial Forest/Residential Mixed Use 5 zone provides for a compatible mix of commercial forest and residential land uses. The Commercial Forest/Residential Mixed Use 5 zone is usually found in association with the Commercial Forest zone and the forest reserves provided for under the cluster development option provide a buffer between Commercial Forest zoning and the housing allowed in the CFM zones and adjacent rural residential zones"* CCC 33.07.040. Both zones are intended to protect productive forest lands.

Conclusion: The current zoning designation of CF is meant to *"protect large forest parcel from encroachment of uses which threaten effective forest management practices."* Under the proposed rezone a potential 7 residences could be developed with the designation of a forest reserve, providing a transitional zone between truly productive timber parcels and rural development. The zone is intended to provide a mix of opportunities for parcels that do not meet the specified criteria of Commercial Forest Lands and is consistent with the spirit and intent of the zoning code.

Criterion 3. The proposed amendment will not be detrimental to the public health, safety and welfare.

Development of the subject property, if granted the rezone, would be conditioned to meet all regulations of the subdivision code, environmental health regulations, stormwater requirements, and building regulations which would adequately protect public health, safety and welfare and could provide additional residential opportunities. The subject property does not contain any noted critical areas.

Criterion 4. The proposed amendment is necessary due to changed conditions or circumstances from the time the property was given its present designation which warrants consideration of a different land use [and zoning] designation.

The northern half of the original surveyed 80 acres was designated CFM5 while the subject property was designated CF because it was privately owned at the time of its designation. The subject property does not meet all the criteria of Commercial Forest land, but was owned by a timber company, so was designated CF. Since the time of its original designation as Commercial Forest, conditions on the subject property have changed in that a timber company no longer owns the subject property, but this is the only condition that has changed. Had a timber company not owned the almost 40 acre parcel it is perceived that the property would have been CFM5 similarly to the surrounding properties.

Criterion 5. The proposed amendment will not result in probable significant adverse impact to the adequacy of public facilities and services including, but not limited to transportation, sewer, water, storm water, utilities, and parks required to meet urban or rural needs, and will not place uncompensated burdens upon existing and planned services.

Approval of the rezone would increase the potential of residential development. Approval of any subsequent land use application would be subject to review under applicable land use and environmental health regulations, including the availability and adequacy of public facilities and services.

Criterion 6. The cumulative effects of all proposed amendments have been assessed and determined to be consistent with the spirit and intent of the Clallam County Comprehensive Plan.

In taking action on an application for rezone and Comprehensive Plan amendment, the Board of County Commissioners makes policy decisions that not only directly impact the subject property owners, but directly and indirectly impact other property owners, both in the immediate area and throughout the County. Zoning designations control what uses are allowed or prohibited on a particular piece of property. While an applicant may have a specific use in mind that he or she is able to achieve through a change in zoning, the applicant is nevertheless under no obligation to limit land use activities to that original plan. The applicant would in fact be eligible for any of the land uses listed as Allowed in the underlying zoning district. For this reason, the applicant's stated intent on their application must not be the sole or primary criteria for a zoning change, and an evaluation of a rezone application must consider all possible uses allowed under the proposed zoning district.

Additionally, a decision on a rezone must be evaluated with respect to its application to other similarly situated properties. The original CF designation was not done in error even though it did not meet all of the criteria to be designated a viable commercial forest land, but was likely

designated due to location and ownership of the property by a timber company. Because of these factors, the CF zone was appropriately assigned. Similar properties adjacent to the subject property that were privately owned were designated the Commercial Forest Mixed 5 (CFM5) zoning designation. The property which is now owned by a private individual is being requested to have this same designation as the surrounding properties with similar circumstances. Rezoning the subject parcel from the CF zone to the CFM5 zone would appear to meet point 3 for a rezone and would not reduce the viability of any surrounding commercial forest lands. Redesignation to CFM5 would allow the land owner to continue timber management with a residential component to make the property more economically viable, which is consistent with the spirit and intent of the Comprehensive Plan.

STAFF RECOMMENDATION

Approval of this proposal would provide the land owner the same opportunities of similarly sized properties within the vicinity of the property. The property would likely have been designated CFM5 if privately owned, but was owned and utilized for timber production by a timber company at the time of the zoning designation in 1995. The property alone does not meet all criteria to qualify as a viable Commercial Forest land within Clallam County, and the Comprehensive Plan suggests a residential component to be more economically viable. Designation of CFM5 maintains characteristics of timber lands with a residential component that helps provide a transition area between residentially zoned lands and commercial forest zones.

Based on the above analysis, Planning Division staff believes that Rezone and Comprehensive Plan Map Amendment Application REZ2023-00001 is supported by existing policies and **recommends approval** of the request.

Reference List:

Map 1 Vicinity Map
Map 2 Critical Area Map
Map 3 Aerial Photo

Appendix A: Application and Justification

Exhibit 1 Statutory Warranty Deed AFN2007-1204994

Exhibit 2 Survey Volume 8, Page 10

Exhibit 3 Bargain and Sale Deed GC Forest to Green Crow Corporation Book 1206 Page 581

Relevant code citations, found at: <https://clallam.county.codes/>

Text of Zoning Code

CCC 33.07.020, Commercial Forest (CF)

CCC 33.07.040, Commercial Forest Mixed 5 (CFM5)

Text of Comprehensive Plan

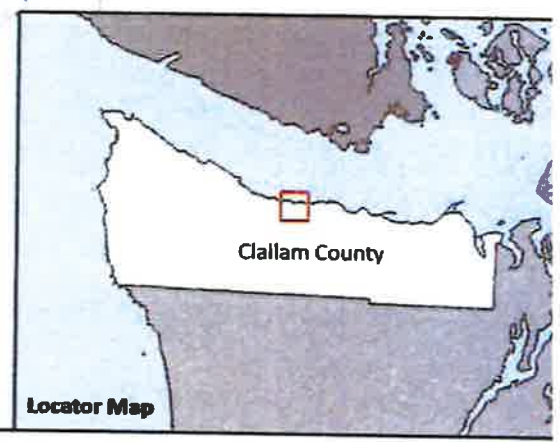
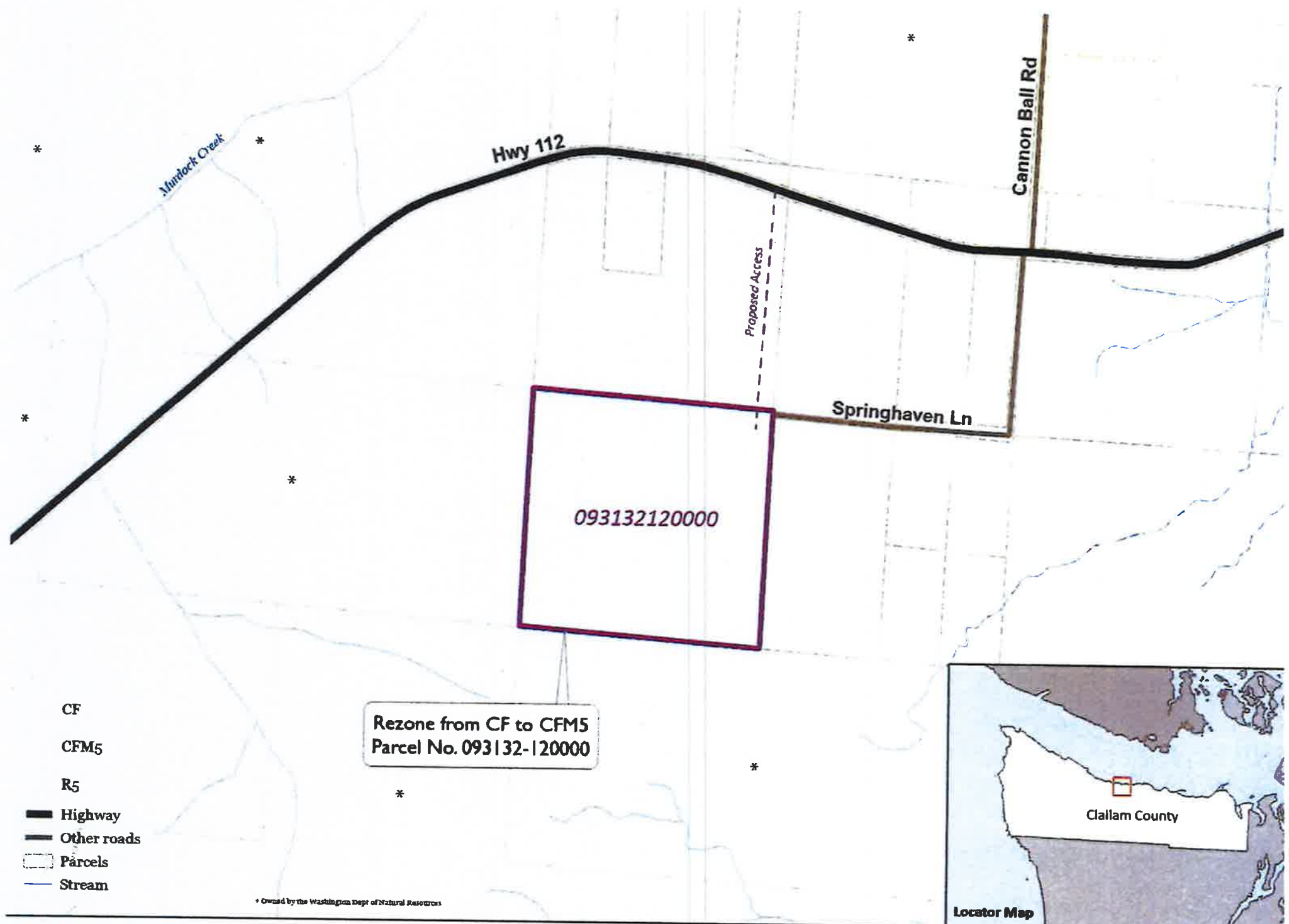
CCC 31.02.130, Forest land issues

CCC 31.02.140, Forest land goals

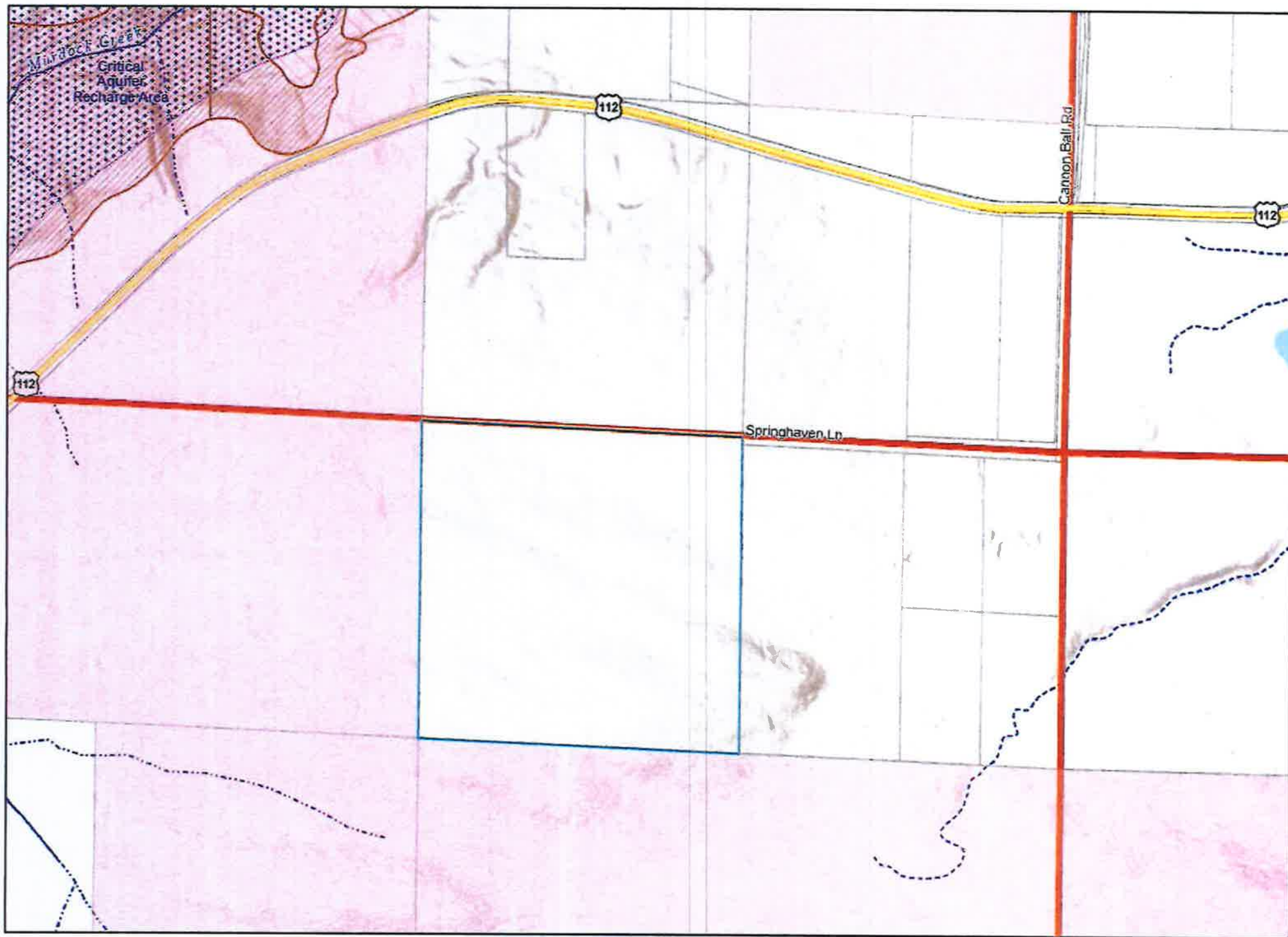
CCC 31.02.260, Rural growth.

CCC 31.05.290, Resource element from the Straits planning area.

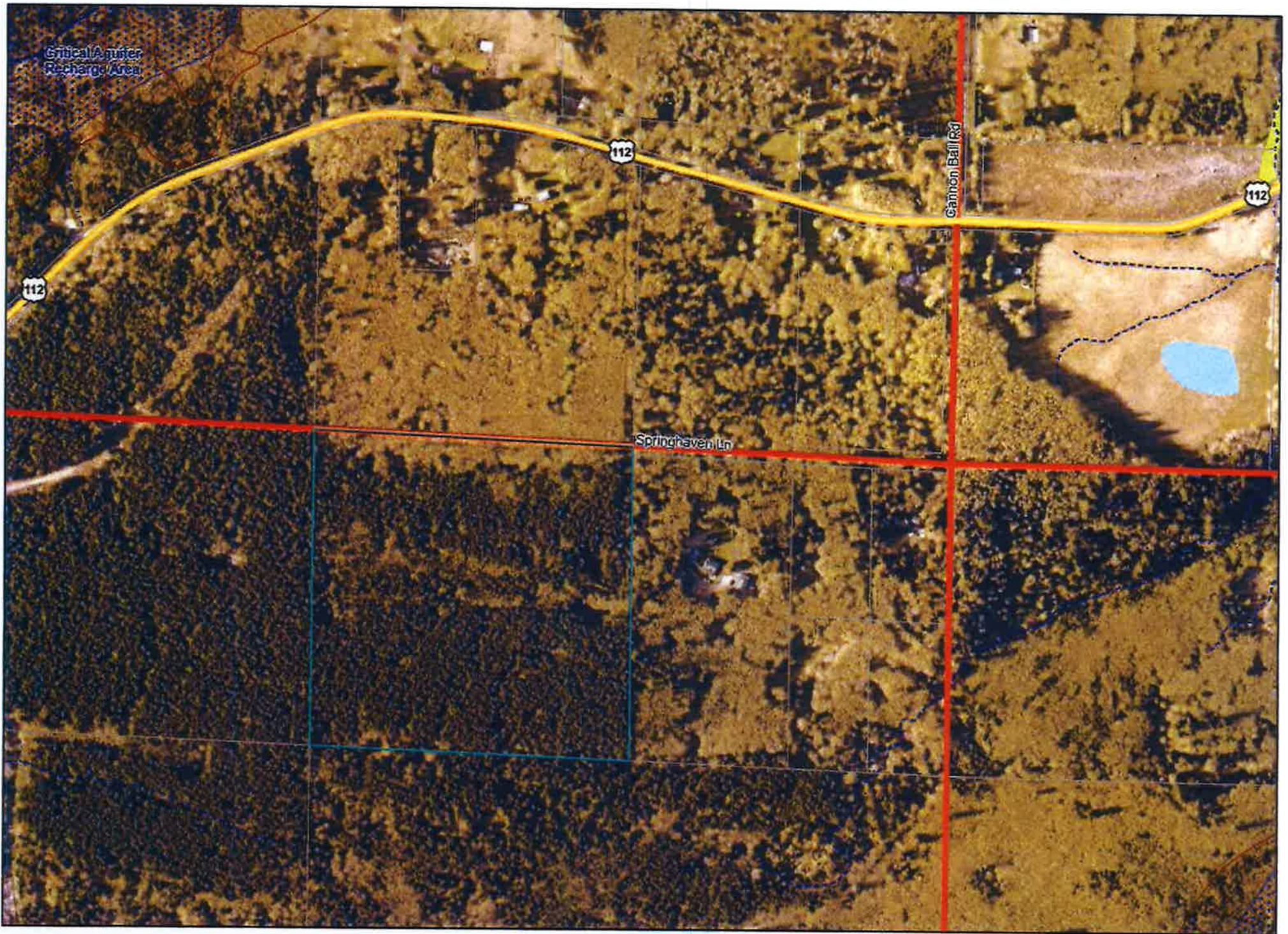
CCC 31.05.300, Forest land use issues.



REZ2023-00001: Surrounding Zoning



We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Clallam County makes no warranty of the accuracy or usefulness of this data.



We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Clallam County makes no warranty of the accuracy or usefulness of this data.

Appendix A: Application



Clallam County
Department of Community Development
223 East 4th Street, Suite 5, Port Angeles, WA 98362
(p) 360-417-2420 ♦ (f) 360-417-2443
email: dcdplan@clallamcountywa.gov

NOTE: ADDITIONAL INFORMATION MAY BE ATTACHED ON SUPPLEMENTAL SHEETS.

PROPERTY OWNER INFORMATION

Name Dennis & Karen Yakovich
Mailing Address P.O. Box 2051
City Port Angeles St. Wa Zip 98362
Phone Number (360) 460-2500 Business Phone Same
Email (optional): _____

AGENT INFORMATION (If applicable)

Name Steve Winth
Mailing Address 333 Crescent Bay Lane
City Port Angeles St. WA Zip 98363
Phone Number 360-928-3069 ³⁶⁰ 808-1254 Contact Person Steve Winth
Email (Optional): wholenwinth@gmail.com

PROJECT INFORMATION

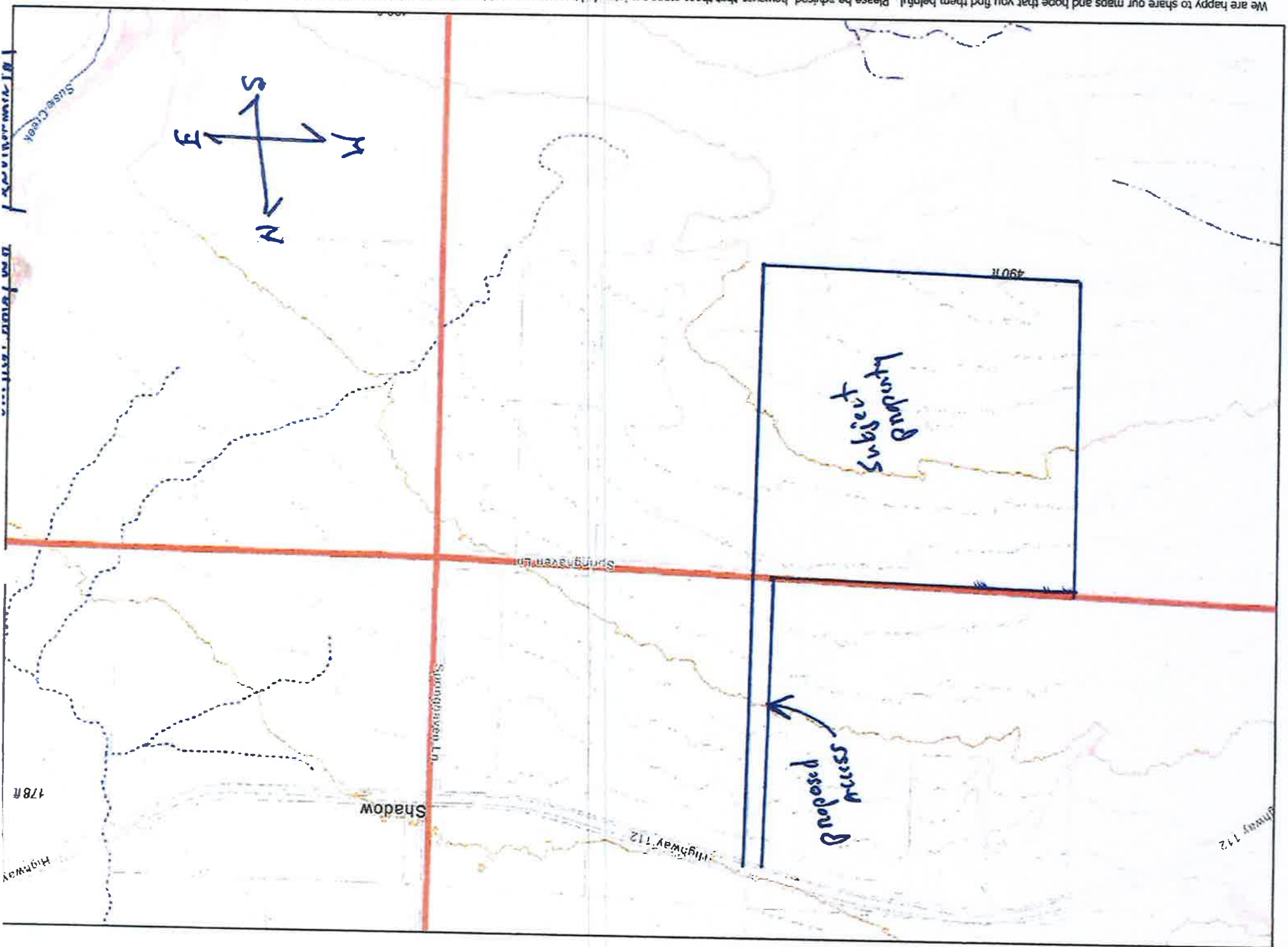
Tax Parcel Number(s) 09-31-32-12-0000
Total Acreage 38.19 acres Current Zoning CF Requested Zoning CFMS
Existing Land Use Timber Proposed Land Use Residential
Location of Critical Areas NONE
Directions to site Highway 101 west turn on to Hwy 112W, go across Lyne River
turn left on Springhaven, go to the end of road
Compatibility with the existing and allowed uses in the surrounding area Yes - all property along
north side is CFMS, all property along east is CFMS - see attached
maps

By making this application, you are hereby granting consent to the Clallam County Director of Community Development and his/her designee to enter and inspect the property, structure(s) or geophysical feature related thereto which is the subject of this application, in order that the County may verify actual physical site issues, as well as compliance with proposed conditions or conditions imposed pursuant to the application.

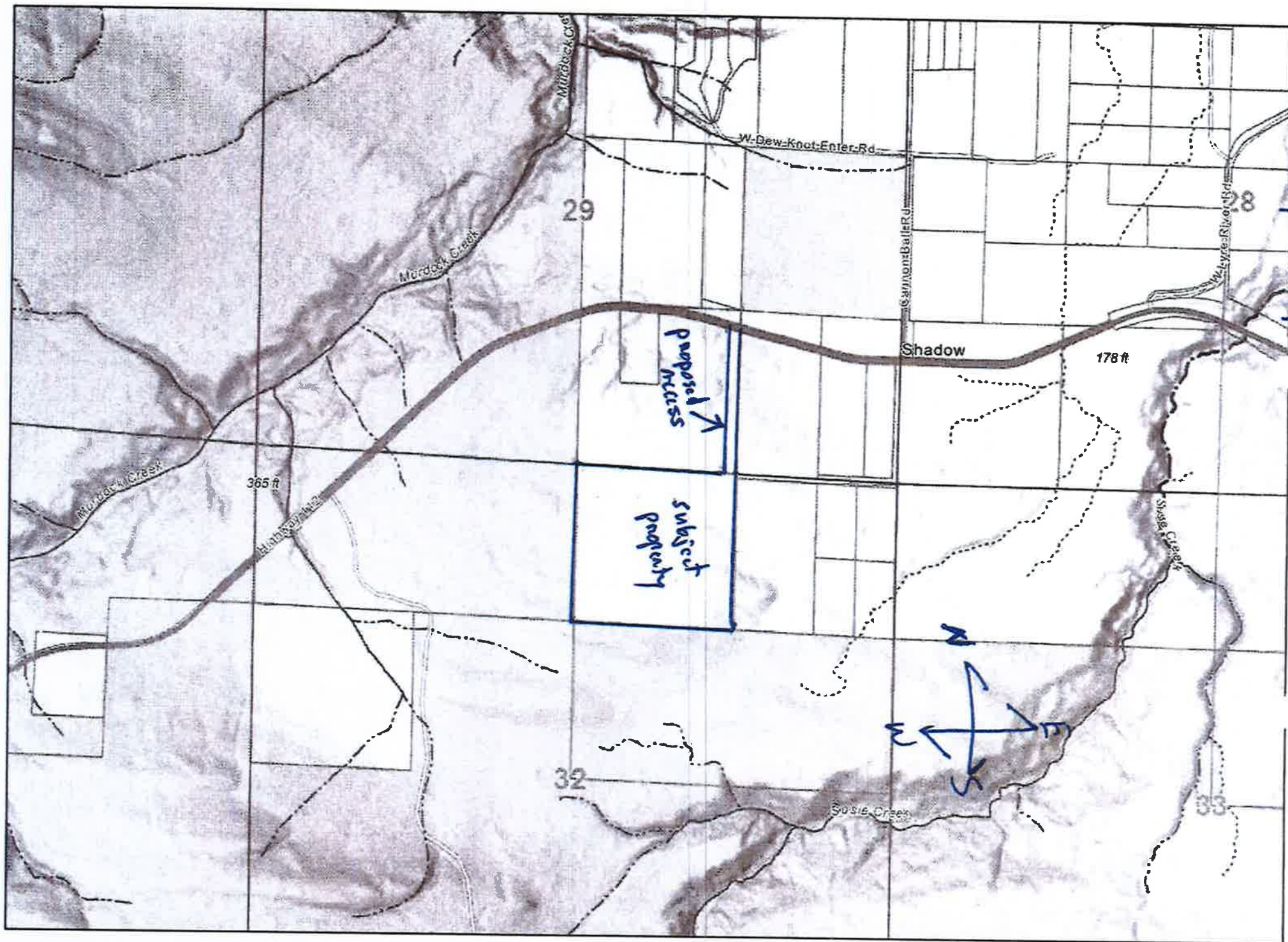
I certify, under penalty of perjury of the Laws of the State of Washington, that I am the owner or authorized owner of the property that is the subject of this application.

Dennis Yakovich 8/9/2023 [Signature] 8/9/2023
Applicant Date Agent Date

REZ - _____ DATE RECEIVED _____ RECEIPT # _____



We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Clallam County makes no warranty of the accuracy or usefulness of this data.



We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Clallam County makes no warranty of the accuracy or usefulness of this data.



We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Clallam County makes no warranty of the accuracy or usefulness of this data.

Justification

Section 33.35.090 Zoning Code

- 1) Proposed Amendment is consistent with Comprehensive Plan in that the amendment will "provide orderly growth and improvements to unincorporated areas in this development"
- 2) Proposed Amendment consistent with interlocal agreements, enhances capital facilities and utilities, does not harm any watershed and the environment, and is identical to neighboring land uses
- 3) Proposed Amendment will not harm, but rather help the public safety, health, and welfare by providing more residential opportunities which should enhance services to the area
- 4) Proposed Amendment is necessary to provide equal opportunity to private landowners due to the change in ownership from a large timber company (CF) to a small private landowner (requesting CFM5)
- 5) Proposed Amendment will not significantly impact ^{the} public except to potentially enhance these facilities & services to help meet outlying and urban needs.

Justification

Section 31.08.370 Comprehensive Plan

- 1) Proposed Amendment is consistent with the spirit and intent of this title.
- 2) Proposed Amendment is consistent with the zoning code as provided in "Justification" of Section 33.35.090 zoning. It will provide identical zoning opportunities to neighboring properties on 2 sides
- 3) Proposed Amendment will not be detrimental, but rather should enhance public health, safety, welfare, facilities and services to the area
- 4) Proposed Amendment is applicable and necessary due to a change in ownership from a large timber company, to a small private owner. Also fulfilling a need for future residential opportunities.
- 5) Proposed Amendment will not negatively effect any public needs or services or facilities. It will not burden existing services and perhaps enhance future planned services
- 6) Proposed Amendment cumulatively are consistent with the spirit and intent of Comprehensive Plan Title.

When recorded return to:

Dennis L. Yakovich
PO Box 2439
Port Angeles, WA 98362

STATUTORY WARRANTY DEED

Escrow No.: 1928

Title Order No.: 101358 *e*

THE GRANTOR(S)

Green Crow Timber LLC, a Washington limited liability company

for and in consideration of mere change in identity or form with no consideration in hand paid, conveys,
and warrants to

Dennis L. Yakovich

the following described real estate, situated in the County of Clallam, State of :

Abbreviated Legal Descriptions:

Parcel A: Parcel 3 of Survey 48/23

Parcel B: NW NE 32-31-0

Parcel C: Parcel 2 of Survey 10/146

Full Legal Descriptions attached here to as Exhibit A

Tax Parcel Number(s): 053035 310000, 093132 120000, 052904 320020

Dated: JULY 11, 2007

Green Crow Timber LLC

BY: Randy Johnson

Randy Johnson

Its: Managing Member

STATE OF WASHINGTON)

COUNTY OF CLALLAM) ss

I certify that I know or have satisfactory evidence that Randy Johnson is the person who appeared before me, and said person acknowledged that he signed this instrument and on oath stated that he is authorized to execute the instrument and acknowledged it as the Managing Member of Green Crow Timber, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

Dated: JULY 11, 2007

Randall E. Reid

RANDALL E. REID

Notary in and for the state of Washington

Residing at PORT ANGELES

My appointment expires: 2/23/10



Exhibit "A"

Parcel "A"

Parcel 3 of Survey recorded November 15, 2001 in Volume 48 of Surveys, page 23 under Auditor's File No. 2001 1073828, located in the Southwest Quarter of Section 35, Township 30 North, Range 5 West, W.M., Clallam County, Washington;
Except that portion lying West of the center of Siebert Creek conveyed by deed recorded July 14, 2006 under Auditor's File No. 2006 1084050.

Parcel "B"

The Northwest Quarter of the Northeast Quarter in Section 32, Township 31 North, Range 9 West, W.M., Clallam County, Washington.
Together with an easement for ingress, egress and utilities, over and across the East 60 feet of the Southwest Quarter of the Southeast Quarter of Section 29, Township 31 North, Range 9 West, W.M., lying Southerly of State Highway 112, and over and across the South 30 feet of the Southwest Quarter of the Southeast Quarter of said Section 29.

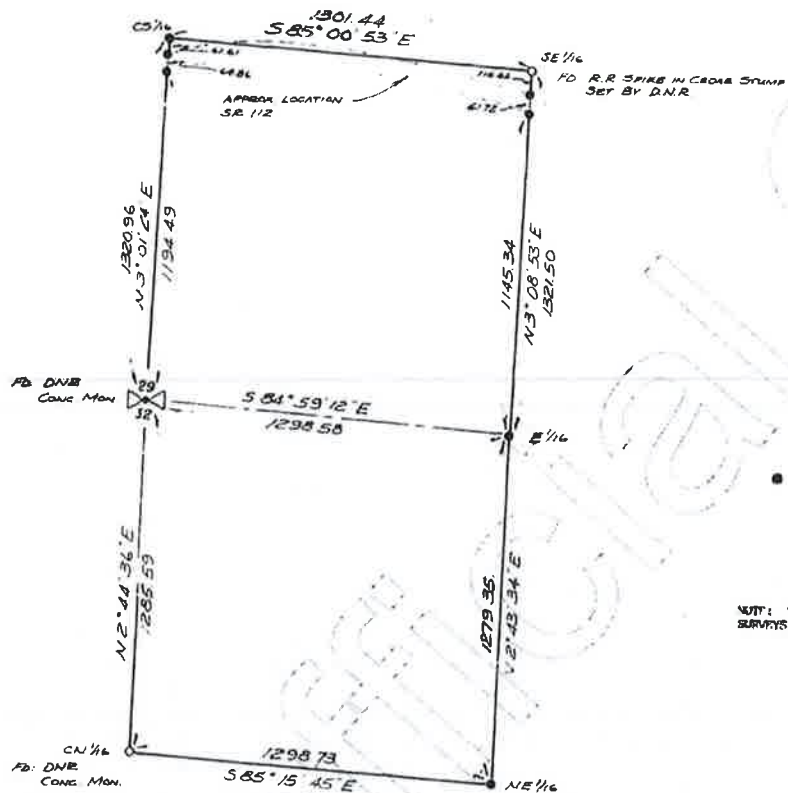
Parcel "C"

Parcel 2 of Survey recorded July 30, 1985 in Volume 10 of Surveys, page 146, under Auditor's File No. 569024, being a portion of the Northwest Quarter of the Southwest Quarter of Section 4, Township 29 North, Range 5 West, W.M., Clallam County, Washington.

Situate in the County of Clallam, State of Washington.

REVISED —
RECORD OF SURVEY

SW 1/4 SE 1/4 SECTION 29 & NW 1/4 NE 1/4 SECTION 32
 TWP. 31 N., RGE. 9 W., W. M.
 CLALLAM CO., WASH.
 for
 L. BAKER



SCALE 1" = 300'

• = DENOTES 3/8" REBAR W/ PLASTIC CAP "L.S. 18104"

NOTE: THIS SURVEY IS TO REVISE THE SURVEY RECORDED IN VOLUME 7, PAGE 79 OF SURVEYS UNDER AUDITOR'S FILE NO. 529798 ON APRIL 15, 1982.

AUDITOR'S CERTIFICATION

FILED FOR RECORD THIS SURVEY ON September 1, 1982 AT 10:04 AM. IN BOOK 8 OF SURVEYS AT PAGE 10 AT THE REQUEST OF R. H. WINTERS CO.

[Signature]
 DEPUTY AUDITOR

SURVEYOR'S CERTIFICATION

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTIION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AT THE HIGHEST LEVEL BASED ON SEPTEMBER 1, 1982.



R. H. WINTERS CO.
 SURVEYING & MAPPING

439 W. WASH
 P.O. BOX 1042
 SEQUIM, WASH.
 PH 683-3383

After Recording Return To:
Green Crow Corporation
P.O. Box 2469
805 E. 8th Street
Port Angeles, WA 98362
Attn: Randy Reid
1411 - 117 0 36

762642

NO. 762642
CLALLAM COUNTY - 0 -
TRANSACTION EXCISE TAX
PAID OCT 13 1997
AMOUNT - 0 -
COUNTY TREASURER
BY <i>[Signature]</i>

BARGAIN AND SALE DEED

RECEIVED
Land Title Company
1000 1ST AVENUE
PORT ANGELES, WA 98362
OCT 15 PM 3:27
1206-580
CLALLAM COUNTY
BY *[Signature]*

Grantor(s):

1. G.C. Forest, Inc., a Washington corporation
- ☐ Additional names on page ____ of document

Grantee(s):

1. Green Crow Corporation, a Washington corporation

☐ Additional names on page ____ of document

Abbreviated Legal Description (lot, block and plat name, or section-township-range): SE 1/4 of NW 1/4 and NW 1/4 of SE 1/4 of Section 23, Township 31N, Range 15W.

☒ Additional legal description is on Exhibit A attached hereto.

Assessor's Property Tax Parcel Account Number(s): 153123-240200, 053027-430010, 0630000-22455, 143129-240000, and 0830031-30100. See additional Assessor's Property Tax Parcel Account Numbers on Exhibit B attached hereto.

Reference Numbers of Related Documents (if applicable):

☐ Reference numbers of related documents on page ____ of document

LAND TITLE COMPANY
has placed this document of
record in a public recording
and makes no liability for
the accuracy or validity of
the document.

2192719100143.COV/10.15.97

BOOK 1206 PAGE 580

WHEN RECORDED, RETURN TO:

Green Crow Corporation
PO Box 2469
805 E. 8th Street
Port Angeles, WA 98362
Attn: Randy Reid

BARGAIN AND SALE DEED
Clallam County

*Mayr, Wenzel, PA Realty, Palmquist, L. Sands, Phillips,
Ray Green, Arbelter, Tase, Barnes, Ridgeway, Powell,
Little River Ridge, Pancratz, Hill, Volkersz, Mayr,
Little River Road, Gasmon Road, Paulsen, Strehlow, Corning,
Burrowes, Murray, Blynn, Wilbert, Krutch*

The Grantor, G.C. Forest, Inc., a Washington corporation, for and in consideration of a merger of Grantee into Grantor and of other good and valuable consideration in hand paid, bargains, sells and conveys to Green Crow Corporation, a Washington corporation, the Grantee, the real estate, situated in the County of Clallam, State of Washington described on Exhibit A attached hereto and made a part hereof, subject to all matters of record, all leases affecting the property and the rights of tenants under those leases and all encroachments and matters of location, boundary and area that an accurate survey may disclose.

Dated this 1st day of November, 1996.

GRANTOR: G.C. Forest, Inc., a Washington corporation

By

Randall S. Johnson
Randall S. Johnson
Its President

2117711400017.PRM/10.17.96
Seattle

BOOK 1206 PAGE 581

LETTER OF TRANSMITTAL

To: Clallam County Board of Commissioners

From: Clallam County Planning Commission

Subject: Transmittal to BOCC: Findings and Conclusions regarding proposed Comprehensive Plan and Zoning Map Application REZ2023-00002, Fire District #3

Dear Commissioners:

The Clallam County Planning Commission has completed its review and public hearing on the proposed Type C Application to amend the Clallam County Comprehensive Plan and Zoning Map and recommends approval of the proposal. The Planning Commission completed its review and approved its final recommendations to forward to the BOCC at its meeting of February 7, 2024. As Chairman of the Clallam County Planning Commission, having first received the authorization of the Commission, I am transmitting herewith the findings and recommendations of the Commission on this Comprehensive Plan and Zoning Map Amendment Application:

FINDINGS OF FACT:

1. The Planning Commission held a public hearing February 7, 2024, on Comprehensive Plan and Zoning Map Amendment Application No. REZ2023-00002, submitted by Fire District #3, to amend the Clallam County Zoning Code, Title 33 CCC, to change parcel 053014-240050 from the current Public (P) designation to Rural Character Conservation-3 (RCC3).
2. The property is an undeveloped 5.19 acres located north of Sieberts Creek, and was designated Public (P) in 2012 when the Fire District purchased the property with the intent of building a Fire Station. The Fire District has changed their plans and intends to sell the property.
3. The required showing for comprehensive plan and zoning map amendments must demonstrate consistency with all of the criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan.
4. The County Comprehensive Plan establishes goals and policies associated with Public Facilities and Rural lands within the Port Angeles Regional Planning Area 31.04, Public Utilities, Facilities, and Services 31.02.285, Rural land-Inventory and analysis 31.04.220, Rural and resource land use designations, purpose and designation criteria 31.04.225, Rural land-Policies 31.04.230, Fairview neighborhood 31.04.400. Rural lands are defined by what they are not, and the subject property is not designated for urban growth, it has not been designated by its resources, and it does not meet the criteria as a public facility once the Fire District sells the property.
5. The Zoning Code is to "direct the future growth and development of the County consistent with the Comprehensive Plan"; and "implement the goals and policies of the Comprehensive Plan in a manner which protects private property rights and is the least intrusive manner possible."

6. Rezones must be evaluated with respect to its application to other similarly situated properties. The subject property is surrounded by rural residential lots ranging in size from 3 acres to 23 acres that are zoned RCC3.
7. Any further division and development of the property under the resulting NC designation would be conditioned on the proposed project meeting all application regulations, including the County's Critical Areas code, Subdivisions Code, and Environmental Health Regulations, which should adequately protect most aspects of the public health, safety and welfare.
8. The property is currently undeveloped and the Fire District is intending to sell the property, providing a reason to change the zoning for the Public (P) zone and would be consistent with the spirit and intent of the Comprehensive Plan.

Because of the above-described facts and findings, and attachments hereto, the Commission adopts and transmits the following conclusion to the Clallam County Board of Commissioners.

CONCLUSION: The required showing for map amendments to the comprehensive plan and zoning land use and zoning map designations meets all of the criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan.

Now therefore in light of the above Findings of Fact, the Clallam County Planning Commission concludes that the proposed revisions to the Clallam County Comprehensive Plan and associated development and zoning regulations, and mapping changes, recommended for denial to the BOCC and as Chair of the Commission, has directed me as its duly authorized agent to transmit this recommendation to the BOCC on the above-inscribed date.

 Chair for CCPC. 2/20/2024
Steve Gale, Chair Date

Ordinance _____

An ordinance amending Title 31, Comprehensive Plan Map, and Title 33, Zoning Map, of the Clallam County Code (Application REZ 2023-00002)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section.010, Property.

Title 31, Comprehensive Plan Map, and Title 33, Zoning Map of the Clallam County Code is hereby amended by changing the property referenced by Assessor's Tax Parcel Number 053014240050, from Public (P) to Rural Character Conservation-3 (RCC3). The subject 5.19 acre parcel is shown on the map prepared by the Clallam County Department of Community Development that is attached to this Ordinance as Exhibit A.

Section 2. Section.020, Applicability.

The Board has determined that this amendment is in the best interest of the public health, safety, and welfare.

Section 3. Section.030. Effective Date.

This ordinance shall become effective on the date upon which the Board of County Commissioners takes legislative action to comply with the requirements of RCW 36.70A.130 for annual updates, or on December 31, 2024, whichever date comes first.

ADOPTED this _____ day of _____ 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

ATTEST:

Randy Johnson

Loni Gores, Clerk of the Board

Mark Ozias

Exhibit A

Amending Title 31, Comprehensive Plan Map, and Title 33, Zoning Map of the Clallam County Code (Application No. REZ2023-00002)

Pursuant to Ordinance _____, the property described below and shown on this map is hereby re-designated from Public (P) to Rural Character Conservation 3 (RCC3). The property is described as 5.19 acres, located north of Highway 101, north of Sieberts Creek Road between Port Angeles and Sequim (APN 053014240050).

ADOPTED this _____ day of _____ 2024

BOARD OF CLALLAM COUNTY COMMISSIONERS

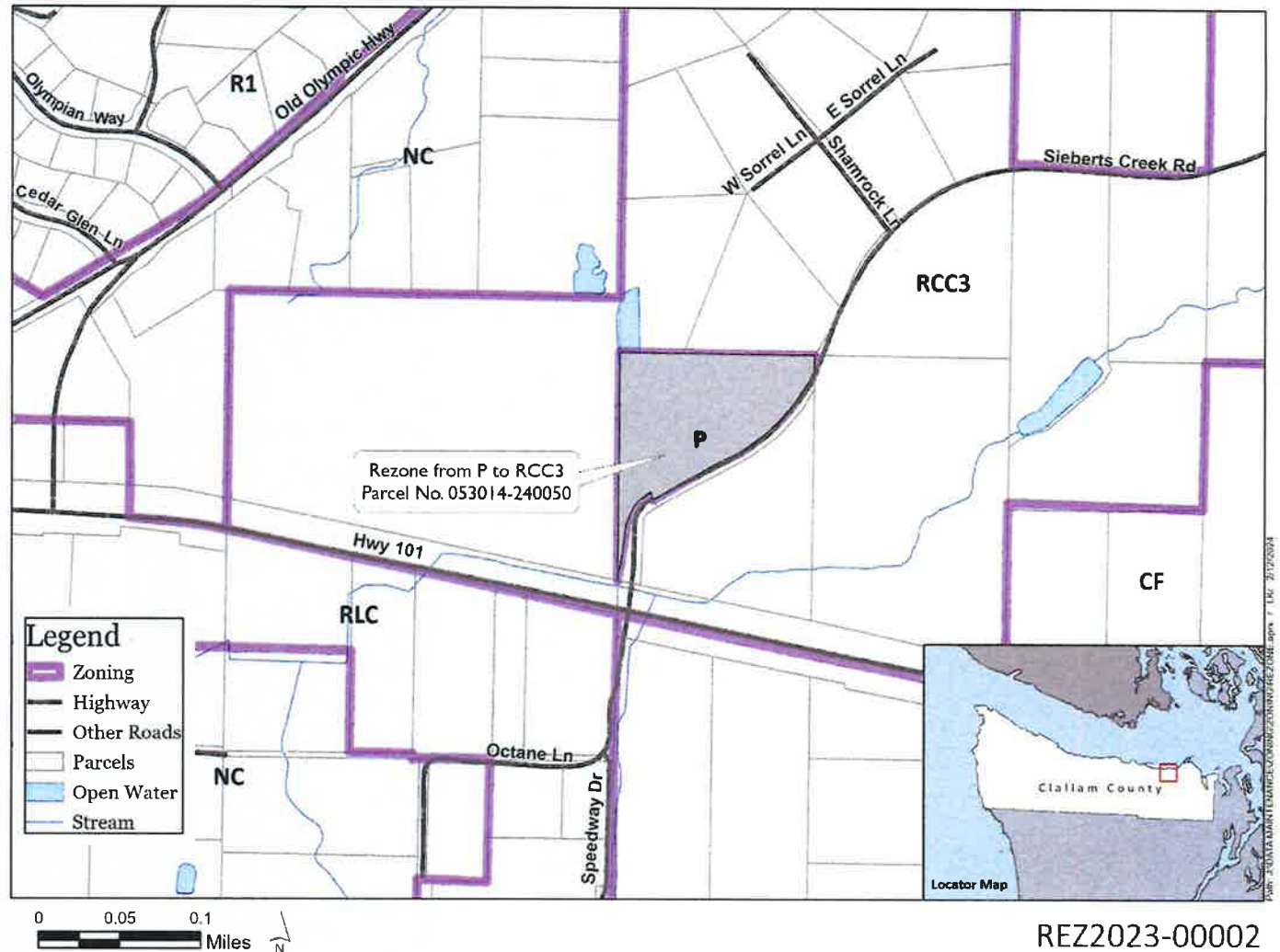
Mike French, Chair

Randy Johnson

Mark Ozias

ATTEST:

Loni Gores, Clerk of the Board



REZ2023-00002



Staff Report Clallam County Department of Community Development

Date: January 10, 2024
To: Clallam County Planning Commission
From: DCD Planning Division
Re: Rezone and Comprehensive Plan and Zoning Map Amendment
Application 2023-00002 – Clallam County Fire District #3

REQUEST

Dan Orr on behalf of Fire District #3 submitted an application to request a Comprehensive Plan Land Use and Zoning Map amendment for approximately 5.19 acre property, referenced as parcel number 053014-240050. The subject property is located north of Highway 101, north of Sieberts Creek Road, between Port Angeles and Sequim, being within Section 14, Township 30 N, Range 5 W, W.M., Clallam County, WA. The request is:

- Change the designation of the property from Public (P) to Rural Character Conservation-3 (RCC3).

APPLICATION SUMMARY

The full application submitted is provided in Appendix A. The property was rezoned P in 2012 when the Fire District purchased the property with the intent to replace the existing R-Corner Fire Station with a new fire station to be constructed on this property. Plans for a new fire station have changed and the Fire District intends to sell the property.

BACKGROUND

Ownership

The property is described as a portion of the "W2 SE4 NW4 14-30-5" in a Statutory Warranty Deed Auditor File Number 2011-1270427 recorded September 23, 2011 transferring the property from Mark and Terralyn Dokken to Clallam County Fire Protection District 3 (Exhibit).

Existing Land Use/Land Cover

The property is currently zoned Public (P) because of the ownership of the property by the Fire District. The property is mostly cleared of trees and undeveloped. The purpose of the Public zone is to "identify properties used for the public purposes such as public buildings, schools, cemeteries, parks, playgrounds, and recreational areas" (CCC 33.07.050). The property was intended to be developed with a new fire station, but the property was never developed.

Surrounding Land Use/Land Cover

The area is a mix of rural residential lots ranging in size from 3 acres to 23 acres. A pre-existing non-conforming RV park sits directly to the south of the subject property and to the west is a

County owned mitigation site. The property is completely surrounded by Rural Character Conservation-3 (RCC3) zoned properties.

Access

The property fronts Sieberts Creek along the southern property boundary, a County road. An existing road approach is permitted off Sieberts Creek Road for the subject property.

Utilities

Electricity, water, and telephone services would need to be extended to the subject property for development, and an on-site septic developed for residential development. There are existing services to the surrounding residences and RV park, so it is believed that future development is possible.

Critical Areas

The County Critical Area Map indicates that the property contains a wetland in the northwest corner of the property. A previously submitted wetland delineation indicates that the wetlands are all Class 3 wetlands. Future development of the site will require buffer from the wetlands in accordance with CCC 27.12.215.

MAP AMENDMENT CRITERIA OF APPROVAL

When considering an application for rezone, the Planning Commission and Board of County Commissioners (BOCC) are required to evaluate the amendment with regard to six criteria contained under CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan. These six criteria, or "Required Showing for an Amendment," provide the scope of consideration that the Planning Commission and BOCC must respond to in order to determine if a rezone should be approved. The following summarizes staff's preliminary analysis with regard to the required showing for amendment.

Criterion 1. The proposed amendment is consistent with the spirit and intent of the Clallam County Comprehensive Plan.

The goals and policies adopted by the Board of County Commissioners in the Clallam County Comprehensive Plan, the various Regional Plans, and the Clallam County Zoning Code provide the framework for land use decisions in Clallam County. Particularly relevant to this request are the goals and policies that were specifically developed to guide the designation of both Public (P) and Rural Character Conservation 3 (RCC3). For your convenience, excerpts of any referenced county code sections are attached as Appendix B. For the full text of the County's Code, go to <https://clallam.county.codes>

The Comprehensive Plan provides policies to guide the designation of urban, rural, and resource lands. The request is to revert the property back from the current P zone to the RCC3 zone that was changed in 2012 following the purchase of the property by the Fire District for purposes of an essential public facility. The Fire District has changed their plans to develop the subject property and intends to sell. Designation as a publicly owned parcel is no longer needed since the Fire District does not intend to develop the property. The Comprehensive Plan identifies the scenic patchwork of large open field and woodlots interspersed with rural homesteads, CCC 31.02.260, which this property would provide.

Conclusion: The designation of the subject property back to its original zoning of RCC3 meets the intent of the Comprehensive Plan.

Criterion 2. The proposed amendment is consistent with the spirit and intent of the Clallam County Zoning Code and with interlocal agreements, transportation, parks and recreation, capital facility, utility, watershed, and other applicable land use and environmental plans and policies adopted by the County.

The spirit and intent of the Clallam County Zoning Code is defined under the purpose statement of CCC 33.01.020. This section identifies a clear link between the Zoning Code and the Comprehensive Plan in that the Zoning Code is to *"direct the future growth and development of the County consistent with the Comprehensive Plan"*; and *"implement the goals and policies of the Comprehensive Plan in a manner which protects private property rights and in the least intrusive manner possible."*

The current Public zone was designated on the property in 2012 upon request by the Fire District for the purpose of constructing a fire station. The property was previously designated as RCC3. The stated purpose of the Rural Character Conservation 3 (RCC3) zone is "to conserve and enhance the rural character of Clallam County by providing for the retention of large rural lot sizes allowing productive woodlots, pasture lands and other rural uses typically requiring more than five (5) acres. The RCC3 zone preserves open land, sensitive natural areas, and rural community character that would be lost under conventional development while allowing developers to reduce road and utility costs," CCC 33.10.060. Designation back to what the property was zoned prior to the Fire District ownership would provide an opportunity for residential development in an area surrounded by residences.

Conclusion: Designation of the subject property back to its original zoning prior to the ownership by the Fire District will be consistent with the spirit and intent of the Zoning code and all other policies adopted by the County. Upon development the proposal will be reviewed for consistency of all current County regulations and standards.

Criterion 3. The proposed amendment will not be detrimental to the public health, safety and welfare.

Development of the subject property, if granted the rezone, would be conditioned to meet all regulations of the subdivision code, environmental health regulations, stormwater requirements, and building regulations which would adequately protect public health, safety and welfare and could provide additional residential opportunities. The property contains a delineated wetland that will be protected through the Critical Areas Ordinance.

Criterion 4. The proposed amendment is necessary due to changed conditions or circumstances from the time the property was given its present designation which warrants consideration of a different land use [and zoning] designation.

The changed plans of the Fire District wanting to sell the property has changed the circumstances surrounding the Public designation of the property. Privately owned property should not be zoned Public and should therefore be rezoned to the previous RCC3 designation before it is sold.

Criterion 5. The proposed amendment will not result in probable significant adverse impact to the adequacy of public facilities and services including, but not limited to transportation, sewer, water, storm water, utilities, and parks

required to meet urban or rural needs, and will not place uncompensated burdens upon existing and planned services.

Approval of the rezone would increase the potential for residential development. Approval of any subsequent land use application would be subject to review under applicable land use and environmental health regulations, including the availability and adequacy of public facilities and services. The property is surrounded by other developed parcels which indicates septic systems, electric, and water are readily available.

Criterion 6. The cumulative effects of all proposed amendments have been assessed and determined to be consistent with the spirit and intent of the Clallam County Comprehensive Plan.

In taking action on an application for rezone and Comprehensive Plan amendment, the Board of County Commissioners makes policy decisions that not only directly impact the subject property owners, but directly and indirectly impact other property owners, both in the immediate area and throughout the County. Zoning designations control what uses are allowed or prohibited on a particular piece of property. While an applicant may have a specific use in mind that he or she is able to achieve through a change in zoning, the applicant is nevertheless under no obligation to limit land use activities to that original plan. The applicant would in fact be eligible for any of the land uses listed as Allowed in the underlying zoning district. For this reason, the applicant's stated intent on their application must not be the sole or primary criteria for a zoning change, and an evaluation of a rezone application must consider all possible uses allowed under the proposed zoning district.

Zoning designations control what uses are allowed or prohibited on a particular piece of property. Reverting the property back to the original zoning prior to the ownership of a public agency is the appropriate action. The cumulative effects of the proposed amendment is consistent with the intention of the Comprehensive Plan since the amendment will revert the property back to the original zone of RCC3.

STAFF RECOMMENDATION

The Planning Commission must evaluate the amendment with regard to six criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan. Based on the above analysis, Planning Division staff believes that Rezone and Comprehensive Plan Map Amendment Application REZ2023-00002 is supported by existing policies and **recommends approval** of the request.

The applicant is requesting to revert the zoning back to the original RCC3 designation of the property prior to the ownership of the Fire District. Since the plans of the Fire District have changed they no longer wish to own the property, therefore rendering the Public zoning designation inappropriate. Private land owner should not own Public zoned property and the matching the surrounding properties designation of RCC3 is appropriate.

Reference List:

Map 1 Vicinity Map
Map 2 Critical Area Map
Map 3 Aerial Photo

Appendix A: Application and Justification

Exhibit 1 Statutory Warranty Deed AFN2011-1270427

Relevant code citations, found at: <https://clallam.county.codes/>

Text of Zoning Code

CCC 33.10.060 Rural Character Conservation 3 (RCC3)

CCC 33.07.050 Public

Text of Comprehensive Plan

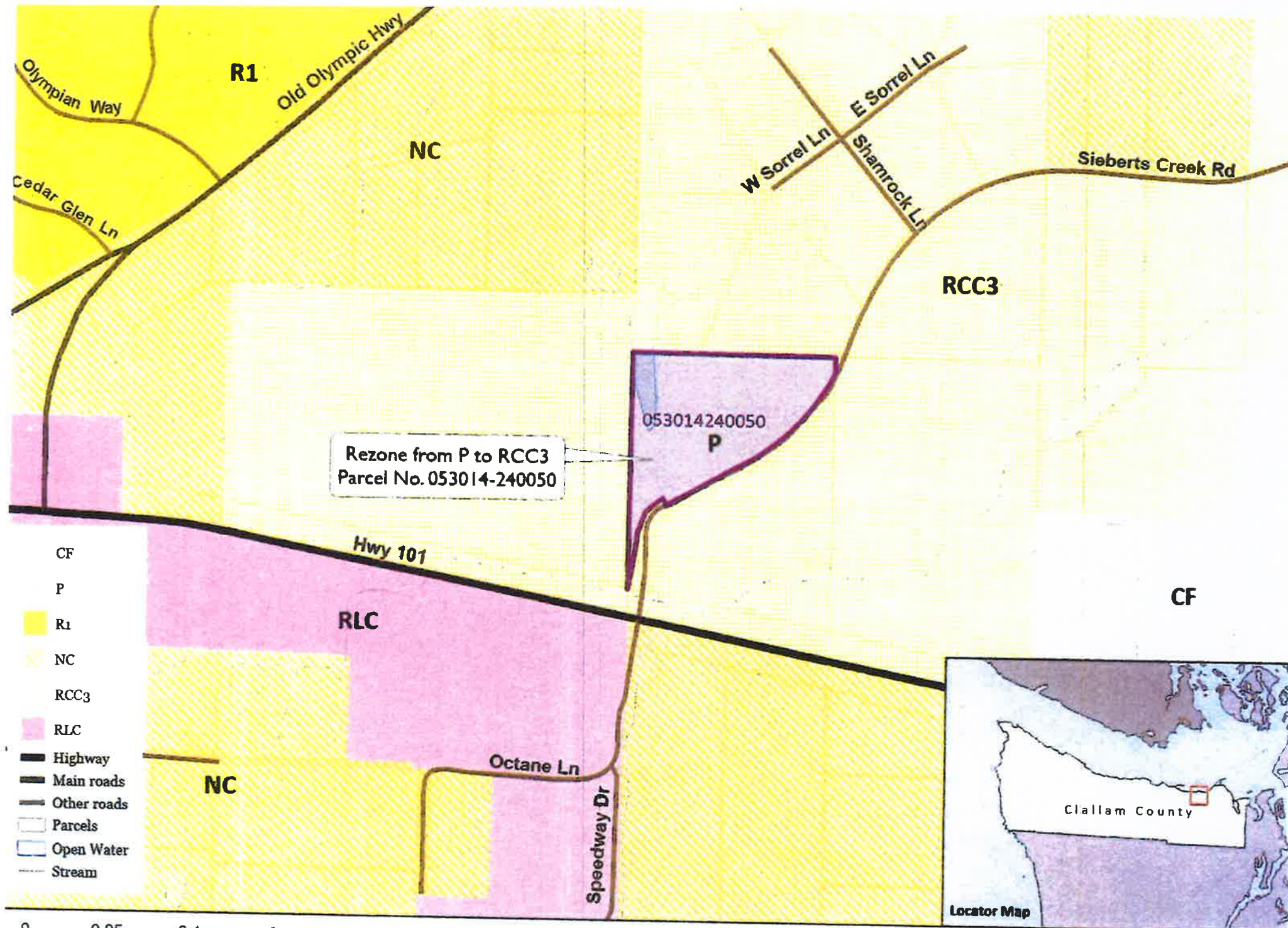
CCC 31.02.130, Forest land issues

CCC 31.02.140, Forest land goals

CCC 31.02.260, Rural growth.

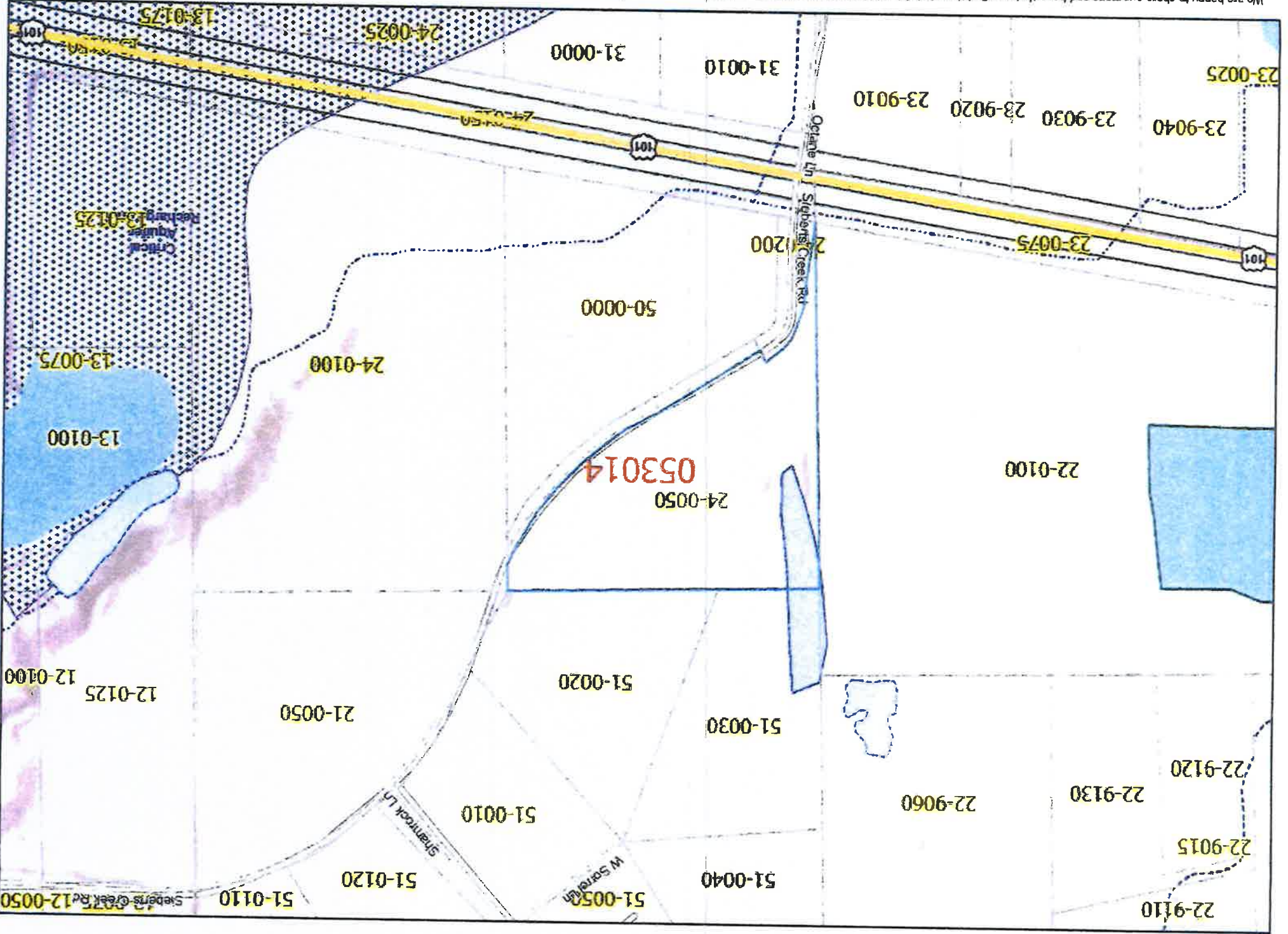
CCC 31.05.290, Resource element from the Straits planning area.

CCC 31.05.300, Forest land use issues.



REZ2023-00002: Surrounding Zoning

We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Callam County makes no warranty of the accuracy or usefulness of this data.





We are happy to share our maps and hope that you find them helpful. Please be advised, however, that these maps are intended to serve as a guide to the general location of features shown. The accuracy of the individual layers varies and layers may not align with one another. Determination of actual regulatory location of features shown on this map typically requires a field examination by qualified staff. Any person or entity that relies on any information contained herein does so at their own risk. Callam County makes no warranty of the accuracy or usefulness of this data.

Appendix A: Application



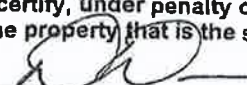
Clallam County
Department of Community Development
223 East 4th Street, Suite 5, Port Angeles, WA 98362
(p) 360-417-2420 ♦ (f) 360-417-2443
email: dcdplan@clallamcountywa.gov

NOTE: ADDITIONAL INFORMATION MAY BE ATTACHED ON SUPPLEMENTAL SHEETS.

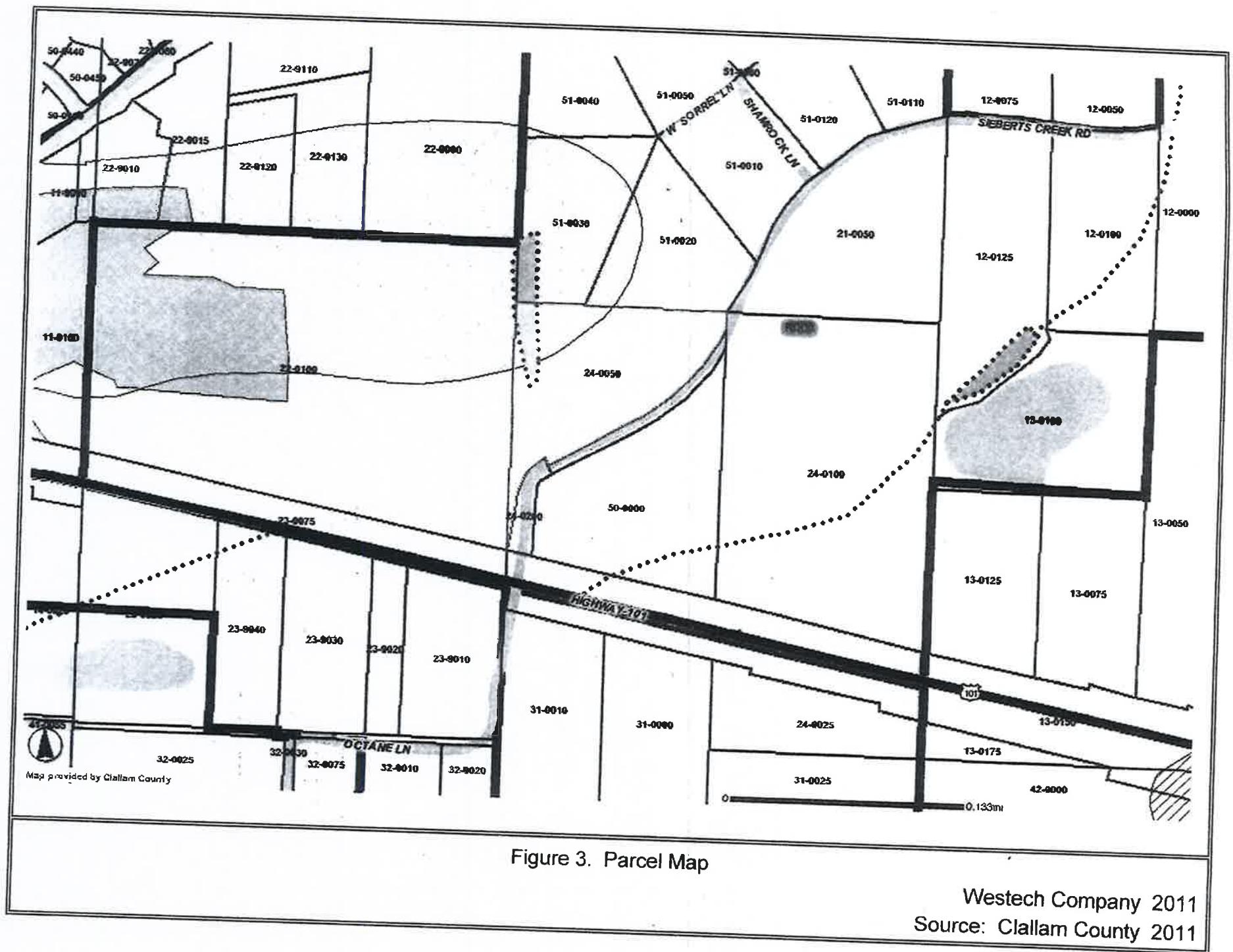
PROPERTY OWNER INFORMATION	
Name	<u>Clallam County Fire District 3</u>
Mailing Address	<u>323. N. Fifth Ave.</u>
City	<u>Sequim</u> St. <u>WA.</u> Zip <u>98382</u>
Phone Number	<u>(360) 582-2044</u> Business Phone <u>same.</u>
Email (optional):	<u>dorr@ccfd3.org</u>

AGENT INFORMATION (If applicable)	
Name	<u>Don Orr</u>
Mailing Address	<u>323. N. Fifth Ave</u>
City	<u>Sequim</u> St. <u>WA.</u> Zip <u>98382</u>
Phone Number	<u>(360) 582-2044</u> Contact Person <u>Dan Orr</u>
Email (Optional):	<u>dorr@ccfd3.org</u>

PROJECT INFORMATION	
Tax Parcel Number(s) <u>#053014240050</u>	
Total Acreage	<u>5.19 Acres</u> Current Zoning <u>Public</u> Requested Zoning <u>RCC3</u>
Existing Land Use	<u>Public - Fire House</u> Proposed Land Use <u>Rural Character Construction</u> 3 Zoning.
Location of Critical Areas _____	
Directions to site <u>Heading West on 101 take the Siebert Creek Rd Exit.</u>	
<u>Property is on the north side of Siebert Creek as you Exit.</u>	
Compatibility with the existing and allowed uses in the surrounding area <u>All of the properties that border said property are zoned RCC3.</u>	

By making this application, you are hereby granting consent to the Clallam County Director of Community Development and his/her designee to enter and inspect the property, structure(s) or geophysical feature related thereto which is the subject of this application, in order that the County may verify actual physical site issues, as well as compliance with proposed conditions or conditions imposed pursuant to the application.			
I certify, under penalty of perjury of the Laws of the State of Washington, that I am the owner or authorized owner of the property that is the subject of this application.			
	<u>9/5/2023</u>		<u>9/5/2023</u>
Applicant	Date	Agent	Date

REZ <u>-</u>	DATE RECEIVED _____	RECEIPT # _____
--------------	---------------------	-----------------



THE SURVEYED PARCEL MAY BE SUBJECT TO EASEMENTS OR OTHER ENCUMBRANCES EITHER RECORDED OR UNRECORDED NOT SHOWN HEREON. THIS SURVEY HAS NOT DETERMINED THE EXISTENCE OF ALL SUCH EASEMENTS OR ENCUMBRANCES OR THEIR EFFECT ON THE SURVEYED PARCEL EXCEPT AS SPECIFICALLY SHOWN HEREON.







Escrow Number: 97165-DF

NO. 93286
CLALLAM COUNTY
TRANSACTION EXCISE TAX

DATE PAID SEP 23 2011

AMOUNT \$110,000
COUNTY TREASURER
BY: [Signature]

Statutory Warranty Deed

THE GRANTORS Mark Dokken and Terralyn Dokken, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Clallam County Fire Protection District 3 the following described real estate, situated in the County of Clallam, State of Washington

Abbreviated Legal:
PTN W2 SE4 NW4 S14 T30N R05WWM

For Full Legal See Attached Exhibit "A"

Tax Parcel Number(s): 05-30-14-240050/50785

Dated August 31, 2011

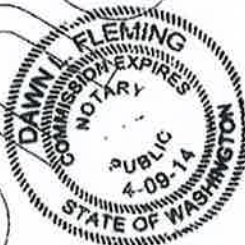
Mark Dokken

Terralyn Dokken

STATE OF WASHINGTON
COUNTY OF CLALLAM SS:

I certify that I know or have satisfactory evidence that Mark Dokken and Terralyn Dokken are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 9.22.2011



DAWN L. FLEMING
Notary Public in and for the State of WASHINGTON
Residing at SEQUIM
My appointment expires: 4-9-2014

EXHIBIT A

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 30 NORTH, RANGE 5 WEST, W.M., CLALLAM COUNTY, WASHINGTON, LYING NORTHERLY OF PRIMARY STATE HIGHWAY NO. 9; EXCEPT CONESTOGA QUARTERS RECREATIONAL VEHICLE PARK, AS RECORDED IN VOLUME 10 OF PLATS, PAGE 81, RECORDS OF CLALLAM COUNTY, WASHINGTON; AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED MAY 3, 1995 UNDER AUDITOR'S FILE NO. 722145.

SUBJECT TO:

1. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 155412, V125, P554
2. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 410819.
3. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 412374.
4. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 576190.
5. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 577041.
6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 2006 1176114.
7. EASEMENT AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER CLALLAM COUNTY RECORDING NO. 2006 1184043.
8. RIGHT-OF-WAY FOR SIEBERTS CREEK ROAD, IF ANY, AND ANY EASEMENT RIGHTS OF ADJOINING PROPERTIES OR THE PUBLIC TO THAT PORTION OF THE LAND INCLUDED WITHIN SUCH ROAD, AS DISCLOSED BY CLALLAM COUNTY ASSESSOR'S OFFICE.



8
MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: DCD

WORK SESSION ☒ **Meeting Date: 3-4-2024**

REGULAR AGENDA ☒ **Meeting Date: 3-12-2024**

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | |
|---|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☒ Other <u>Membership update, Dungeness River Management Team</u> |

Documents exempt from public disclosure attached: ☐

Executive summary:

Dungeness River Management Team has updated its membership list to reflect changes in representatives. Noted on the attached list, the DRMT recorded changes to DRMT representatives. These changes were approved by the DRMT but need to be signed off by Jamestown S'Klallam Tribe and Clallam County. Please indicate your approval with signatures below. All other DRMT appointments not listed remain unchanged. An updated 2023 DRMT roster is listed on the second page.

DRMT provides regular Hybrid meetings in-person at the Nature Center, with the option of attending remotely via Zoom.

Budgetary impact: N/A

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Please sign the updated membership roster.

County Official signature & print name: Bruce W. Emery, Bruce Emery

Name of Employee/Stakeholder attending meeting: Cathy Lear

Relevant Departments: DCD

Date submitted:

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



Dungeness River Management Team
Cooperative Management of Our Watershed's Resources
Coordinated by Jamestown S'Klallam Tribe and Clallam County
1033 Old Blyn Highway • Sequim, WA 98382 • (360) 683-1109

February 23, 2024

Upon request by the Dungeness River Management Team (DRMT), I have reviewed the following updates to DRMT appointments by the following organizations/groups. All other DRMT appointments not listed remain unchanged.

Per the DRMT Operating Procedures and the 1995 MOA between Jamestown S'Klallam Tribe (Tribe) and Clallam County (County), the Tribe and County indicate approval of these changes with signatures below.

Date	Representing Organization/Group	DRMT Member	DRMT Alternate
02/14/24	Clallam County	No change (Cathy Lear)	Joel Green (co-Alternate with Rebecca Paradis)
02/14/24	Protect the Peninsula's Future	No change (Tony Corrado)	Kathleen Smith (co-Alternate with Judy Larson)

W. Ron Allen, CEO/Tribal Chair
CEO/Tribal Chair
Jamestown S'Klallam Tribe

Mike French
Board of Commissioners
Clallam County

Updated DRMT Roster (for November 8, 2023 DRMT meeting):

Clallam County	Member:	Cathy Lear
	Alternate:	Rebecca Mahan
Jamestown S'Klallam Tribe	Member:	Hansi Hale
	Alternate:	Shawn Hines
Riverside Property Owners (RM 0-3.25)	Member:	Robert Beebe
	Alternate:	James Beebe
Water Users Association	Member:	Ben Smith
	Alternate:	TBD
Sports Fisheries	Member:	TBD
	Alternate:	TBD
Olympic Peninsula Audubon Society	Member:	Robert Phreaner
	Alternate:	Lance Vail
Washington Department of Ecology	Member:	Michael Gallenher
	Alternate:	TBD
City of Sequim	Member:	Meggan Uecker
	Alternate:	Ann Soule
North Olympic Land Trust	Member:	Michael Auger
	Alternate:	Lexi Wagor
Protect the Peninsula's Future	Member:	Tony Corrado
	Alternate:	Judy Larson
Estuary Tidelands Property Owner	Member:	Stephanie Robinson
	Alternate:	TBD
Washington Department of Fish and Wildlife	Member:	Danielle Zitomer
	Alternate:	Gwen Lentz
Dungeness River Audubon Center	Member:	Powell Jones
	Alternate:	Montana Napier
Dungeness National Wildlife Refuge (USFW) (Advisory)	Member:	Lorenz Sollmann
	Alternate:	Jennifer Brown-Scott
Clallam Conservation District (Advisory)	Representative:	Kim Williams
	Alternate:	TBD
U.S. Forest Service (Advisory)	Representative:	Dana Butler
	Alternate:	Marc McHenry
Clallam County PUD#1 (Advisory)	Representative:	Bowen Kendrick
	Alternate:	N/A



9

AGENDA ITEM SUMMARY

MAR 04 2024

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

Department: DCD

WORK SESSION ☒ Meeting Date: March 4, 2024

REGULAR AGENDA ☒ Meeting Date: March 12, 2024

Required originals approved and attached? ☒
Will be provided on:

Item summary:

- | | | |
|---|---|--|
| ☐ Call for Hearing | ☒ Contract/Agreement/MOU - Contract # <u>334.24.004</u> | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☐ Other Motion to Authorize Application |

Documents exempt from public disclosure attached: ☐

Executive summary: In October of 2023, Clallam County applied for a Washington State Department of Commerce Climate Planning Grant to assist the county in updating its hazard mitigation plan and adopting climate resiliency strategies into its comprehensive plan. Commerce has prepared an interagency agreement contract for the County's approval. This agreement has been reviewed as to form and is ready for signature.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐ This grant is for \$100,000 and is spread over 2024 & 2025. DCD's budget has anticipated both revenue & expenses associated with this grant.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?) Review, sign, and return the agreement to the Washington State Department of Commerce

County Official signature & print name: Bruce Emery

A handwritten signature in blue ink that reads "Bruce W. Emery".

Name of Employee/Stakeholder attending meeting: Holden A. Fleming

Relevant Departments: Department of Community Development

Date submitted: February 28, 2024

* Work Session Meeting - Submit 1 single sided/not stapled copy

Agenda Item Summary Climate Planning Grant Agreement

** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Revised: 3-04-2019



Interagency Agreement with

334.24.004

Clallam County

through

Growth Management Services

**Contract Number:
24-63610-112**

For

2023-2025 Climate Planning Grant

Dated: Date of Execution

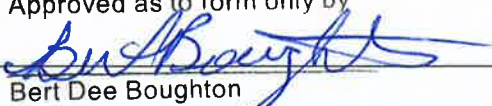
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Face Sheet

Contract Number: 24-63610-112

**Local Government Division
Growth Management Services
2023-2025 Climate Planning Grant**

1. Contractor Clallam County 223 E. 4 th Street, Suite 5 Port Angeles, WA 98362		2. Contractor Doing Business As (as applicable) N/A	
3. Contractor Representative Holden A. Fleming Chief Deputy Director, DCD 360-565-2616 Holden.Fleming@clallamcountywa.gov		4. COMMERCE Representative Noelle Madera Climate Operations Team Lead 509-818-1040 noelle.madera@commerce.wa.gov PO Box 42525 1011 Plum St. SE Olympia, WA 98504	
5. Contract Amount \$400,000	6. Funding Source Federal: ☐ State: ☒ Other: ☐ N/A: ☐	7. Start Date Date of Execution	8. End Date June 30, 2025
9. Federal Funds (as applicable) N/A		Federal Agency: N/A ALN N/A	
10. Tax ID # N/A	11. SWV # SWV0000200-03	12. UBI # 054-004-559	13. UEI # N/A
14. Contract Purpose For the development of the Growth Management Act (GMA) climate change and resiliency element requirements related to the implementation of HB 1181 and climate related implementation activities. COMMERCE, defined as the Department of Commerce, and the Contractor, as defined above, acknowledge and accept the terms of this Contract and Attachments and have executed this Contract on the date below and warrant they are authorized to bind their respective agencies. The rights and obligations of both parties to this Contract are governed by this Contract and the following documents incorporated by reference: Contractor Terms and Conditions including Attachment "A" – Scope of Work and Attachment "B" – Budget			
FOR CONTRACTOR _____ <insert name>, <insert title> _____ Signature _____ Date Approved as to form only by  Bert Dee Boughton Civil Deputy Prosecuting Attorney Clallam County		FOR COMMERCE _____ <insert name>, <insert title> _____ Date APPROVED AS TO FORM ONLY BY ASSISTANT ATTORNEY GENERAL APPROVAL ON FILE	

Special Terms and Conditions

1. AUTHORITY

COMMERCE and Contractor enter into this Contract pursuant to the authority granted by Chapter 39.34 RCW.

2. CONTRACT MANAGEMENT

The Representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Contract.

The Representative for COMMERCE and their contact information are identified on the Face Sheet of this Contract.

The Representative for the Contractor and their contact information are identified on the Face Sheet of this Contract.

3. COMPENSATION

COMMERCE shall pay an amount not to exceed **four hundred thousand dollars (\$400,000)**, for the performance of all things necessary for or incidental to the performance of work under this Contract as set forth in the attached Scope of Work and Budget.

4. BILLING PROCEDURES AND PAYMENT

COMMERCE will pay Contractor upon acceptance of services provided and receipt of properly completed invoices, which shall be submitted to the Representative for COMMERCE not more often than monthly nor less than quarterly.

The invoices shall describe and document, to COMMERCE's satisfaction, a description of the work performed, the progress of the project, and fees. The invoice shall include the Contract Number 24-63610-112. A receipt must accompany any single expenses in the amount of \$50.00 or more in order to receive reimbursement.

Payment shall be considered timely if made by COMMERCE within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

COMMERCE may, in its sole discretion, terminate the Contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this Contract.

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by COMMERCE.

Grant Start Date

COMMERCE will pay the Contractor for costs incurred beginning July 1, 2023, for services and deliverables described under this Agreement.

State Fiscal Year Payments

COMMERCE will reimburse Contractor for State Fiscal Year 2024 (July 1, 2023-June 30, 2024), and State Fiscal Year 2025 (July 1, 2024-June 30, 2025), based on the expenses incurred under this Contract.

Invoices and End of Fiscal Year

Invoices are due at a minimum of June 15, 2024 and 2025, if not submitted at more frequent intervals.

Final invoices for a state fiscal year may be due sooner than the 15th of June and Commerce will provide notification of the end of fiscal year due date.

The Contractor must invoice for all expenses from the beginning of the contract through June 30, regardless of the contract start and end date.

Duplication of Billed Costs

The Contractor shall not bill COMMERCE for services performed under this Agreement, and COMMERCE shall not pay the Contractor, if the Contractor is entitled to payment or has been or will be paid by any other source, including grants, for that service.

Disallowed Costs

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

Line Item Modification of Budget

- A. Notwithstanding any other provision of this contract, the Contractor may, at its discretion, make modifications to line items in the Budget, hereof, that will not increase the line item by more than fifteen percent (15%).
- B. The Contractor shall notify COMMERCE in writing (by email or regular mail) when proposing any budget modification or modifications to a line item in the Budget (Attachments B) hereof, that would increase the line item by more than fifteen percent (15%). Conversely, COMMERCE may initiate the budget modification approval process if presented with a request for payment under this contract that would cause one or more budget line items to exceed the 15 percent (15%) threshold increase described above.
- C. Any such budget modification or modifications as described above shall require the written approval of COMMERCE (by email or regular mail), and such written approval shall amend the Project Budget. Each party to this contract will retain and make any and all documents related to such budget modifications a part of their respective contract file.
- D. Nothing in this section shall be construed to permit an increase in the amount of funds available for the Project, as set forth in Section 3 of this contract, nor does this section allow any proposed changes to the Scope of Work, include Tasks/Work Items and Deliverables under Attachment A, without specific written approval from COMMERCE by amendment to this contract.

5. SUBCONTRACTOR DATA COLLECTION

Contractor will submit reports, in a form and format to be provided by Commerce and at intervals as agreed by the parties, regarding work under this Contract performed by subcontractors and the portion of Contract funds expended for work performed by subcontractors, including but not necessarily limited to minority-owned, woman-owned, and veteran-owned business subcontractors. "Subcontractors" shall mean subcontractors of any tier.

6. ENSURE COORDINATED CLIMATE COMMITMENT ACT BRANDING

COMMERCE received funding from Washington's Climate Commitment Act (CCA). To strengthen public awareness of how CCA funding is used, the Office of the Governor is directing state agencies that administer funding or manage a CCA-supported program to ensure consistent branding and funding acknowledgments are used in all communications and included in funding agreements and contracts. The "Climate Commitment Act" logo and funding acknowledgment make it easy for consumers and the public to see how the state is using CCA funds to reduce climate pollution, create jobs, and improve public health and the environment, particularly for low-income and overburdened populations.

The following provisions apply to all contractors, subcontractors, service providers and others who assist CONTRACTOR in implementing the climate planning grant.

Logo requirements. The CCA logo must be used in the following circumstances, consistent with the branding guidelines posted at climate.wa.gov/brandtoolkit.

- Any WA Department of Commerce climate planning grant website or webpage that includes logos from other funding partners.
- Any WA Department of Commerce climate planning grant media or public information materials that include logos from other funding partners.

Funding source acknowledgement. This standard funding language must be used on websites and included in announcements, press releases and publications used for media-related activities, publicity and public outreach.

"The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov."

7. INSURANCE

Each party certifies that it is self-insured under the State's or local government self-insurance liability program, and shall be responsible for losses for which it is found liable.

8. FRAUD AND OTHER LOSS REPORTING

Contractor shall report in writing all known or suspected fraud or other loss of any funds or other property furnished under this Contract immediately or as soon as practicable to the Commerce Representative identified on the Face Sheet.

9. ORDER OF PRECEDENCE

In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Special Terms and Conditions
- General Terms and Conditions
- Attachment A – Scope of Work
- Attachment B – Budget

General Terms and Conditions

1. DEFINITIONS

As used throughout this Contract, the following terms shall have the meaning set forth below:

- A. "Authorized Representative" shall mean the Director and/or the designee authorized in writing to act on the Director's behalf.
- B. "COMMERCE" shall mean the Washington Department of Commerce.
- C. "Contract" or "Agreement" or "Grant" means the entire written agreement between COMMERCE and the Contractor, including any Attachments, documents, or materials incorporated by reference. E-mail or Facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.
- D. "Contractor" or "Grantee" shall mean the entity identified on the face sheet performing service(s) under this Contract, and shall include all employees and agents of the Contractor.
- E. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- F. "State" shall mean the state of Washington.
- G. "Subcontractor" shall mean one not in the employment of the Contractor, who is performing all or part of those services under this Contract under a separate contract with the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

2. ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

3. AMENDMENTS

This Contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

4. ASSIGNMENT

Neither this Contract, work thereunder, nor any claim arising under this Contract, shall be transferred or assigned by the Contractor without prior written consent of COMMERCE.

5. CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION

- A. "Confidential Information" as used in this section includes:
 - i. All material provided to the Contractor by COMMERCE that is designated as "confidential" by COMMERCE;
 - ii. All material produced by the Contractor that is designated as "confidential" by COMMERCE; and

- iii. All Personal Information in the possession of the Contractor that may not be disclosed under state or federal law.

- B. The Contractor shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Contractor shall use Confidential Information solely for the purposes of this Contract and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COMMERCE or as may be required by law. The Contractor shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Contractor shall provide COMMERCE with its policies and procedures on confidentiality. COMMERCE may require changes to such policies and procedures as they apply to this Contract whenever COMMERCE reasonably determines that changes are necessary to prevent unauthorized disclosures. The Contractor shall make the changes within the time period specified by COMMERCE. Upon request, the Contractor shall immediately return to COMMERCE any Confidential Information that COMMERCE reasonably determines has not been adequately protected by the Contractor against unauthorized disclosure.
- C. Unauthorized Use or Disclosure. The Contractor shall notify COMMERCE within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

6. **COPYRIGHT**

Unless otherwise provided, all Materials produced under this Contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COMMERCE. COMMERCE shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Contractor hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COMMERCE effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Contract, but that incorporate pre-existing materials not produced under the Contract, the Contractor hereby grants to COMMERCE a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Contractor warrants and represents that the Contractor has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COMMERCE.

The Contractor shall exert all reasonable effort to advise COMMERCE, at the time of delivery of Materials furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. The Contractor shall provide COMMERCE with prompt written notice of each notice or claim of infringement received by the Contractor with respect to any Materials delivered under this Contract. COMMERCE shall have the right to modify or remove any restrictive markings placed upon the Materials by the Contractor.

7. **DISPUTES**

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, Agreement terms and applicable statutes and rules and make a determination of the dispute. The Dispute Board shall thereafter decide the dispute with the majority

prevailing. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

8. GOVERNING LAW AND VENUE

This Contract shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9. INDEMNIFICATION

Each party shall be solely responsible for the acts of its employees, officers, and agents.

10. LICENSING, ACCREDITATION AND REGISTRATION

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Contract.

11. RECAPTURE

In the event that the Contractor fails to perform this Contract in accordance with state laws, federal laws, and/or the provisions of this Contract, COMMERCE reserves the right to recapture funds in an amount to compensate COMMERCE for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Contractor of funds under this recapture provision shall occur within the time period specified by COMMERCE. In the alternative, COMMERCE may recapture such funds from payments due under this Contract.

12. RECORDS MAINTENANCE

The Contractor shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

The Contractor shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by COMMERCE, personnel duly authorized by COMMERCE, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

13. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Contract and prior to normal completion, COMMERCE may suspend or terminate the Contract under the "Termination for Convenience" clause, without the ten calendar day notice requirement. In lieu of termination, the Contract may be amended to reflect the new funding limitations and conditions.

14. SEVERABILITY

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

15. SUBCONTRACTING

The Contractor may only subcontract work contemplated under this Contract if it obtains the prior written approval of COMMERCE.

If COMMERCE approves subcontracting, the Contractor shall maintain written procedures related to subcontracting, as well as copies of all subcontracts and records related to subcontracts. For cause, COMMERCE in writing may: (a) require the Contractor to amend its subcontracting procedures as they relate to this Contract; (b) prohibit the Contractor from subcontracting with a particular person or entity; or (c) require the Contractor to rescind or amend a subcontract.

Every subcontract shall bind the Subcontractor to follow all applicable terms of this Contract. The Contractor is responsible to COMMERCE if the Subcontractor fails to comply with any applicable term or condition of this Contract. The Contractor shall appropriately monitor the activities of the Subcontractor to assure fiscal conditions of this Contract. In no event shall the existence of a subcontract operate to release or reduce the liability of the Contractor to COMMERCE for any breach in the performance of the Contractor's duties.

Every subcontract shall include a term that COMMERCE and the State of Washington are not liable for claims or damages arising from a Subcontractor's performance of the subcontract.

16. SURVIVAL

The terms, conditions, and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive.

17. TERMINATION FOR CAUSE

In the event COMMERCE determines the Contractor has failed to comply with the conditions of this contract in a timely manner, COMMERCE has the right to suspend or terminate this contract. Before suspending or terminating the contract, COMMERCE shall notify the Contractor in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

COMMERCE reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by COMMERCE to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of COMMERCE provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

18. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract, COMMERCE may, by ten (10) business days' written notice, beginning on the second day after the mailing, terminate this Contract, in whole or in part. If this Contract is so terminated, COMMERCE shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

19. TERMINATION PROCEDURES

Upon termination of this contract, COMMERCE, in addition to any other rights provided in this contract, may require the Contractor to deliver to COMMERCE any property specifically produced or acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

COMMERCE shall pay to the Contractor the agreed upon price, if separately stated, for completed work and services accepted by COMMERCE, and the amount agreed upon by the Contractor and COMMERCE for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by COMMERCE, and (iv) the protection and preservation of property, unless the termination is for default, in which case the Authorized Representative shall determine the extent of the liability of COMMERCE. Failure to agree with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. COMMERCE may withhold from any amounts due the Contractor such sum as the Authorized Representative determines to be necessary to protect COMMERCE against potential loss or liability.

The rights and remedies of COMMERCE provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Authorized Representative, the Contractor shall:

- A. Stop work under the contract on the date, and to the extent specified, in the notice;
- B. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;
- C. Assign to COMMERCE, in the manner, at the times, and to the extent directed by the Authorized Representative, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case COMMERCE has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- D. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Authorized Representative to the extent the Authorized Representative may require, which approval or ratification shall be final for all the purposes of this clause;
- E. Transfer title to COMMERCE and deliver in the manner, at the times, and to the extent directed by the Authorized Representative any property which, if the contract had been completed, would have been required to be furnished to COMMERCE;
- F. Complete performance of such part of the work as shall not have been terminated by the Authorized Representative; and
- G. Take such action as may be necessary, or as the Authorized Representative may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which COMMERCE has or may acquire an interest.

20. TREATMENT OF ASSETS

Title to all property furnished by COMMERCE shall remain in COMMERCE. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in COMMERCE upon delivery of such property by the Contractor. Title to other property, the cost of which is reimbursable to the Contractor under this contract, shall pass to and vest in COMMERCE upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by COMMERCE in whole or in part, whichever first occurs.

- A. Any property of COMMERCE furnished to the Contractor shall, unless otherwise provided herein or approved by COMMERCE, be used only for the performance of this contract.
- B. The Contractor shall be responsible for any loss or damage to property of COMMERCE that results from the negligence of the Contractor or which results from the failure on the part of the Contractor to maintain and administer that property in accordance with sound management

practices.

- C. If any COMMERCE property is lost, destroyed or damaged, the Contractor shall immediately notify COMMERCE and shall take all reasonable steps to protect the property from further damage.
- D. The Contractor shall surrender to COMMERCE all property of COMMERCE prior to settlement upon completion, termination or cancellation of this contract.
- E. All reference to the Contractor under this clause shall also include Contractor's employees, agents or Subcontractors.

21. WAIVER

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Contract unless stated to be such in writing and signed by Authorized Representative of COMMERCE.

Attachment A: Scope of Work

Clallam County Resilience Sub-Element Scope of Work			
Work			
(Including Multi-Jurisdiction Hazard Mitigation Plan Update Pathway)			
Phase	Task Description	End Date	Climate Guidance Commerce Ref.
1	1: Solicit Consultant	2/15/2024	Section 2
	1A: Form Hazard Mitigation/Climate Resiliency Committee (HMCR) and Resources	2/28/2024	Task 2.1
	1A: Organize Planning Team and Resources		
	1A: Establish Engagement Strategy that Supports Environmental Justice		Task 2.2
	1A: DELIVERABLE - Document Engagement Strategy (Includes all elements of a public engagement plan)	early March	Deliverable 1
	1B: Audit Plan and Document Review, including for climate gaps and opportunities		Section 3, Step 2, Task 2.1
	1B: DELIVERABLE - Document Climate Gaps and Opportunities		Deliverable 3 (Part 1)
	1C: Coordination with Other Agencies (Operational Area Meetings)		
	1D: HMCR Committee Meetings (10 Members)	During Phase 1	
	1D: Recommend/Initiate Changes, Template Development, Annex Development, Transfer of Data, old plan to new	3/31/2024	
2	2A: Perform HAZUS-MH Vulnerability & Risk Analysis	4/24 - 6/1/24	Section 3, Step 3, Task 1.4
	2A: Update Community Assets Identification	During Phase 2	Task 1.1
	2A: DELIVERABLE - Identify Community Assets and create Climate Element	During Phase 2	Deliverable 2 (Part 1)

	WorkBook Sheet (Includes exploration of Climate Impacts)		
	2B: Climate Change Data/Analysis/Projections including exploring hazards, changes in climate and climate impacts	During Phase 2	Section 3, Step 1, Tasks 1.2, 1.3
	2B: HMCR Committee Meeting	During Phase 2	
	2B: DELIVERABLE - Create Climate Element WorkBook Sheets which (1) explores hazards and changes in the climate; (2) pairs assets and hazards and describes exposure and consequences; and (3) Identifies priority climate hazards		Deliverable 2 (Part 2)
	2B: Update non-HAZUS Hazards	6/1/2024	FEMA Guidance
	2C: New GIS Building Vulnerability Mapping	6/15/2024	
	2C: Mapping, Charts, Graphs	6/15/2024	
3	3A: Public Meetings	Summer 24	
	3B: Press releases/Public notices/Survey	Summer 24	
	3C: Website	Summer 24	
	3D: Hazard Committee Meetings (6 meetings, 10 members)	Summer 24	
4	4A: Strategy Dev./Maintenance/Future Mitigation Project Planing/Draft Update/Capabilities Update	9/15/2024	Task 2.2
	4A: DELIVERABLE - Determine Next Steps Task in Climate Element WorkBook (Includes Comp. Plan Aduit)	9/30/2024	Deliverable 3 (Part 2)
	4A: Assess Sensitivity and Adaptive Capacity to Characterize Vulnerability	9/30/2024	Tasks 3.1, 3.2, 3.3
	4A: Characterize Risk and decide course of action	9/30/2024	Task 3.4
	4A: Public Meetings	early October	
	4A: DELIVERABLE - Create Climate Element WorkBook Sheets which (1) Assess Sensitivity and Adaptive Capacity to Characterize Vulnerability and (2)	10/20/2024	Deliverable 4

	Characterize Risk and Decide Course of Action		
	4A: HMCR Meeting: Integrate Climate Goals and Polices	End of October	Section 3, Step 5, Tasks 5.1, 5.2
	4A: Develop Climate Goals and Policies and Identify Co-Benefits	10/31/2024	Tasks 4.1 - 4.3
	4A: DELIVERABLE - Create Climate Element WorkBook Sheets which will outline Climate Goals and Policies and Identify Co-Benefits	10/31/2024	Deliverable 5 (Part 1)
	4B: Technical Edit/Format of Hazard Mitigation Plan Update		
	4B: DELIVERABLE - Create Climate Resilience Goal & Policy Integration Table	10/31/2024	Deliverable 5 (Part 2)
	4C: Hazard Mitigation Plan Update review crosswalk	11/10/2024	FEMA Guidance
5	5A: DELIVERABLES - Hazard Mitigation Plan Adoption Which Includes Climate Resilience Goals and Policies And Completed Climate Element Workbook as Annex (Includes Climate Resilience Ordinance Adoption)	After FEMA Approval (Feb 2025)	Deliverable 6 & 7
6	6A: Financial Management	At all Times	
	6A: Asst. with Quarterly Reports	As Required	
	6B: Project Management	At all Times	

Attachment B: Budget

Budget	Commerce Grant Funds
Climate Planning Grant Deliverable Expenses	\$400,000
Deliverable 1 - Document Engagement Strategy (Includes all elements of a public engagement plan)	\$40,000
Deliverable 2 - Identify Community Assets and create Climate Element WorkBook Sheet (Includes exploration of Climate Impacts)	\$40,000
Deliverable 3- Determine Next Steps Task in Climate Element WorkBook (Includes Comp. Plan Audit)	\$100,000
Deliverable 4 -Create Climate Element WorkBook Sheets which will outline Climate Goals and Policies and Identify Co-Benefits	\$140,000
Deliverable 5- Hazard Mitigation Plan Adoption Which Includes Climate Resilience Goals and Policies And Completed Climate Element Workbook as Annex (Includes Climate Resilience Ordinance Adoption)	\$80,000
Total Funds **	\$400,000

MAR 04 2024



AGENDA ITEM SUMMARY

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

Department: DCD

WORK SESSION ☒ Meeting Date: March 4, 2024

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other – Project Update |

Documents exempt from public disclosure attached: ☐

Executive summary: Clallam County Staff will provide an update on the Towne Road/Dungeness Levee surfacing project.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☒ No budgetary impact.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?) No action requested. This report is for informational purposes and discussion with the BOCC. No action, update only.

County Official signature & print name: Bruce Emery *Bruce W. Emery*

Name of Employee/Stakeholder attending meeting: Bruce Emery, Joe Donisi, Cathy Lear

Relevant Departments: Board of Commissioners, Department of Community Development and Public Works/Road Department.

Date submitted: February 28, 2024

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

MAR 04 2024



AGENDA ITEM SUMMARY

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

Department: BOCC

WORK SESSION ☒ Meeting Date: 3-4-24

REGULAR AGENDA ☒ Meeting Date: 3-5-24

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other - Letter |

Documents exempt from public disclosure attached: ☐

Executive summary:

Lake Sutherland acreage Letter of Concurrence:

The Commissioner of Public Lands has informed Clallam County that the department is able to include 111 acres in the vicinity of Lake Sutherland (including the Shore Thing sale) in the budget proviso created to fund the set aside of structurally complex, carbon dense forest land in Western Washington. This acreage was the recommendation forwarded to the DNR by the Clallam Commissioners, who will review a draft letter of concurrence as required by the DNR before moving forward.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Approval of letter.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners

Date submitted: 2-26-24

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting - Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



Board of Clallam County Commissioners

223 East 4th Street, Suite 4
Port Angeles, WA 98362-3015
360.417.2233 Fax: 360.417.2493
Email: commissioners@clallamcountywa.gov

MIKE FRENCH, District 3, Chair
RANDY JOHNSON, District 2
MARK OZIAS, District 1

TODD MIELKE, County Administrator

March 5, 2024

The Honorable Hilary S. Franz
Commissioner of Public Lands
1111 Washington Street SE
Mail Stop 47001
Olympia, WA 98504-7001

Dear Commissioner Franz,

Thank you for your February 22, 2024 letter indicating the Department is able to include the additional 111 acres in the vicinity of Lake Sutherland (which includes the Shore Thing timber sale) in the program created through a budget proviso to set aside structurally complex, carbon dense forest land in Western Washington. We very much appreciate the creative thinking and flexibility illustrated both by you and your team, and of course by the Jefferson County Commissioners. As you know, this Lake Sutherland acreage was our top priority, and it will mean a great deal to our community to see this forest protected.

Additionally, it is wonderful to know that DNR regional staff are working with the purchaser of Power Plant sale to identify replacement volume within the same tax district; thank you for understanding the importance of generating this revenue and for the Department's commitment to ensuring the impacted Junior Taxing Districts remain whole.

Please allow this letter to serve as our concurrence for inclusion of the Lake Sutherland acreage. We look forward to providing you with a formal letter of concurrence for the Power Plant acreage once the replacement volume has been identified via the process you describe.

We have very much appreciated the opportunity to work with the Department on this initiative and wish to recognize the great work being done by the regional team. Moving forward, this will include the agency's participation on our newly-formed "Revenue Advisory Committee" comprised of representatives from all of the junior taxing districts in Clallam County. There is much detailed work ahead of us as DNR staff continues to successfully acquire replacement forestland via the Encumbered Lands proviso and we believe this group will be vital to this effort.

Sincerely,

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

Randy Johnson

Mark Ozias

CC: Duane Emmons, Ass't. Deputy for State Uplands
Commissioners Greg Brotherton, Heidi Eisenhour & Kate Dean

Gores, Loni

From: Ogden, Sarah (DNR) <Sarah.Ogden@dnr.wa.gov>
Sent: Friday, February 23, 2024 8:44 AM
To: Ozias, Mark; French, Mike; Johnson, Randy
Cc: Mielke, Todd; Gores, Loni
Subject: DNR Reallocation of acres
Attachments: clallam_new_acres_letter 02 2024.pdf

Some people who received this message don't often get email from sarah.ogden@dnr.wa.gov. [Learn why this is important](#)

Dear Commissioners,

Attached please find a letter detailing the reallocation of acres for the budget proviso to set aside structurally complex, carbon dense forest land in western Washington.

Please let me know if I can be of further assistance.

Best,
Sarah

Sarah Ogden

Trust Outreach Specialist
Washington State Department of Natural Resources (DNR)
Mobile: (360)791-5774
sarah.ogden@dnr.wa.gov
www.dnr.wa.gov





HEARY S. FRANZ
COMMISSIONER OF PUBLIC LANDS

February 22, 2024

Commissioner Mark Ozias, District 1
223 E 4th Street, Suite 4
Port Angeles, WA 98362

Commissioner Randy Johnson, District 2
223 E 4th Street, Suite 4
Port Angeles, WA 98362

Commissioner Mike French, District 3
223 E 4th Street, Suite 4
Port Angeles, WA 98362

Dear Clallam County Commissioners,

I am happy to inform you that the department is able to include an additional 111 acres in the vicinity of Lake Sutherland for inclusion in the budget proviso to set aside structurally complex, carbon dense forest land in western Washington. This includes the areas from the Shore Thing timber sale you identified in your December 5, 2023 letter.

The full trust breakdown for both the Power Plant and Shore Thing areas is:

Power Plant	69
State Forest Transfer	69
Shore Thing	111
State Forest Transfer	39
Common School and Indemnity	71

Region staff are also working with the purchaser of the Power Plant timber sale to identify replacement volume for that contract within the same tax district and will hopefully complete that work in the next few months. That involves estimating the value and quality of the timber and then receiving all of the regulatory permits to allow harvest on those replacement acres.

DNR staff as well as a contractor from American Forest Management are working to acquire replacement forestland as part of the budget proviso as well as acquiring more forestland for Clallam county as part of the Encumbered lands provisos.

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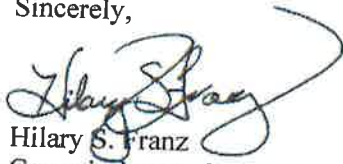
HEARY S. FRANZ
COMMISSIONER OF PUBLIC LANDS
CPL@DNR.WA.GOV

DEPARTMENT OF NATURAL RESOURCES
1111 WASHINGTON STREET SE
MAIL STOP 47001
OLYMPIA, WA 98504-7001

360-902-1000
FAX 360-902-1775
TRS 711
WWW.DNR.WA.GOV

If you concur with the inclusion of these additional acres around Lake Sutherland please provide a letter of agreement so that staff can begin the work of acquiring those replacement lands. If you have any questions please contact Duane Emmons, my Assistant Deputy for State Uplands.

Sincerely,



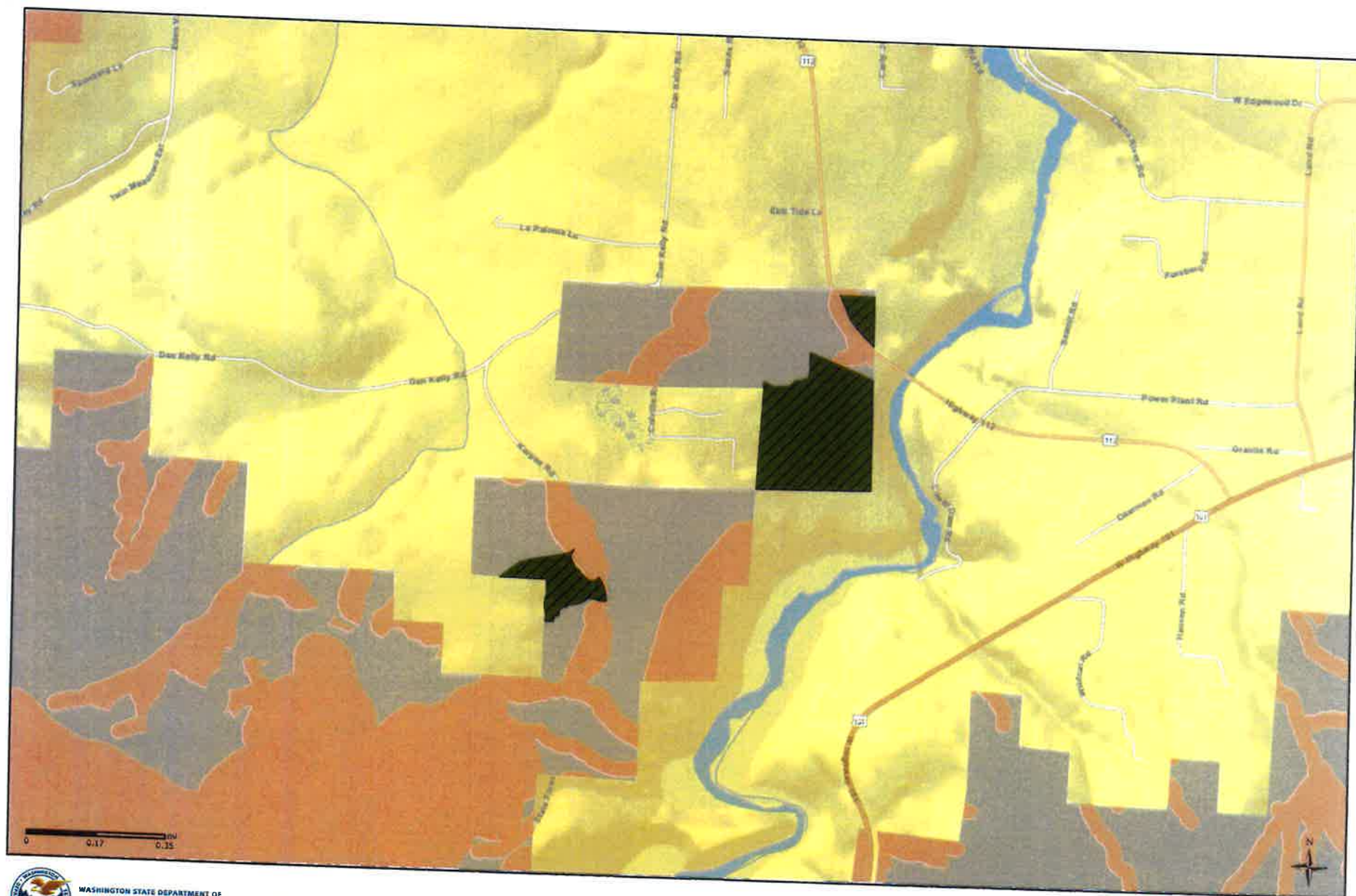
Hilary S. Franz
Commissioner of Public Lands

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WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES

Potential 2000 Acres Sites Power Plant

Proposed Sites



Planned VRH/LUC (through FY26)



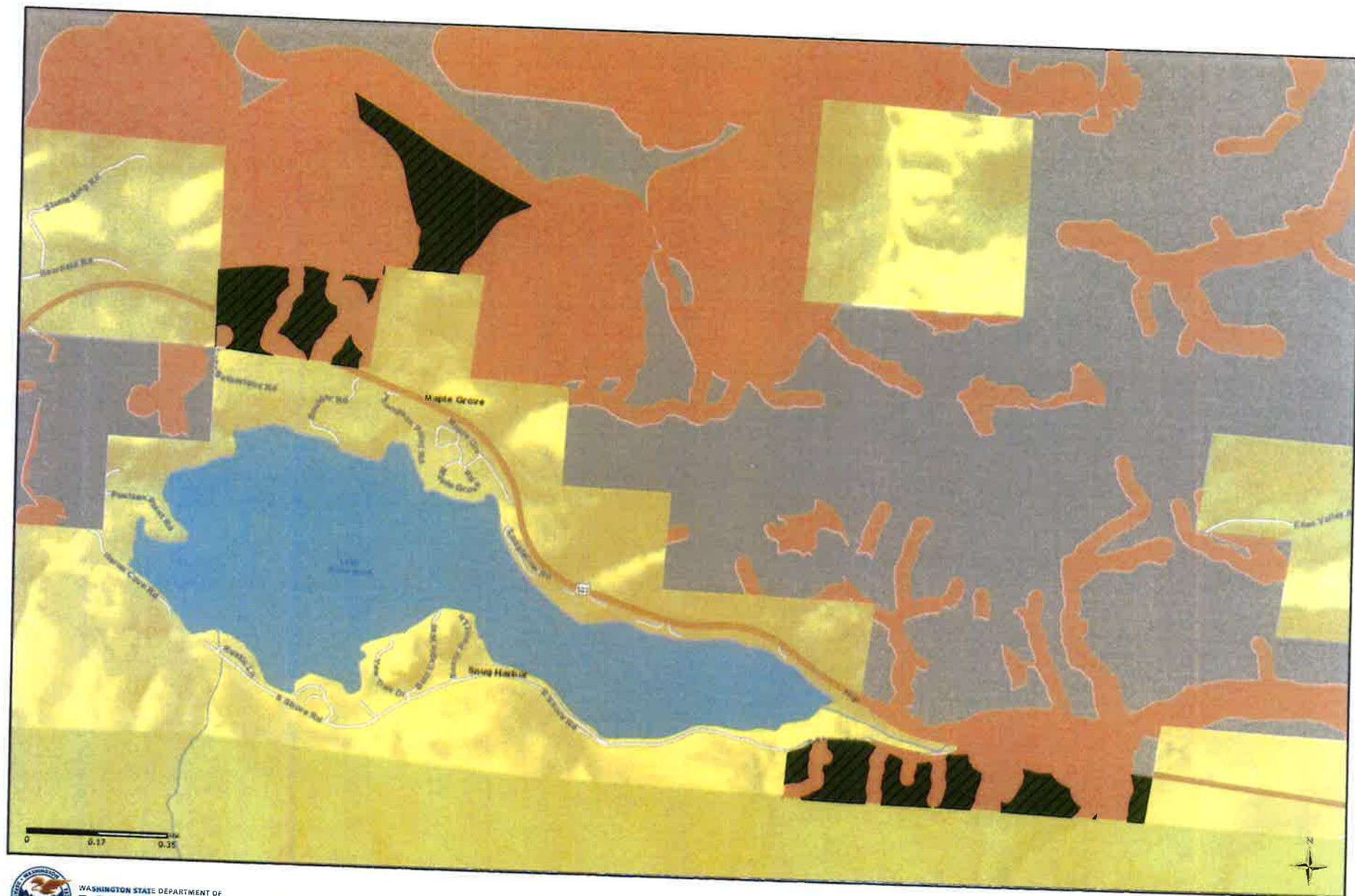
VRH-deferred



DNR-Managed Lands



All data are draft and subject to change.



WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES

Potential 2000 Acres Sites Shore Thing

Proposed Sites



Planned VRH/LUC (through FY26)



VRH-deferred



DNR-Managed Lands



All data are draft and subject to change.





AGENDA ITEM SUMMARY

12
MAR 04 2024

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

Department: BOCC

WORK SESSION ☒ Meeting Date: 3-4-24

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other – Discussion and next steps |

Documents exempt from public disclosure attached: ☐

Executive summary:

The Board of Commissioners (BOCC) has been invited to participate in a work group on Ecosystem Services Markets that the Washington Department of Natural Resources (DNR) is putting together. In its 2023 legislative session, the Washington State Legislature directed DNR to establish a work group to explore ways DNR can generate revenue through carbon offset markets and other ecosystem services markets, while achieving greenhouse gas emission reductions and removal of enhancing other ecosystem services.

The BOCC will hold a discussion regarding participation in the work group. DNR anticipates the work group will meet approximately 6 times from April 2024 – June 2025.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Discussion and next steps.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners

Date submitted: 2-28-24

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** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)



13
MAR 04 2024

AGENDA ITEM SUMMARY

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

Department: BOCC

WORK SESSION ☒ Meeting Date: 3/4/24

REGULAR AGENDA ☐ Meeting Date:

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | |
|---|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # |
| ☐ Resolution | ☐ Proclamation ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance ☒ Other – Update only |

Documents exempt from public disclosure attached: ☐

Executive summary:

Legislative Session Update:

The purpose of this discussion will be to regularly review Clallam County's priorities, projects and programs that require support from the Washington State Legislature and to plan and coordinate our individual and collective outreach efforts. We envision this to be a standing weekly agenda item throughout the term of this current Legislative session.

Budgetary impact: (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget action is required, has it been submitted and a copy attached?** ☐
None.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)
Update only.

County Official signature & print name: Loni Gores Loni Gores, Clerk

Name of Employee/Stakeholder attending meeting: Board of Commissioners

Relevant Departments: Board of Commissioners

Date submitted: 1/18/24

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Department: Finance

WORK SESSION ☒ **Meeting Date: 3/4/2024**

REGULAR AGENDA ☐ **Meeting Date:**

Required originals approved and attached? ☒
Will be provided on:

- Item summary:**
- | | | |
|---|--|--|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other Monthly Review |

Documents exempt from public disclosure attached: ☐

**JANUARY 2024 YEAR-TO-DATE REVIEW OF GENERAL FUND FINANCIAL RESULTS—
EXECUTIVE SUMMARY:**

January 2024 General Fund Results

The January 2024 Year-to-Date General Fund Financial Review compared to 2023 is attached along with comparison to the original budget for 2024. At a high level:

- **REVENUES**—Revenue from Operations (excluding Transfers) totaled \$2,852k as compared to \$2,706k in 2023, representing an increase of \$146k or 5.4%. 2024 Revenues from Operations YTD are pacing at 5.6% of our annual revenue budget, slightly ahead of 5.1% in 2023.
- **EXPENDITURES**-- Expenditures from Operations (excluding Transfers) totaled \$4,267k as compared to \$3,661k in prior year for an increase of \$606k or 16.5%, and are pacing at 8% of our annual budget, slightly over last year's 7.3%.
- **OPERATING SURPLUS/(DEFICIT)**--Excluding Transfers In/Out, the General Fund generated an operating deficit of (\$1,414k) for the year-to-date period ending January 2024, as compared to an operating deficit of (\$955k) for the same period in 2023, an increase of \$459k. After factoring in budgeted Transfers In of \$462k and Transfers Out of \$1,256, the General Fund generated an operating deficit of (\$2,209k), an increase of \$1,182k over 2023's deficit of (-\$1,027k).
- **ENDING RESERVES**--The General Fund finished January 2024 with an Ending Fund Balance Reserve of \$11,239k, or \$619k higher than the prior year.

*	Work Session Meeting - Submit 1 single sided/not stapled copy	Agenda Item Summary How Did We Do--January 20243
**	Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)	Revised: 3-04-2021

Please refer to the attached schedule and below that provides further details of the major factors that make up these changes and performance to budget.

REVENUES FROM OPERATIONS

Year-to-date, Revenues from Operations came in at 5.6% of our annual revenue budget, ahead of 5.1% in 2023. Year-over-year outperformances to budget were seen in several categories, with the exception of Taxes, Goods & Services, and Nonrevenues.

Taxes--slightly lagged as % budget in January 2024 at 3.8% as compared to last year's 4.1% and were down \$37k or -3.6% to prior year, largely due to an unexpected drop in sales tax revenues of -5.1% in January 2024 and a -7.1% drop in Juvenile sales tax, as partly offset by an increase in Property Taxes. These sales tax decreases appear reflective of the drop seen in retail sales reported nationally in October/November 2023 (note: sales taxes are remitted to the County 60 days in arrears to the period the taxes were collected).

Licensing & Permits were pacing ahead relative to budget thus far in 2024 (at 7.5% of budget vs. 5.7% in prior year) and were up \$13k or 22% over prior year mainly as a result of a 27% increase in building and land use permit revenues year-to-date.

Intergovernmental Revenue, which consist of (1) Federal and State grants, (2) PILT, PUD Privilege Tax, Criminal Justice, and other State Excise taxes, and (3) DNR Timber Revenues, stood at 7.1% of budget year-to-date (vs. 6.6% in 2023) and increased \$37k over prior year mainly due to timing of receipt of the Indigent Defense state reimbursement, budgeted growth in Criminal Justice state funding, and a \$26k or 58% increase in year-over-year DNR Timber revenues, as partly offset by \$41k in lower grant revenue received to-date (mainly in Juvenile Services being down \$98k due to timing of AOC/CASA, BECCA, SCRC funding, and a budgeted drop in Blake LFO reimbursements, as offset by gains in DCD Environmental Quality and other departments).

Charges for Goods & Services paced at 7.1% of budget (as compared to 8.1% in prior year) and decreased \$10k year-over-year mainly due to lower auditor DOL fees (-\$10k), timing of Treasurer stormwater fees (-\$26k), and decreases in other areas, as partially offset by gains in Juveniles Services (up \$45k due to timing of CD/MH reimbursements), DCD building plan check revenues (up 33%), timing of HHS Admin reimbursements from CD/MH, FPHS, and Dev Disabilities funds, and higher pacing Jail bed revenues from the Dept of Corrections (up 46%).

Fines & Penalties are pacing ahead of budget as compared to prior year (7.6% vs. 6.6%) and are up 8.6% compared to prior year due to an increase in District Court 1 & 2 infraction revenues (DC 1 up 11%, as partly offset by DC 2 being down 18%), and higher pacing Treasurer Penalties on Delinquent Property Taxes.

Misc Revenue has started the year ahead of last year relative to budget (9.5% vs. 8.5%) and was up \$140k or 44.5% relative to prior year, largely due to higher interest earned on investments due to gains in yields earned throughout 2023 and the implementation of higher camping fees for 2024 (up 25% compared to prior year).

EXPENDITURES

Expenditures from Operations (excluding Transfers Out) through January 2024 year-to-date are pacing at 8% of our annual budget, slightly ahead of last year's 7.3% and increased \$606k or 16.5%

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Agenda Item Summary How Did We Do--January 20243

**** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)**

Revised: 3-04-2021

compared to prior year. All expenditure categories were pacing at or slightly above their paces to budget in comparison with prior year, with the exception of Supplies which trailed slightly behind last year relative to budget, and Services which were at 11.6% of budget vs 9.2% in prior year. The year-over-year \$606k increase in operating expenditures was mainly due to increases in:

- (1)** Payroll (up \$151k or 7.6%) and Benefits (up \$50k or 6.1%) driven by step/COLA & salary study/position reclassification increases, additional pay and benefits provided in the County's collective bargaining agreements, staffing changes, and higher paid leave payouts due to timing of retirements (up \$35k);
- (2)** a \$389k increase in Services mainly due to higher Professional Services (+\$294k) that was due to due to delayed timing of the CPD indigent defense contract renewal in 2023 & increased conflict attorney costs, higher Prosecuting Attorney coroner services costs (+\$38k), higher Superior Court indigent defense expert services (+\$25k), and higher WSU professional services (+\$50k due to carry over of the Q4 WSU MOA payment). Services also increased in the areas of Operating Rentals & Leases [+\$42k - mainly due to higher ER&R budgeted patrol vehicle rental rates charged to CCSO), Communication (\$34k) and higher Repairs & Maintenance costs (+\$73k due to timing of annual software maintenance agreements in Superior Court and IT); and
- (3)** Debt Service Lease costs increased \$14k mainly due to timing of prior year payments.

TRANSFERS IN/TRANSFERS OUT

Transfers In year-to-date totaled \$462k in 2024, pacing at 29.7% of budget and consisting of the budgeted transfer of interest earned on ARPA funds through the end of 2023 to the General Fund.

Transfers Out totaled \$1,256k, an increase of \$1,184k, mainly due to the timing of budgeted transfers in 2024 relative to 2023 needed to fund ongoing projects and operating costs of other non-General Fund funds, including \$484k to IT Capital Projects, \$412k to PFF Capital Projects, \$67k to Local Crime Victim fund, \$17k to Law Library, \$70k to Solid Waste, \$74k to Flood Control, \$123k to Veterans Relief, and \$10k to CCSO Honor Guard fund.

NET SURPLUS OF REVENUES TO EXPENDITURES-- For YTD January 2024, the General Fund generated an operating deficit between revenue and expenditures (excluding Transfers In/Out) of (\$1,414k), a \$459k increase from last year's operating deficit of (\$955k). When taking Transfers In/Out into account, YTD January 2024 generated a (\$2,209k) deficit, an increase of \$1,182k from last year's (\$1,027k) deficit.

ENDING FUND BALANCE --The General Fund at the end of January 2024 had an ending fund balance reserve of \$11,239k , which is \$619k higher than January of last year.

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2024 PROJECTION—GENERAL FUND

Turning to the forecast, revenue and expenditure forecasted for 2024 have been updated from our budget as follows:

PROJECTED REVENUES-- General Fund Revenues from Operations are projected to total \$50,420k, a decrease of \$167k from the 2024 adopted budget. This is reflective of several changes made as follows:

Taxes--are now projected to miss budget by \$270k or -1% mainly due to sales tax growth slowing late in the year in 2023, and then declining by -5.6% in January 2024. Based on January's sales tax drop, sales tax-related revenues for 2024 are now projected to grow 4% in 2024 vs the 4.65% originally budgeted, which will be contingent on sales tax growth of 4.65% being achieved for the balance of 2024. Sales tax will continue to be closely monitored as further visibility is gained of sales tax trends, including the tax impact of the increasing number of road construction projects now underway in the County and to what extent interest-rate sensitive consumer spending holds up or improves as the year unfolds. All other non-sales tax revenues are forecasted to be consistent with or slightly above the 2024 budget at this time.

License & Permits-- are projected to come in \$14k over budget, or up 1.5% to budget, mainly due to stronger building permit revenues seen year-to-date (up 27%).

Intergovernmental-- is expected to exceed budget by \$25k mainly due to higher pacing DNR Timber revenues. Intergovernmental grant revenues and PILT/Criminal Justice/Various Excises taxes are being held even with budget at this time.

Goods & Services -- are forecasted to slightly exceed budget by \$20k, due to trending higher services revenue in Juveniles Services (+\$44k) and DCD Building Plan Check revenues (+\$4k), as partly offset by trending lower HHS Environmental Health program fees (\$23k) and lower trending Treasurer Excise Admin Fee revenues. Most other goods and services revenue sources are still projected to be in line with budget at this time.

Fines & Penalties-- are pacing to meet or slightly exceed budget at this time.

Miscellaneous Revenue --is projected to exceed budget by \$39k mainly due to the impact of additional fairground facility rental and other fee increases approved in February 2024.

All other revenues are projected at or near their budget at this time.

PROJECTED EXPENDITURES-- 2024 Expenditures from Operations are projected to total \$50,794k, underspending to our adopted budget by \$2,540k, and lower than our expenditure budget as adjusted for expected historical payroll cost underspend by \$182k. Savings are forecasted primarily in Payroll and Benefits, as well as in Supplies and Services as described below:

Payroll and Benefits-- are expected to come in approximately \$1,885k below the adopted budget, mainly due to historic underspend to our personnel budgets due to unbudgeted dark time in our staffing levels as discussed previously, as well as higher than normal staff position openings in the areas of Jail, Juvenile Services, and other areas. This expected Payroll and Benefits underspend is

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Clallam County General Fund Results
January 2024

REVENUE-- January 2024 YTD Revenue from Operations (excluding Transfers) totaled \$2,852k as compared to \$2,706k in 2023, representing an increase of \$146k or 5.4%. 2024. Revenues from Operations YTD came in at 5.6% of our annual revenue budget, slightly ahead of 5.1% in 2023. Year-over-year outperformances to budget were seen in several categories, with the exception of Taxes, Goods & Services, and Nonrevenues. Taxes YTD slightly lagged as % budget in 2024 at 3.8% as compared to last year's 4.1% and were down \$37k or -3.6% to prior year, largely due to an unexpected drop in sales tax revenues of -5.1% in January 2024 and a -7.1% drop in Juvenile sales tax, as partly offset by an increase in Property Taxes. These sales tax decreases appear reflective of the drop seen in retail sales nationally in October/November 2023. Licensing & Permits were pacing ahead thus far for 2024 (at 7.5% of budget vs. 5.7% in prior year) and were up \$13k or 22% over prior year, mainly as a result of a 27% increase in building and land use permit revenues year-to-date. Intergovernmental Revenue stood at 7.1% of budget year-to-date (vs. 6.6% in 2023) and increased \$37k over prior year mainly due to timing of receipt of the Indigent Defense state reimbursement, budgeted growth in Criminal Justice state funding, and a \$26k or 58% increase in year over year DNR Timber revenues, as partly offset by \$41k in lower grant revenue received to-date (mainly in Juvenile Services being down \$98k due to timing of AOC/CASA, BECCA, SCRC funding, and a budgeted drop in Blake LFO reimbursements, as offset by gains in DCD Environmental Quality and other departments). Charges for Goods & Services paced at 7.1% of budget (as compared to 8.1% in prior year) and decreased \$10k year-over-year mainly due to lower auditor DOL fees (-\$10k), timing of Treasurer stormwater fees (-\$26k), and decreases in other areas, as partially offset by gains in Juveniles Services (up \$45k due to timing of CD/MH reimbursements), DCD building plan check revenues (up 33%), timing of HHS Admin reimbursements from CD/MH, FPHS, and Dev Disabilities funds, and higher pacing Jail bed revenues from the Dept of Corrections (up 46%) . Fines & Penalties are pacing ahead of budget as compared to prior year (7.6% vs. 6.6%) and are up 8.6% compared to prior year due to an increase in District Court 1 & 2 infraction revenues (DC 1 up 11%, as partly offset by DC 2 being down 18%), and higher pacing Treasurer Penalties on Delinquent Property Taxes. Misc Revenue has started the year ahead of last year relative to budget (9.5% vs. 8.5%) and was up \$140k or 44.5% relative to prior year, largely due to higher interest earned on investments due to gains in yields earned throughout 2023 and the implementation of higher camping fees for 2024 (up 25% compared to prior year). Transfers In totaled \$462k, pacing at 29.7% of budget and consisting of the budgeted transfer of interest earned on ARPA funds through the end of 2023.

EXPENDITURES--YTD January 2024 Expenditures from Operations (excluding Transfers) totaled \$4,267k as compared to \$3,661k in prior year for an increase of \$606k or 16.5% and came in at 8% of our annual budget, slightly over last year's 7.3%. All expenditure categories were pacing at or slightly above their paces to budget in comparison with prior year, with the exception of Supplies which trailed slightly behind last year relative to budget, and Services which was at 11.6% of budget vs 9.2% in prior year. The year-over-year \$606k increase in operating expenditures was mainly due to increases in (1) Payroll (up \$151k or 7.6%) and Benefits (up \$50k or 6.1%) driven by step/COLA & salary study/position reclassification increases, additional pay and benefits provided in the County's collective bargaining agreements, staffing changes, and higher paid leave payouts due to timing of retirements (up \$35k) (2) a \$389k increase in Services mainly due to higher Professional Services (+\$294k) that was due to delayed timing of the CPD indigent defense contract renewal in 2023 & increased conflict attorney costs, higher Prosecuting Attorney coroner services costs (+\$38k), higher Superior Court indigent defense expert services (+\$25k), and higher WSU professional services (+\$50k due to carry over of the Q4 WSU MOA payment). Services also increased in the areas of Operating Rentals & Leases [+ \$42k - mainly due to higher ER&R budgeted patrol vehicle rental rates charged to CCSO), Communication (\$34k) and higher Repairs & Maintenance costs (+\$73k due to timing of annual software maintenance agreements in Superior Court and IT). Debt Service Lease costs increased \$14k mainly due to timing of prior year payments. Transfers Out increased \$1,184k mainly due to the timing of budgeted completion of transfers in 2024 relative to 2023 need to fund ongoing projects and costs, including \$484k to IT Capital Projects, \$412k to PFF Capital Projects, \$67k to Local Crime Victim fund, \$17k to Law Library, \$70k to Solid Waste, \$74k to Flood Control, \$123k to Veterans Relief, and \$10k to CCSO Honor Guard fund.

OPERATING SURPLUS/(DEFICIT) AND ENDING RESERVES--For YTD January 2024, the General Fund generated an operating deficit between revenue and expenditures (excluding Transfers In/Out) of (\$1,414k), a \$459k increase from last year's operating deficit of (\$955k). When taking Transfers In/Out into account, YTD January 2024 generated a (\$2,209k) deficit, an increase of \$1,182k from last year's (\$1,027k) deficit. The General Fund at the end of January 2024 had an ending fund balance reserve of \$11,239k , which is \$619k higher than January of last year.

2024 FORECAST--Turning to the forecast, revenue and expenditure forecasted for 2024 have been updated from our last forecast as follows:

PROJECTED REVENUE--General Fund Revenues from Operations are projected to total \$50,420k, a decrease of \$167k from the 2024 adopted budget. Tax revenue is now projected to miss budget by \$270k or -1% mainly due to sales tax growth slowing late last year, and then declining by -5.6% in January 2024. Based on January's sales tax drop, sales tax-related revenues for 2024 are now projected to grow 4% in 2024 vs the 4.65% originally budgeted, which will be contingent on sales tax growth of 4.65% being achieved for the balance of 2024. Sales tax will continue to be closely monitored as further visibility is gained of sales tax trends, including the tax impact of the increasing number of road construction projects now underway in the County and to what extent interest-rate sensitive consumer spending holds up or improves as the year unfolds. All other non-sales tax revenues are forecasted to be consistent with or slightly above the 2024 budget at this time. Licenses & Permits are projected to come in \$14k over budget, or up 1.5% to budget, mainly due to stronger building permit revenues seen year-to-date (up 27%). Intergovernmental is expected to exceed budget by \$25k mainly due to higher pacing DNR Timber revenues. Goods & Services are forecasted to slightly exceed budget by \$20k, due to trending higher services revenue in Juveniles Services (+\$44k) and DCD Building Plan Check revenues (+\$4k), as partly offset by trending lower HHS Environmental Health program fees (\$23k) and lower trending Treasurer Excise Admin Fee revenues. Misc Revenue is projected to exceed budget by \$39k mainly due to the impact of additional fairground facility rental and other fee increases approved in February 2024. All other revenues are projected at or near the budget at this time.

Clallam County General Fund Results
January 2024

PROJECTED EXPENDITURES--2024 Expenditures from Operations are projected to total \$50,794k, underspending to our adopted budget by \$2,540k, and lower than our expenditure budget as adjusted for expected historical payroll cost underspend by \$182k. Savings are forecasted primarily in Payroll and Benefits, as well as in Supplies and Services. Payroll and Benefits costs are expected to come in approx \$1,885k below the adopted budget, mainly due to historic underspend to our personnel budgets due to unbudgeted darktime in our staffing levels as discussed previously, as well as higher than normal staff position openings in the areas of Jail, Juvenile Services, and other areas. This expected Payroll and Benefits underspend is approximately \$443k lower than the \$2,328k originally estimated when the 2024 budget was adopted, which is primarily due to the bringing in-house of the Jail nursing staff previously outsourced by Wellpath which elected to terminate its contract with the County in February 2024. As a result of this change occurring starting in March 2024, the payroll and benefit forecast has been adjusted to reflect the hiring of the 4 FTE nursing staff previously budgeted as Professional Services (resulting in a corresponding \$479k decrease in projected Services costs for 2024 relative to budget. Supplies are projected to come in \$177k under budget based on trend spending across multiple areas. Services are forecasted to be \$479k lower than budget due to the ending of the Wellpath Jail Medical Nursing contract as mentioned earlier. All other expenditures are forecasted to be consistent with budget.

PROJECTED OPERATING SURPLUS/(DEFICIT) & ENDING FUND BALANCE-- The General Fund is now projected to end 2024 with a net operating deficit of (\$303k), an improvement of \$14k compared to the adopted budgeted deficit (as adjusted for expected payroll underspend) of (\$317k). This will leave the General Fund with an expected ending reserve balance of \$13,145k, which is \$336k higher than originally budgeted, and representing a reserve level of 25.9% total expenditures.

January 2024 YTD--vs Annual Budget (rounded to thousands)

				2024	2023
				% of Annual	
	2024 Actual	2024 Original Budget	Budget Remaining	Budget Achieved	% of Annual Budget Achieved
REVENUES:					
Taxes	987	26,064	25,078	3.8%	4.1%
Licenses & Permits	70	929	859	7.5%	5.7%
Intergovernmental Revenues	621	8,726	8,105	7.1%	6.6%
Charges for Goods & Services	665	9,367	8,702	7.1%	8.1%
Fines & Penalties	55	725	670	7.6%	6.6%
Misc Revenue (Interest Inc, Camping Fees, etc)	453	4,771	4,318	9.5%	8.5%
Nonrevenues (Sale/Use Tax, Lodging Tax--Parks & Facil)	0	4	4	4.9%	9.0%
Other Financing Sources (Other)	0	0	0	--	0.0%
Total Revenue--Excluding CARES/FEMA	2,852	50,587	47,735	5.6%	5.1%
Total Revenue--CARES/FEMA	0	0	0	--	0.0%
TOTAL REVENUE FROM OPERATIONS	2,852	50,587	47,735	5.6%	5.8%
Transfers In (mainly return of working capital funding previously provided to grant-funded projects)	462	1,555	1,094	29.7%	0.0%
TOTAL REVENUE	3,314	52,143	48,829	6.4%	5.1%
				2024	2023
				% of Annual	
	2024 Actual	2024 Original Budget	Budget Remaining	Budget Achieved	% of Annual Budget Achieved
EXPENDITURES:					
Payroll	2,126	27,408	25,282	7.8%	7.5%
Benefits	864	11,399	10,535	7.6%	7.4%
Supplies	71	1,765	1,694	4.0%	4.7%
Services	1,184	10,250	9,065	11.6%	9.2%
Capital	3	387	384	0.8%	0.5%
Payment to Risk Pool	0	1,963	1,963	0.0%	0.0%
Debt Service--Leases	19	163	144	11.5%	3.3%

Clallam County General Fund Results
January 2024

Total Expenditures--excluding COVID	4,267	53,334	49,067	8.0%	7.3%
Total Expenditures--COVID	0	0	0	--	--
TOTAL EXPENDITURES FROM OPERATIONS	4,267	53,334	49,067	8.0%	7.3%
Transfers Out (mainly capital funding/working capital for grant-supported projects, etc)	1,256	1,484	227	84.7%	1.5%
TOTAL EXPENDITURES	5,523	54,818	49,295	10.1%	6.8%
Net Operating Surplus (Deficit)--Excluding COVID	-1,414	-2,747			
Net Operating Surplus (Deficit)--COVID	0	0			
NET SURPLUS (DEFICIT) FROM OPERATIONS	-1,414	-2,747			
NET SURPLUS (DEFICIT)--INCLUDING TRANSFERS IN/OUT	-2,209	-2,675			
Fund Balance	11,239	10,773	466		

January 2024 YTD--vs Prior Year YTD (rounded to thousands)

	2024 Actual	2023 Actual	Variance--\$	Variance--%
REVENUES:				
Taxes	987	1,024	-37	-3.6%
Licenses & Permits	70	57	13	22.5%
Intergovernmental Revenues	621	585	37	6.2%
Charges for Goods & Services	665	675	-10	-1.5%
Fines & Penalties	55	51	4	8.6%
Misc Revenue (Interest Inc, Camping Fees, etc)	453	314	140	44.5%
Nonrevenues (Sale/Use Tax, Lodging Tax--Parks & Facil)	0	0	0	-47.6%
Other Financing Sources (Other)	0	0	0	0.0%
Total Revenue--Excluding CARES/FEMA	2,852	2,706	146	5.4%
Total Revenue--CARES/FEMA	0	0	0	0.0%
TOTAL REVENUE FROM OPERATIONS	2,852	2,706	146	5.4%
Transfers In (mainly return of working capital funding previously provided to grant-funded projects)	462	0	462	0.0%
TOTAL REVENUE	3,314	2,706	608	22.5%
EXPENDITURES:				
Payroll	2,126	1,975	151	7.6%
Benefits	864	814	50	6.1%
Supplies	71	68	3	4.3%
Services	1,184	795	389	48.9%
Capital	3	5	-1	-31.6%
Payment to Risk Pool	0	0	0	0.0%
Debt Service--Leases	19	4	14	335.4%
Total Expenditures--excluding COVID	4,267	3,661	606	16.5%
Total Expenditures--COVID	0	0	0	0.0%
TOTAL EXPENDITURES FROM OPERATIONS	4,267	3,661	606	16.5%

Clallam County General Fund Results
January 2024

Transfers Out (mainly capital funding/working capital for grant-supported projects, etc)	1,256	72	1,184	1636.8%
TOTAL EXPENDITURES	5,523	3,734	1,790	47.9%
Net Operating Surplus (Deficit)--Excluding COVID	-1,414	-955	-459	48.1%
Net Operating Surplus (Deficit)--COVID	0	0	0	0.0%
NET SURPLUS (DEFICIT) FROM OPERATIONS	-1,414	-955	-459	48.1%
NET SURPLUS (DEFICIT)--INCLUDING TRANSFERS IN/OUT	-2,209	-1,027	-1,182	115.1%
Fund Balance	11,239	10,620	619	

Major Revenue Differences between YTD 2024 and 2023 (rounded to thousands)

Taxes--Real and Personal Property Taxes	19
Taxes--Juvenile Correction Sales and Use Tax	-11
Taxes--Timber Excise Tax	0
Taxes--Local Retail Sales and Use Tax	-37
Taxes--Leasehold Excise Tax	0
Taxes--Criminal Justice/Public Safety/Other	-8
Licensing & Permits--Franchise Fees	-2
Licensing & Permits--Building & Land Use Permits (up 27.1%)	14
Licensing & Permits--Other	1
Intergovernmental--Grants	-41
Intergovernmental--PILT, Criminal Justice, Other Excise Taxes (\$46k increase in PUD Privilege Tax, as offset by minor decreases in other types)	51
Intergovernmental--Timber revenue (moved from Other Financing Sources per SAO)	26
Intergovernmental--COVID/FEMA Reimbursements	0
Goods & Services--Treasurer Excise Administration Fees	-6
Goods & Services--Election Services Revenue	0
Goods & Services--Interagency Services--Court Consolidation pymt timing, Roads & Other Policing	-2
Agreements timing/reduction, State Dpt Corrections	0
Goods & Services--Law Enforcement Services (Stonegarden)	0
Goods & Services--Interagency Services--Sheriff Jail --State Dpt Corrections Jail Bed Rev	6
Goods & Services--Interagency Services--Sheriff Jail --Chain Gang Services	0
Goods & Services--Jail Medical Mental Health Services Reimbursement (timing)	0
Goods & Services--Building Plan Check Revenues	9
Goods & Services--Professional Services to Roads (IT,PA) (timing)	0
Goods & Services--HHS Environmental Health FPHS Administration	0
Goods & Services--HHS Environmental Health Water, Program, Food Service, On Site & Solid Waste	-18
Program Fees	14
Goods & Services--HHS Admin FPHS CDMH & Dev Disability Administration	0
Goods & Services--Superior Court Family Therapeutic & Drug Courts pymts from CD/MH (timing)	45
Goods & Services--Juvenile Services, True Star, CD/MH Youth	0
Goods & Services--District Court I Mental Health Courts pymts from CD/MH (timing)	0
Goods & Services--Fair Revenues	-6
Goods & Services--WSU Environmental Services	

Clallam County General Fund Results
January 2024

Goods & Services--Other (Auditor DOL fees, DC 1 & 2, Clerk, Other)	-52
Fines and Penalties	4
Miscellaneous--Investment & Delinquent tax interest	85
Miscellaneous--Transfer of Unclaimed Property	0
Miscellaneous--HHS Environmental Health Operating Assessments (new in 2023)	1
Miscellaneous--Parks' Camping Revenues	54
Miscellaneous--Fair	0
Miscellaneous--Other	0
Transfers In (ARPA Interest Transfer)	462
Everything else (rounded to thousands)	0
Total Revenue Increase/(Decrease) over Prior Year	608

Major Expense Differences between YTD 2024 and YTD 2023 (rounded to thousands)

Payroll/Benefits--year-over-year estimated impact of retirements and newly elected officials that led to conversion of payouts of accrued leave balances or partial conversion of leave balances to VEBA payments.	35
Payroll--increase due to changes in personnel, step/COLA increases, and a sizeable number of salary study & reclassifications pay adjustments made in 2023, and other non-retirement factors	117
Benefits--increase due to COLA/step increases, salary study & position reclassifications, and changes in benefit costs following collective bargaining medical contribution increases in Jan 2024, as offset by personnel changes	49
Supplies	3
Services (increase mainly in higher Professional Services [+ \$324k - mainly due to increased Indigent Defense \$294k (due to delayed timing of CPD contract renewal in 2023 & increased conflict attorney costs), higher Prosecuting Attorney coroner services costs (+\$38k), higher Superior Court indigent defense expert services (+\$25k), and higher WSU professional services (+\$50k due to carry over of Q4 WSU MOA payment). Also due to increases in Operating Rentals & Leases [+ \$42k - mainly due to higher ER&R budgeted patrol vehicle rental rates charged to CCSO), Communication (\$34k) and higher Repairs & Maintenance costs (+\$73k due to timing of annual software maintenance agreements in Superior Court and IT).	389
Risk Management Assessment for Insurance Pool	0
Transfers Out increase mainly due to timing as most budgeted 2024 transfers from the General Fund were booked in January, including \$484k to IT Capital Projects, \$412k to PFF Capital Projects, \$67k to Local Crime Victim fund, \$17k to Law Library, \$70k to Solid Waste, \$74k to Flood Control, \$123k to Veterans Relief, and \$10k to CCSO Honor Guard fund.	1,184
Net Other Expenditure Changes	13
Total Expenditure Increase/(Decrease) over Prior Year	1,790

Clallam County General Fund Results
January 2024

January 2024 Full Year Projection vs Annual Budget (rounded to thousands)

	2024 Projected	2024 Original Budget	Over/(Under) Budget
REVENUES:			
Taxes	25,794	26,064	-270
Licenses & Permits	943	929	14
Intergovernmental Revenues	8,751	8,726	25
Charges for Goods & Services	9,387	9,367	20
Fines & Penalties	730	725	5
Misc Revenue (Interest Inc, Camping Fees, etc)	4,810	4,771	39
Nonrevenues (Sale/Use Tax, Lodging Tax--Parks & Facil)	4	4	0
Other Financing Sources (Other)	1	0	1
TOTAL REVENUE FROM OPERATIONS	50,420	50,587	-167
Transfers In (mainly return of working capital funding previously provided to grant-funded projects)	1,555	1,555	0
TOTAL REVENUE	51,975	52,143	-168
EXPENDITURES:			
Payroll	26,215	27,408	-1,193
Benefits	10,707	11,399	-692
Supplies	1,588	1,765	-177
Services	9,771	10,250	-479
Capital	387	387	0
Payment to Risk Pool	1,963	1,963	0
Debt Service--Leases	163	163	0
TOTAL EXPENDITURES FROM OPERATIONS	50,794	53,334	-2,540
Transfers Out (mainly capital funding/working capital for grant-supported projects, etc)	1,484	1,484	0
TOTAL EXPENDITURES	52,278	54,818	-2,540
NET SURPLUS (DEFICIT) FROM OPERATIONS	-374	-2,747	2,373
NET SURPLUS (DEFICIT)--INCLUDING TRANSFERS IN/OUT	-303	-2,675	2,372
EXPECTED BUDGET UNDERSPEND (SALARIES/BENEFITS, OTHER)		2,358	
NET SURPLUS (DEFICIT)--VS ADJUSTED BUDGET	-303	-317	14
Fund Balance	13,145	12,810	336
Fund Balance as a % of Total Expenditures	25.9%	24.0%	



AGENDA ITEM SUMMARY

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

15
3/4/24
SC

Document was submitted after the
agenda and packet were posted on
3/29/24 15
SC

Department: Roads/Public Works

WORK SESSION ☒ **Meeting Date: 3-4-24**

REGULAR AGENDA ☒ **Meeting Date: 3-5-24**

Required originals approved and attached? ☐
Will be provided on:

Item summary:

- | | | |
|---|--|---|
| ☐ Call for Hearing | ☐ Contract/Agreement/MOU - Contract # | |
| ☐ Resolution | ☐ Proclamation | ☐ Budget Item |
| ☐ Draft Ordinance | ☐ Final Ordinance | ☒ Other - Certification |

Documents exempt from public disclosure attached: ☐

Executive summary:

Certification of the 2024 Road Levy and Estimated Revenue produced is completed by the County to submit the annual amount of road levy and the amount budgeted for traffic policing and traffic law enforcement.

Approval to have Commissioner Johnson – Vice Chair sign the electronic document

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

This form is due to CRAB each year as required by RCW 36.33.220. The Assessor's Office and Public Works provided amounts needed for calculations on the form.

Recommended action: (Does the Board need to act? If so, what is the department's recommendation?)

We recommend the Board approve this item and authorize Commissioner Johnson, Vice Chair to sign the electronic document.

County Official signature & print name: Joe Donisi Joe Donisi, PW

Name of Employee/Stakeholder attending meeting: Joe Donisi – Public Works, Board of Commissioners

Relevant Departments: Public Works, Board of Commissioners, Finance Department

Date submitted: 2-29-24

* Work Session Meeting - Submit 1 single sided/not stapled copy
** Regular Meeting – Submit 1 single sided/not stapled copy and originals (1 or 3 copies)

Certification of the Road Levy and Estimated Revenue Produced Clallam 2024

Total County Valuation:	\$16,054,804,180.00
Road District Valuation:	\$10,688,467,163.00
Highest Lawful Road Levy: Line I, highest Lawful Levy Calculation form, DOR form REV 64-0007	\$8,319,190.00
County Road Levy Shifted to Current Expense per RCW 84.52.043	\$0.00
Adjusted Highest Lawful Road Levy:	\$8,319,190.00
Actual Adopted/Established Road Levy: Levy Fixed in Accordance with RCW 36.40.090 <u>(Do not include any refund levy amounts)</u>	\$8,319,190.00
Banked Capacity Road District Only	\$0.00

County Road Property Tax Revenues Diverted For Other Unincorporated Purposes in Accordance with RCW 36.33.220, RCW 39.89, or RCW 84.55.050

Service to be Provided	Diverted Levy Amount
Total Diverted Road Levy:	\$0.00
Road Levy Revenue Remaining for Roads:	\$8,319,190.00

Copy of Authorizing Resolution/Ordinance:

Road Funds Budgeted to Be Used for Traffic Law Enforcement

Traffic Law Enforcement Funded Through Operating Transfer (per agreement)	\$0.00
Traffic Law Enforcement Funded Through Direct Payment (cost reimbursement)	\$500,000.00
Total Budgeted Road Fund Expenditures for Traffic Enforcement	\$500,000.00