

AGENDA

Clallam County Planning Commission

Planning Commission Meeting of Wednesday, May 15, 2024, 6:00 p.m.

The Planning Commission will conduct a regularly scheduled meeting in Room 160 of the Clallam County Courthouse, 223 East Fourth Street, Port Angeles, WA 98362 and by Zoom, meeting number 857 7304 5582 with passcode 12345. Materials regarding past and upcoming meetings are available at: <https://wa-clallamcounty.civicplus.com/669/Live-Archived-Meetings-Online>

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. WELCOME**
- E. APPROVAL OF MINUTES:**
- F. ANNOUNCEMENTS:**
- G. PUBLIC COMMENT on AGENDA ITEMS** – Please Limit Comments to Three Minutes
- H. UNFINISHED BUSINESS:** Addressing
- I. PUBLIC HEARING/COMMISSION ACTION:**
 - 1. Carlsborg text amendment
 - 2. Ag Accessory Ordinance
- J. WORK SESSION ITEMS:** None
- K. PUBLIC COMMENT** – Please Limit Comments to Three Minutes
- L. DISCUSSION OF PUBLIC COMMENTS**
- M. GOOD OF THE ORDER**
- N. ADJOURNMENT**

Members:

Chair, Steve Gale & Vice-Chair, Ron Long

N. Bonnie Booth; Jeff Carter; Thomas Butler; Katina Hester;
Kenneth Reandeau; Jane Hielman; Vacancy District 3

Department of Community Development Staff:

Donella Clark, Principal Planner; Holden Fleming, Deputy Director, Bruce Emery, DCD Director

MINUTES

Clallam County Planning Commission

Meeting of March 20, 2023, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Steve Gale, Vice-Chair Ron Long, Tom Butler, Ken Reandeau, Katina Hester, and Jane Hielman. Donella Clark, Principal Planner and Holden Fleming Deputy Director represented staff from the Department of Community Development.
- D. WELCOME: Chair Gale welcomed all in attendance.
- E. APPROVAL OF MINUTES: Ron Long moved to approve and Katina Hester seconded. Motion passed to approve minutes unanimously.
- F. ANNOUNCEMENTS: Commissioners were unable to verify address of the applicant for the vacant Planning Commissioner Position 3. Scheduled public hearing on Addressing Ordinance April 20th. There will be no meeting April 4, 2024.
- G. PUBLIC COMMENT PERIOD: Two members of the public commented on the Ag Accessory Ordinance. One person wanted clarification on where educational classes would fit in the code and the other commentor wanted to know why the code only addressed rural and resource zones, not urban zones.
- H. UNFINISHED BUSINESS: None
- I. PUBLIC HEARING ITEM: None
- J. WORK SESSION ITEMS:
 - 1. Staff discussed the staff report and recommendation regarding the changes to the setback in Carlsborg. The Commissioners requested that staff consider a 15-foot front yard setback with garages being required to be setback 25-feet. The Planning Commission recommended bringing back this change in the staff report before calling for a public hearing.
 - 2. The Director provided comment that was read by staff regarding the belief that discussions with the Planning Commission about specific design standards is premature. This item should be addressed through the Comprehensive Plan Update and conducted only after there has been a public process. The Planning Commission would like this item moved up as a priority since it was requested to be accomplished during the previous process that occurred in 2016 and they would like to reconvene the Carlsborg Advisory Council.
 - 3. Staff provided a clean copy of the Ag Accessory Ordinance to discuss. Commissioners requested minor changes and corrections, discussed areas that need some clarification and advised staff to bring the ordinance back for a public hearing on May 15th.
- K. PUBLIC COMMENT PERIOD: The applicant of the proposed changes to the Carlsborg setbacks, Logan Hammond, explained that there is extra space between the sidewalk and property because there is approximately 6 feet of the driveway in the right-of-way. Standard right-of-way is required to be 50-feet and parking spaces measure 18' in length per code, so a setback of 25-feet to the garage is excessive. Seven others spoke about the Ag Accessory code and what they should expect at the public hearing. Concerns regarding access were brought up, need to clarify "necessary processing" in the agricultural definition to ensure there is no room for interpretation, and why farming cannot have camping. There was also the concern how

enforcement will occur this season since this code will not be in effect. Need clarification if value added products can be sold.

- L. DISCUSSION OF PUBLIC COMMENTS: DCD cannot use this code until it is adopted, therefore, farms will need to operate under current regulations for this season. There has never been enforcement that staff could recall regarding value added products at temporary farm stands.
- M. GOOD OF THE ORDER: Chair Gale would like to have further conversation with Dee Boughton regarding the conflict-of-interest question posed to legal.
- N. ADJOURNMENT: The meeting adjourned at __7:45_ p.m.

MINUTES

Clallam County Planning Commission

Meeting of April 17, 2024, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:06 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Vice-Chair Ron Long, Tom Butler, Ken Reandeau, Katina Hester, Bonnie Booth, and Jane Hielman. Donella Clark, Principal Planner and Bruce Emery, Director represented staff from the Department of Community Development. Jeff Christopher from PenCom and Chad Theisman from County GIS were present regarding the Addressing Ordinance.
- D. WELCOME: Vice-Chair Long welcomed all in attendance.
- E. APPROVAL OF MINUTES: Katina Hester moved to approve the minutes and Thomas Butler seconded. There were not enough votes to pass so approval was postponed.
- F. ANNOUNCEMENTS: Hearing for Ag Accessory Code will be held May 15, 2024
- G. PUBLIC COMMENT PERIOD: None
- H. UNFINISHED BUSINESS: None
- I. PUBLIC HEARING ITEM: Staff presented the draft Addressing Ordinance and asked the Commission to allow additional time on a recommendation due to comments from the GIS department. The Commission voted unanimously to postpone the public hearing until the next meeting.
- J. WORK SESSION ITEMS: Staff discussed the staff report and recommendation regarding the changes to the setback in Carlsborg. The Commissioners requested that staff consider a 15-foot front yard setback with garages being required to be setback 25-feet at the previous meeting and staff informed the Planning Commission that this request did not meet the intent of a Type B amendment and asked that they move the request forward without changing the front yard setback.
- K. PUBLIC COMMENT PERIOD: Karl Hatton, Deputy Director of the City of Port Angeles Police Department and PenCom Operations wanted to extend thanks to staff for working on the needed changes. Would like the County to specifically designate an addressing authority, an individual or County department.
- L. DISCUSSION OF PUBLIC COMMENTS:
- M. GOOD OF THE ORDER: The group discussed what constitutes a conflict of interest. The call is subjective and a change to the bylaws to clear the confusion may be needed.
- N. ADJOURNMENT: The meeting adjourned at __6:58__ p.m.

Ordinance _____

An ordinance repealing and replacing Chapter 19.40 of the Clallam County Code,
Creation of a 911 Addressing System, and renaming the Chapter as 911 Addressing System

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 19.40.010, Purpose, is created to read as follows:

The purpose of this chapter is to promote public health and safety by establishing a uniform system for addressing properties and structures and naming roads in the unincorporated areas of Clallam County as a component of the 911 emergency response system and maintaining a system of data to produce and maintain those addresses. This chapter is intended to promote and aid in the timely and efficient response of emergency services through the proper coordination and identification of E911 addresses.

Section 19.40.020, Definitions, is created to read as follows:

The following terms when used in this chapter have the following meanings:

- (1) "Address" or "Site Address (SITUS)" means a property location identification that includes the following elements: address number; street name pre-directional; street name pre-type; street name; street name post-type; unit; postal community name, State, and Postal Code, as applicable.
- (2) "Address distance" means the distance, for address purposes, along the road centerline from the designated origin (or false origin) of the road.
- (3) "Address sign" means an individual address placard placed at a required location identifying the site address.
- (4) "Driveway" means a vehicular access serving property and is not a named road. up to four (4) distinct addresses. Some driveways will be shared and serve as access to several individual driveways and will require posting additional ~~a second~~ address signs to assist emergency responders in identifying the access to the address.
- (5) "Easement" or "Access Easement" is the interest in land owned by another person, consisting in the right to use the land for ingress and egress, allowing one or more persons to travel across another's land to get to a nearby location.
- (6) "False Origin" is the addition of a fixed distance to all measurements made on a given road, as if that road originated at a different point.
- (7) "Master Address Database" means the database maintained by Clallam County containing all of the official E911 addresses assigned by the County.
- (8) "Master Address Guide" refers to the document developed to define the procedures and processes creating, changing, and appeal addresses, consistent with this Chapter.
- (9) "Primary address" means the address of a property without the address elements and would include an address number and street name. ~~to create separate distinct addresses.~~
- (10) "Primary access" means the driveway or other access to a given site most likely to be recognized and used, especially by emergency service providers.
- (11) "Private Road" or "Private Street" refers to a named easement or right-of-way listed on the private road registry owned and maintained by anyone other than a public authority.
- (12) "Road Origin" for the purpose of address determination measurements, each public and private road shall have an "origin" designated in accordance with CCC 19.40.030.

(13) "Right-of-Way" refers to a legal right of passage over another persons' ground. Public right-of-way refers to any street, avenue, boulevard, road, highway, sidewalk, alley, or easement owned, leased, or controlled by a governmental entity. Private right-of-way is owned, managed, and/or maintained by anyone other than a public authority.

(14) "Road" means any named public street or private street on which the primary access for the parcel/lot originates.

(15) "Roadway" is the paved, improved, or proper driving portion used for vehicular travel.

(16) "Road Centerline (RCL)" refers to vector line data that represent the actual location of the roadway geographic center of road rights-of-way on transportation networks.

(17) "Road Index" means the official list of all county and private roads and their origin points and lengths maintained by the County Engineer.

(18) "Shared Driveway" see the definition of Driveway above.

(19) "Site Structure Address Point (SSAP)" is the geospatial representation of the location of a site or structure and its corresponding physical address.

Section 19.40.030, Designation of Addresses, is created to read as follows:

(1) *Assignment.* An address shall be assigned to every property/parcel that contains a structure or property improvement, upon request by the landowner.

(a) Requests for an address or change to an address may be made to Clallam County on forms provided and shall be submitted with the appropriate fee. A site plan of the structure(s) to be addressed and location of the driveway shall be submitted with the application. The owner of a multi-unit address site will be asked to supply a map or drawing locating each unit adequately for guiding emergency response. Additional information may be requested to determine access to the property.

(b) The addressing application shall be processed, and an address assigned by Clallam County. A recommended address number assignment shall be shared with Pencom 911 GIS prior to the approval of the addressing application and requires joint approval by Clallam County and the Pencom 911 GIS. Clallam County will make the final decision of the address in case of conflict.

(c) The landowner shall be notified an address has been assigned and an address placard provided to finalize the process. If a landowner fails to pick up the address placard within one year of the address assignment the application is deemed withdrawn and the address will not be incorporated into the database as a valid address.

(2) *Address Number.* All address numbers will consist of at least two (2) digits when assigned.

(a) *Distance from Road Origin.* All address number digits outside of an existing city addressing grid except the final digit indicate the address distance in hundredths of miles from the origin road to the primary access to the parcel.

(i) Each road shall have a designated origin. A road's origin will be the beginning point of the road as accessed from another road, from major to minor roads, and from proximity to US 101, SR 112, and the nearest city or town and determined by the County Road Department. These road origins shall be established and maintained by Clallam County. The precise point of origin for address measurement along a road will be determined by the centerline of the intersecting road or highway.

(ii) A false origin may be added as a fixed distance to all measurements made on a given road, as if that road originated at a different point. It may be used adjacent to an urban address grid such that a road which does not originate at the grid baseline will be projected back to the

baseline and measured as if it did originate at the baseline. The purpose of using a false origin will be to prevent address number conflicts around an urban address grid.

(b) *Final Digit.* The final digit will indicate on which side of the road the site is located, and its relative distance from that road. It may also differentiate sites with driveways closer to each other than 0.01 miles, or individual driveways off a shared driveway.

(i) *Side of Road.* When proceeding in the direction of increasing numbers, the last digit will be odd if the address is located on the left side of the road; it will be even if the address is located on the right side of the road.

(ii) *Relative Distance from Address Road.* A final digit of either 0, 1, 2, or 3 will indicate that the site is near the road with either a short driveway or no driveway, or relatively near the road on a multiple access driveway. A final digit of either 6, 7, 8, or 9 will indicate that the location is accessed by a long driveway. A final digit of 4 or 5 may be used for intermediate locations. On shared driveways, the final digit of any address will not be greater than an address located beyond that address on the same driveway. If the addition or relocation of addresses makes it impossible to meet this condition, the driveway must be named and addressed as a separate road.

(iii) Adjacent driveways sharing the same address distance. If adjacent driveways are closer than 0.01 mi. (52.8 ft.) and must share the same distance number, the address(es) on the driveway nearest the origin of the address road will generally have a lower final digit than the address(es) on the far driveway, wherever possible.

(3) *Roads.* Every address shall include the official or registered name of the public or private road that provides access to the site. The road name will include the road type designator and directional if applicable.

(a) *Road Names.* All private and County roads within the jurisdiction of unincorporated Clallam County shall be provided with names and shall be identified in the road index maintained by Clallam County. A single route will not change names and shall maintain the same name throughout the entire length of the road. For example, a private road extending from the end of a County road will retain the same name as the County road. Also, a single road making a turn that will not later become an intersection will not change names at the turn. The County shall avoid duplication of road names, homophones, or names that may cause confusion for emergency responders.

(i) Private road names may be posted and used for addressing purposes only if they are registered with Clallam County. A private road name will not be registered if its similarity to an existing public or private road name is sufficient to confuse emergency response or mail delivery. Signing of an unregistered road name in such a way that interferes with emergency response is prohibited.

(ii) A private road name will not be registered until a reasonable effort has been made to assure that there is no significant opposition to the new name, or that it is acceptable to a majority of its residents and property owners. The road name shall be short (less than 50 characters), limited to a few words, shall be easy to read, spell, and be remembered by those reporting an emergency. The name should not be a homonym, contain a road type or a directional (ie. North Ave), contain complicated or offensive words or use unconventional spelling, be a name that could be mispronounced or misspelled (ie. Goa Way Ln), nor be a one-word name that could be confused with a two-word name (ie. Clearlake). If there is no available road name which is acceptable to a clear majority of those served by the road, the County Road Department may choose a name.

(iii) Driveways with four (4) primary addresses shall be considered private roads and named through the County Road Department. Driveways serving fewer than four (4) existing or potential primary addresses may be named and addressed as private roads if there are unique

conditions that prevent the normal method of addressing on a shared driveway from functioning adequately in that situation, such as exceeding in one-quarter mile in length.

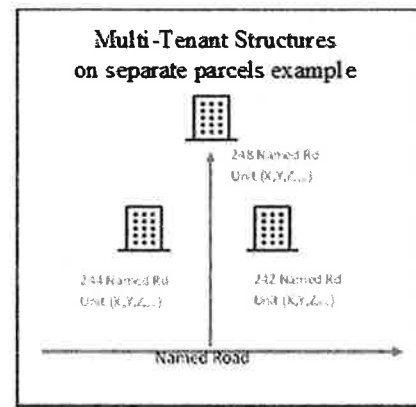
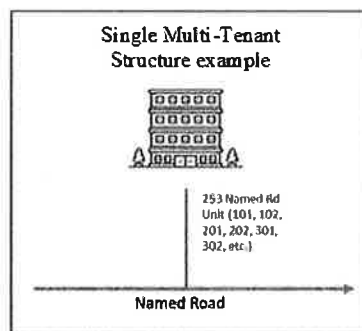
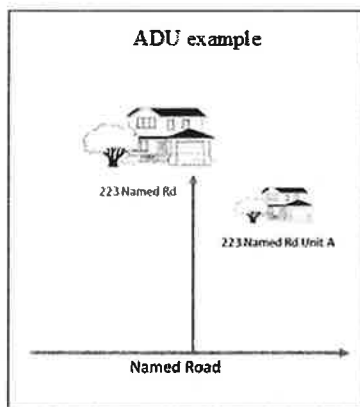
(iv) During a land division, any proposed shared access for four (4) or more lots shall be designated as a private road and named through the County Road Department during the platting process.

(b) Road Type. Every road name will include the road type designator following the road name, except numbered highways, which may include the designator before the highway number. The list of agreed designators are listed in the Master Addressing Guide.

(c) Optional Directional Prefix. If a road extends in two (2) directions from its origin, the addresses on each portion will include a directional prefix (N, S, E, or W) before the road name, indicating which direction that portion of the road extends from the designated origin. Addresses on each portion will be based on the distance from the common origin point.

(4) *Optional Unit Number*. Any addressed site which includes apartments, business suites, spaces, accessory dwelling unit (ADU), or multiple addressable structure(s), may be required to provide a unit letter and/or number in the address in the following manner:

(a) Any addressed site which includes an accessory dwelling unit (ADU) will be addressed with the main house as the primary address number and a "Unit A" designation for the ADU, both attached and detached.



(b) When a property contains multiple structures requiring address designations (ie. woodshop at a greater distance from the primary residence or a home-enterprise) an individual address may be created for all additional structures with a unit letter/number designators. An address placard will be required to be posted at the driveway entrance to the structures and the structures clearly marked with the unit designators.

(c) Duplexes and Triplexes on a single parcel that share access shall be assigned one primary address with a unit designation for each unit. A single placard shall be placed at the access point. The individual units shall be identified by a unit number and/or letter at each individual driveway. If the individual units have separate accesses onto the parcel, each unit shall be assigned unique primary addresses and placards will be placed at each access point.

(d) Multi-Tenant Buildings such as apartments and other multi-tenant structures on a single parcel that share access shall be assigned one primary address for each structure and individual unit designations. An address placard will be placed at the access point. Each structure will need to be identified with 12-inch numbers affixed to the front of the structure, the individual unit number will consist of the floor designation (if applicable) in the left-most positions with 2

characters to the right for unit designation (ie. unit designation 102 = floor 1, unit 2). These shall be clearly marked with an easily read sign. Multi-tenant buildings on separate parcels shall be assigned unique address numbers, following the rules of shared driveways or roadways, and have the individual units as described previously.

(e) Business buildings comprised of individual stores, suites, offices or other units will be addressed similarly to Multi-Tenant Buildings.

(f) New Mobile Home Parks shall name their internal road(s) and each lot shall be assigned a primary address. Existing mobile home parks with no internal road names shall maintain a single primary address for the park with individual unit numbers assigned to each lot and clearly signed.

(5) *Use of Existing City Addressing Systems.* Recognizing that it is in the mutual interest of all jurisdictions to prevent addressing conflicts, municipalities within Clallam County are respectfully requested to maintain compatibility with the above guidelines in the course of any future annexations, and any modification to, or implementation of their own addressing ordinances. Wherever practical, the existing address systems of the municipalities in Clallam County will be incorporated as components of the Clallam County 911 addressing system. Permanent boundaries will be established for the extension of each urban address grid beyond the current city limits of each municipality. Addressing within that boundary will be compatible with the municipality's addressing system.

Section 19.40.040, Signage, is created to read as follows:

(1) *Roads.* All public and private roads in Clallam County which serve addressable properties or structures will be signed in accordance with the standards of the Clallam County Road Department. Private road signs will identify the road as private. Signs will be provided and installed by the Road Department upon request and submittal of appropriate fees.

(2) *Address Placards.* Each addressed site will be provided with a sign showing the address number in white reflectorized numbers on a green reflectorized background distributed by Clallam County. Where deemed necessary, additional address signs may be provided to identify individual sites on a common driveway at no additional cost from the base fee. Signs shall be placed prior to the first inspection if issued for purposes of a building permit. Replacement placards will be provided for a fee.

(a) The sign shall be posted by the landowner as follows:

- Post must be on the same side of the road as the access or driveway and no further than 20 feet from the access/driveway;
- Placement of the post shall be such that the address sign is oriented perpendicular to the road, extending toward the road from the post like a flag;
- The sign-post should be about 4-10 feet from the edge of the drivable surface of the road;
- The post can be next to a fence, hedge, or other barrier with the sign extending toward the road, but the address sign shall not be obscured;
- The final address post height should be about 40 inches above the road (mailbox height), this will result in driving the standard 5-foot post approximately 20 inches into the ground. Remember to follow Utility Locate procedures before driving in to the full depth.
- For a shared driveway, a post should be placed at the road with all the addresses using the driveway posted in numerical order. Then, where each individual driveway

splits from the shared driveway, an additional post and placard should be placed for the individual address in the same manner as detailed above.

Section 19.40.050, Corrections, is created to read as follows:

(1) Existing road names shall not be required to be changed unless they pose a risk to the ability to dispatch emergency services to a property.

(2) Errors. When an address is identified that does not meet E911 standards, the landowner will be contacted by the County that a new address will be assigned. Official notice shall be sent to the landowner that the address has been changed and that a new placard is available for pick-up. A new placard will be assigned without a fee, unless not collected by the landowner, at which point a fine may be imposed. Response from emergency responders will be affected if an incorrect address and/or incorrect address placard remain.

(3) Readdressing. During the addressing of parcels corrections may be necessary to accommodate the new address, such as naming a shared driveway or renumbering existing addresses. The County will contact landowners affected and inform them that a correction is required. The process to name the private road will also be provided when necessary. Once the new addresses are assigned, replacement placard(s) will be provided without a fee to all existing addresses requiring reassignment, unless the landowner fails to collect the address, at which point a fine may be imposed. Official notice shall be sent to all affected landowners that their address(es) has(have) been changed and that a new placard is available for pick-up. Response from emergency responders could be affected by use of an incorrect address and incorrect address placard.

(4) Changes to property. It shall be the responsibility of the property owner to notify Clallam County of any changes to the property that may require additional address numbers or reassignment of address numbers. This shall include changes in the location of the driveway or replacement of structures in new areas of the property which would necessitate a new address assignment. A request for an address shall be made to the County on forms provided and shall be submitted with the appropriate fee.

Section 19.40.060, Information Provisions, is created to read as follows:

Effectiveness of the E911 addressing system requires the coordination and cooperation of County departments and other public agencies. A Master Address Guide shall be developed and maintained to ensure the procedure for administering an address and protocol for information sharing is met by the various agencies and departments involved in the issuance and maintenance of addresses. A database of all assigned addresses within the unincorporated County shall be maintained by the County.

(1) Emergency response agencies will be notified in a timely manner of all permanent or corrected addresses assigned, and all newly registered road names.

(2) The Postal Service will be notified in a timely manner of all newly registered road names and permanent or corrected addresses assigned by the County.

(3) Each landowner will be notified in a timely manner when an E911 address is assigned or re-assigned. It is the responsibility of the landowner to place their address placard in the correct location to ensure property emergency response. A newly assigned address will not be considered valid until the address placard is collected for placement.

(4) Clallam County will maintain a map available to the public of all public roads and registered private roads with correct road centerlines.

Section 19.40.070, Violations, is created to read as follows:

Violations of this Title may result in the removal or placement of signs at a cost to the landowner or a may result in a fine, and the violation could potentially cost a life. Addresses are necessary for public safety and violations may affect response from emergency responders. If a property presents an incorrect address or no address placard, emergency response may be affected during an emergency. Correct placement of your address placard could save your life.

Section 19.40.080, Immunity, is created to read as follows:

Clallam County shall be held harmless and immune from any and all civil liability for any actions taken pursuant to this chapter, or for any failure to take action to enforce the provisions of this chapter. It is not the purpose or intent of this chapter to create on the part of Clallam County any special duties, obligations, or relationships with specific individuals. This chapter has been enacted for the welfare of the public as a whole.

Section 19.40.090, Severability, is created to read as follows:

If any provision of this chapter or its application to any person or circumstances is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected.

ADOPTED this _____ day of _____ 20__

BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair

ATTEST:

Member

Loni Gores, MMC, Clerk of the Board

Member



Staff Report

Clallam County Department of Community Development

Date: May 8, 2024
To: Clallam County Planning Commission
From: DCD Planning Division
Re: Zoning Code Amendment Application 2023-00003 – Logan Hammon

REQUEST

Logan Hammond submitted an application to request a Comprehensive Plan Land Use Text amendment to change the setbacks within the CR-II, CR-III and CN zones within the Carlsborg Urban Growth Area. The applicant is requesting the front yard setbacks be reduced for residences from the current 15-feet to 10-feet (garages would require a 20-foot setback), reduction of the existing 10-foot side yard setbacks to 5-feet, and the current 15-feet in the rear to 10-feet.

APPLICATION SUMMARY

The full application submitted is provided in Appendix A. The application meets the process criteria for a Type B revision to the development standards only if it does not require a change to the comprehensive plan, including correcting errors, clarifying or revising development standards, or adopting new development standards that are consistent with the implementation of the comprehensive plan. A request for staggered setbacks will require additional conversations and changes to the comprehensive plan to accommodate. None of the current County policies or other zoning regulations support a staggered setback approach and will therefore not be considered for this application.

BACKGROUND

Carlsborg was designated an Urban Growth Area in the year 2000. The current setbacks in CCC 33.20.050 were updated in 2016 following a year's long review between DCD staff and the Carlsborg Community Advisory Committee and the Board of Commissioners that modified the standards in order to increase the density in Carlsborg to accommodate urban growth. Setbacks were altered as part of that review.

ZONING AMENDMENT CRITERIA OF APPROVAL CCC 33.35.090

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 the proposed amendment 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. The Carlsborg Urban Growth Area is part of the Sequim-Dungeness Planning Region and is referenced in the Comprehensive Plan under Title 31.03.350 attached as Appendix B. For the full text of the County's Code, go to <https://clallam.county.codes>

The vision of Carlsborg is for a mix of commercial, industrial, and residential land uses along with the existing historic community. Public water is intended to be supplied by the PUD and sewage disposal by the Carlsborg Sewer. Residential zoning is the predominant land use. The residential zones are categorized by Low, Medium, and High with a density of 4 as the minimum and up to 10 dwelling units per acre in the high-density zone. The purpose of the Carlsborg Village Center (CN) zone is for high-density residential development and small-scale commercial uses intended to reinforce the established scale and ambiance of the historic neighborhood. Specific designation of setbacks is not discussed, but the intent is to provide urban standards and provisions to safeguard residential areas from commercial/industrial developments. Reduction of the setbacks would appear to align with the vision of Carlsborg in providing urban standards.

Conclusion: The modification of setbacks to a more urban scale meets the intent of the Comprehensive Plan. A change to the setbacks that would affect design standards, ie staggered setbacks for garage versus living space and other structure, will require a policy change that is not currently supported by the Comprehensive Plan. There is no other standard the County could draw from to support anything more than a standard setback. Staff recommends no change to the front yard setback as a reduction is not supported by any other urban jurisdiction.

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 setbacks in the residential zones of Carlsborg appear to match the rural side-yard setbacks of the County's zoning code.

The purpose of the zones being proposed for changes are described in CCC 33.20.030:

(1) Carlsborg Urban Residential – Low (CR-I). The purpose of the Carlsborg Urban Residential Low designation is to provide a density of four to six dwelling units per acre for areas of single-

family residential development that are generally free from encroachment of commercial and industrial activities.

(2) Carlsborg Urban Residential – Medium (CR-II). The purpose of the Carlsborg Urban Residential Medium designation is to provide a density of four to eight dwelling units per acre for areas of single- and multifamily residential development that are generally free from encroachment of commercial and industrial activities.

(3) Carlsborg Urban Residential – High (CR-III). The purpose of the Carlsborg Urban Residential High designation is to provide a density of four to 10 dwelling units per acre for areas of single- and multifamily residential development that are generally free from encroachment of commercial and industrial activities.

(4) Carlsborg Village Center (CN) is intended to provide for high-density residential development and small-scale commercial uses that can be located within and serve residential neighborhoods within the historic village center of Carlsborg. The standards for the district are intended to reinforce the established scale and ambiance of neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. The purpose of the Village Center is to promote local orientation and to limit adverse impacts on nearby residential areas.

Comparison of setbacks within Carlsborg with other UGAs and the cities of Port Angeles and Sequim shows that the side yards vary from 5-feet to 8-feet, whereas the side yard setbacks in Carlsborg is reflective of the Rural setbacks throughout the County. The Carlsborg Village Center currently maintains zero setbacks except when abutting residential zones, then a 15-foot setback is required. Because this zone allows both commercial and residential development, and is intended for high-density uses, an increase to 6-feet and 10-feet does not align with the policy goals of the zoning code. Development in the CN zone should be allowed to be closer together within the zone, but provide protection of residential zones through the required 15-foot setback.

Conclusion: A reduction in both side-yard setbacks and rear-yard setbacks in the CR-I, CR-II, and CR-III zones would be in keeping with the urban densities of the UGA and will provide opportunities for developers to meet more urban densities that are encouraged in the Urban Growth Area of Carlsborg. A change from standard zoning should require a policy discussion, and could have unintended consequences for the construction of other housing types.

An increase in setbacks from zero in the CN zone would apply to commercial development which does not align with the protections provided by requiring a 15-foot setback when adjacent to residential development and reduces the opportunity for a variety of high-density residential development opportunities that could utilize zero setbacks, such as townhouses. The protections provided and the opportunities of six-foot side yard and 10-foot rear yard setbacks already exist in the CN zone, as long as they are not adjacent to residential zones.

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

Development of the subject property, if granted the amendment, 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 may provide additional residential opportunities.

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 request for a reduction to setbacks will provide opportunities for higher densities within the Urban Growth Area of Carlsborg. It is unclear why the setbacks were not altered during review of the urban standards in 2016. Several of the zones were granted a zero side and rear setback in commercial zones in Carlsborg with the footnote that 15-feet should be maintained when adjacent to residential development in order to protect residential development from encroachment of commercial and very high-density residential development.

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 reduction of setbacks would increase the potential for residential development within the UGA of Carlsborg, the intended purpose of this area. 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 Carlsborg UGA is provided sewer and public water in order to meet urban development needs.

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 the applicant's request for reduced setbacks the cumulative effects have been assessed and determined to be consistent with the spirit and intent of the Comprehensive Plan if no changes are made to the front yard setback, and a proposal of 6-feet for the side yard, and 10-feet for the rear are considered. Zoning designations control what uses are allowed or prohibited on a particular piece of property and the setbacks are in place to provide space between development on properties. Increasing the front yard setback for garages to 25-feet or even 20-feet may have unintended consequences for the design of other housing types other than single-family residences. A 25-foot setback for garages would create 10-feet of unusable space on the driveway, which is not enough to park an additional vehicle.

STAFF RECOMMENDATION

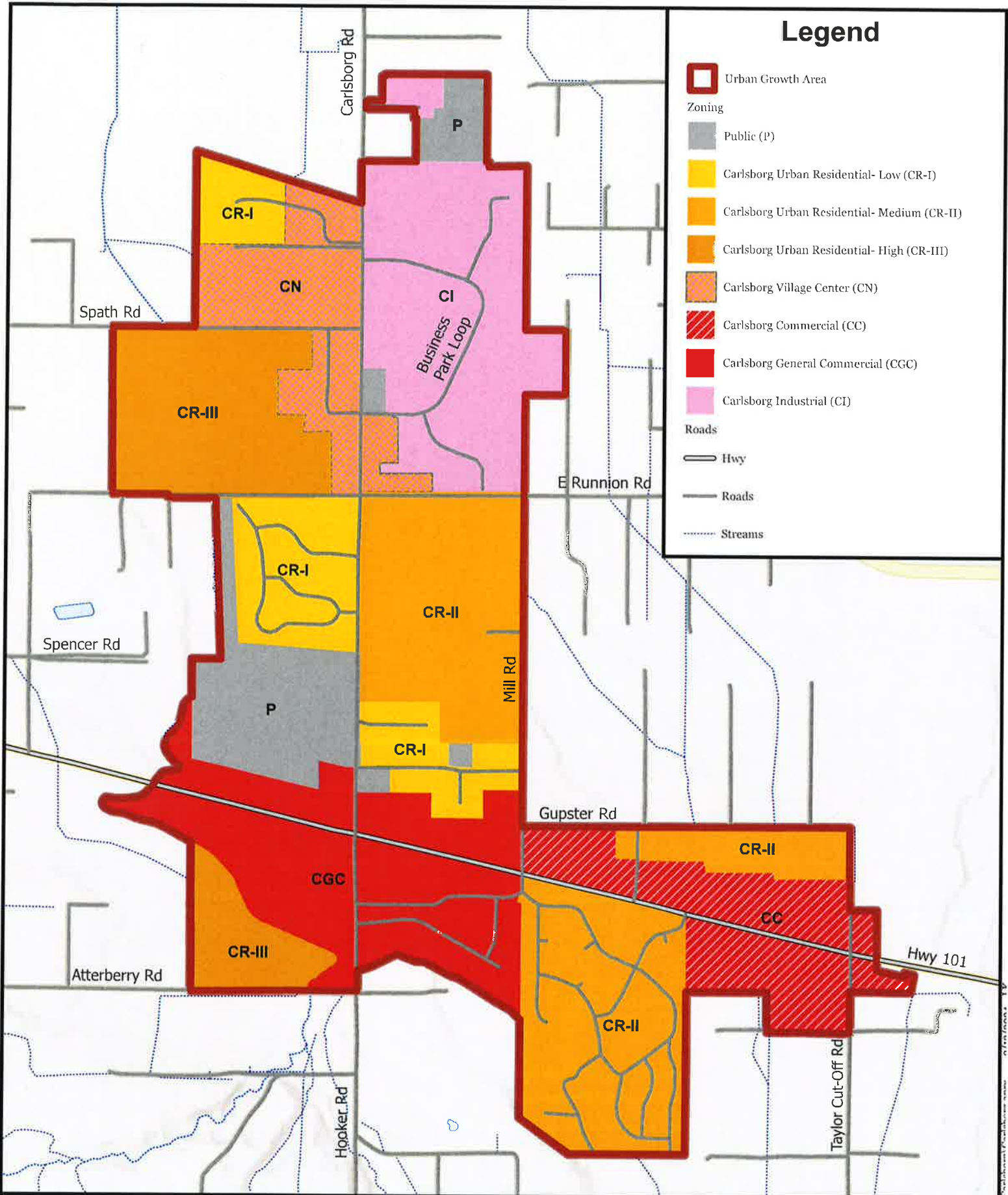
The Planning Commission must evaluate the amendment with regard to six criteria contained at CCC 33.35.090 in the Zoning Code, and at CCC 31.08.370 in the Comprehensive Plan. Based on the above analysis, Planning Division staff believes that amending the side yard setback to 6-feet and rear setback to 10-feet in the CR-I, CR-II, and CR-III zones is supported by existing policies and the spirit and intent of the Clallam County Comprehensive Plan.

Reference List:

Map 1 Carlsborg zoning map

Appendix A: Application and Justification

Appendix B: Carlsborg Comprehensive Plan and Zoning excerpts



Legend

Urban Growth Area

Zoning

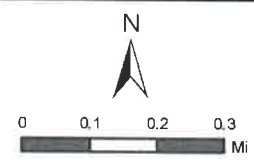
- Public (P)
- Carlsborg Urban Residential- Low (CR-I)
- Carlsborg Urban Residential- Medium (CR-II)
- Carlsborg Urban Residential- High (CR-III)
- Carlsborg Village Center (CN)
- Carlsborg Commercial (CC)
- Carlsborg General Commercial (CGC)
- Carlsborg Industrial (CI)

Roads

- Hwy
- Roads
- Streams



Carlsborg UGA Zoning



Appendix A



Clallam County

Department of Community Development

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(v) 360-417-2420 ✦ (f) 360-417-2443

email: dcdplan@co.clallam.wa.us

APPLICANT INFORMATION

Name Logan Hammon

Mailing Address PO Box 2024

City Kingston St. WA Zip 98346

Phone Number 360-271-3052 Business

Phone _____

Email (Optional): Logan@LoganDevelopmentinc.com

AGENT INFORMATION (If applicable)

Name _____

Mailing Address _____

City _____ St. _____ Zip _____

Phone Number _____ Contact Person _____

Email (Optional): _____

CODE SECTION(S) SUBJECT TO PROPOSED AMENDMENT: _____

TABLE 33.20.050(2)(A). BULK, DIMENSIONAL AND GENERAL REQUIREMENTS FOR ZONES CR-II, CR-III AND CN.

TEXT CHANGE: (Show all proposed additions and/or deletions of text.)

See attached existing and proposed table



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EXPLANATION: (Explain how proposed change meets all the required showing for amendment for zoning (CCC 33.35.090) and comprehensive plan (CCC 31.08.370) amendments – see attached)

Section 33.35.090, Required showing for an amendment.

The Planning Commission and the Board of County Commissioners shall determine that a proposed amendment is consistent with all the following criteria before approval

(1) The proposed amendment is consistent with the County Comprehensive Plan.

The proposed amendment is consistent with the County Comprehensive Plan, as it promotes growth.

(2) The proposed amendment is consistent with interlocal agreements, transportation, parks and recreation, capital facility, utility, watershed, and other applicable land use and environmental plans adopted by the County.

The proposed amendment does not change any of the densities planned for the zones, only the setbacks within the lot. Therefore, it should not have any effect.

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

The proposed amendment does not change any of the densities planned for the zones, only the setbacks within the lot. Therefore, it should not have any effect.

(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 designation. This criterion only applies to Comprehensive Plan and zoning map amendments.

The proposed amendment is not a Comprehensive Plan or zoning map amendment.

(5) The proposed amendment will not result in probable significant adverse impacts 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.

The proposed amendment does not change any of the densities planned for the zones, only the setbacks within the lot. Therefore, it should not have any effect.

Section 31.08.370 Required showing for an amendment.

The Planning Commission and the Board of County Commissioners shall determine that a proposed amendment is consistent with all the following criteria before approval:

1. The proposed amendment is consistent with the spirit and intent of this title.

The proposed amendment provides better utilization of urban densities, more flexibility for home types, and overall is consistent with typical urban development.

2. The proposed amendment is consistent with the spirit and intent of CCC Title [33](#), Zoning, 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 proposed amendment provides better utilization of urban densities, more flexibility for home types, and overall is consistent with typical urban development.



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

The project may allow more units per acre; however, they will not exceed the densities already in the code. Therefore, no new impacts will be created.

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 designation. This criterion only applies to Comprehensive Plan and zoning map amendments.

The proposed amendment is not a Comprehensive Plan or zoning map amendment.

5. The proposed amendment will not result in probable significant adverse impacts 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.

The project may allow more units per acre; however, they will not exceed the densities already in the code. Therefore, no new impacts will be created.

6. The cumulative effects of proposed amendments have been assessed and determined to be consistent with the spirit and intent of this title.

The proposed amendment provides better utilization of urban densities, more flexibility for home types, and overall is consistent with typical urban development.

You must provide a completed Environmental Checklist.

REZ____-____ DATE RECEIVED_____ RECEIPT #_____

Criteria for Approval: In considering an application for comprehensive plan and zoning amendment, the Planning Commission and Board of County Commissioners are obligation to evaluate the amendment with regard to specific criteria contained in Section 33.35.090 of the Zoning Code, and Section 31.08.370 of the Comprehensive Plan. An amendment application should address these criteria. These criteria, or "Required Showing for an Amendment" provide the scope of consideration that the Planning Commission and Board must respond to in order to determine if a rezone is to be approved. The required showing includes the following:

Section 33.35.090, Required showing for an amendment.

The Planning Commission and the Board of County Commissioners shall determine that a



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proposed amendment is consistent with all the following criteria before approval:

- (1) The proposed amendment is consistent with the County Comprehensive Plan.
- (2) The proposed amendment is consistent with interlocal agreements, transportation, parks and recreation, capital facility, utility, watershed, and other applicable land use and environmental plans adopted by the County.
- (3) The proposed amendment will not be detrimental to the public health, safety, and welfare.
- (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 designation. This criterion only applies to Comprehensive Plan and zoning map amendments.
- (5) The proposed amendment will not result in probable significant adverse impacts 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.

Section 31.08.370 Required showing for an amendment.

The Planning Commission and the Board of County Commissioners shall determine that a proposed amendment is consistent with all the following criteria before approval:

- (1) The proposed amendment is consistent with the spirit and intent of this title. (2) The proposed amendment is consistent with the spirit and intent of CCC Title 33, Zoning, 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.
- (3) The proposed amendment will not be detrimental to the public health, safety, and welfare.
- (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 designation. This criterion only applies to Comprehensive Plan and zoning map amendments.
- (5) The proposed amendment will not result in probable significant adverse impacts 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.
- (6) The cumulative effects of proposed amendments have been assessed and determined to be consistent with the spirit and intent of this title.

Existing: Table 33.20.050(2)(A)

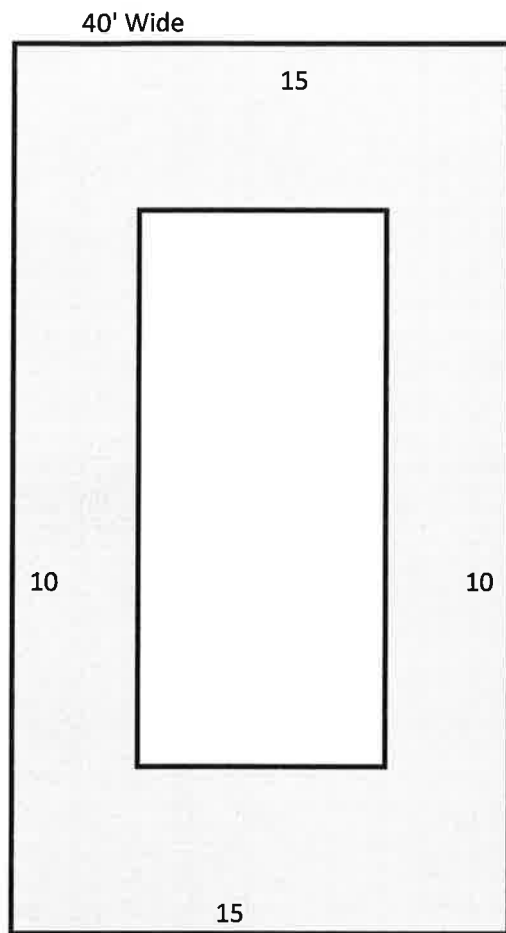
Zone	Minimums								Maximums	
	Lot Size	Lot Width	Required Setbacks ¹					Minimum Residential Density	Building Height	Residential Density
			Front			Side (each)	Rear			
			Access Road	Collector Road	Arterial					
CR-I	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.	6 dwelling units per acre
CR-II	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.	8 dwelling units per acre
CR-III	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre
CN	None	None	15 ft.	15 ft.	None	Zero ²	Zero ²	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre
CGC	None	50 ft.	45 ft.	50 ft.	60 ft.	Zero ²	Zero ²	Not Applicable	36 ft.	Not Applicable
CI	0.5 acre ²	50 ft.	Zero ²	Zero ²	Zero ²	Zero ²	Zero ²	Not Applicable	36 ft.	Not Applicable
CC	None	50 ft.	45 ft.	50 ft.	60 ft.	Zero ²	Zero ²	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre

Proposed: Table 33.20.050(2)(A)

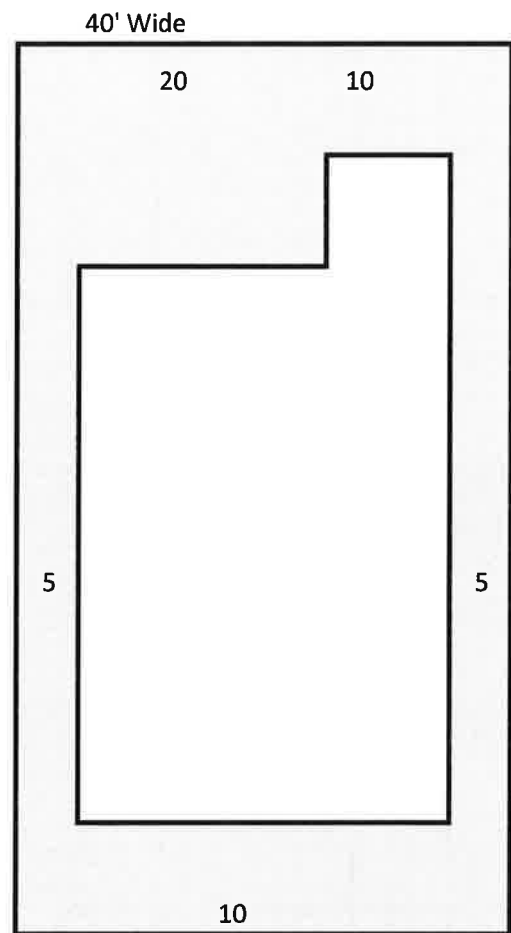
Zone	Minimums							Maximums		
	Lot Size	Lot Width	Required Setbacks ¹					Minimum Residential Density	Building Height	Residential Density
			Front			Side (each)	Rear			
			Access Road	Collector Road	Arterial					
CR-I	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.	6 dwelling units per acre
CR-II	None	None	~~15 ft.~~ *	~~15 ft.~~ *	60 ft.	~~10 ft.~~ 5 ft	~~15 ft.~~ 10 ft	4 dwelling units per acre ³	36 ft.	8 dwelling units per acre
CR-III	None	None	~~15 ft.~~ *	~~15 ft.~~ *	60 ft.	~~10 ft.~~ 5 ft	~~15 ft.~~ 10 ft	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre
CN	None	None	~~15 ft.~~ *	~~15 ft.~~ *	None	~~Zero²~~ 5 ft	~~Zero²~~ 10 ft	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre
CGC	None	50 ft.	45 ft.	50 ft.	60 ft.	Zero ²	Zero ²	Not Applicable	36 ft.	Not Applicable
CI	0.5 acre ²	50 ft.	Zero ²	Zero ²	Zero ²	Zero ²	Zero ²	Not Applicable	36 ft.	Not Applicable
CC	None	50 ft.	45 ft.	50 ft.	60 ft.	Zero ²	Zero ²	4 dwelling units per acre ³	36 ft.	10 dwelling units per acre

* 10 ft to front of the house, 20 ft to the garage.

Existing



Proposed



- * Under Existing, you can't park cars in the driveway. Under Proposed you can.
- * Much more attractive front.
- * Much more efficient use of space.

Style of home

Existing Code



Proposed Code



Home Spacing with Existing Code



Home Spacing with Proposed Code



Appendix B

31.03.350 Carlsborg urban growth area.

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

(1) *Community Vision.*

(a) *Policy 1.* In setting forth the 560-acre Carlsborg UGA, the Board of County Commissioners recognizes the Carlsborg community's historic mix of commercial, industrial and residential land uses, allows for continued development and economic growth, and seeks consistency with various state and local land use laws, while continuing to respect the character of the community.

(b) *Policy 2.* The 20-year vision for the Carlsborg UGA is for continued commercial, industrial and residential growth consistent with established land use policies and regulations.

(i) Residential growth will continue the historic housing pattern (i.e., single- and multiple-family dwellings). New residential housing will provide for the needs of a wide range of residents to maintain a dynamic community.

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

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

(iv) The area immediately southwest of the intersection of Spath and Carlsborg roads (commonly referred to as the Carlsborg historic village), contains a unique mixture of older commercial and residential properties located on small parcels. The County will continue to work with the community to maintain the historic and cultural value of this area. Development and redevelopment will reflect a human-scale, pedestrian-friendly character enhanced by amenities such as restaurants, shops, sidewalks, lighting, trail connections, and public restrooms.

(c) *Policy 3.* The commercial and industrial activities within the Carlsborg UGA will generate revenue through the creation of family wage jobs. These activities will be conducted in a manner which promotes community viability blending well with the local character while maintaining environmental stewardship for the benefit of residents, workers, customers, and the entire community. These activities will also be planned for and conducted in a manner consistent with the guidance provided by the Growth Management Act.

(d) *Policy 4.* Environmental quality will be maintained and enhanced through groundwater, well and stream protection measures.

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

(ii) New development will connect to the Carlsborg Sewer System consistent with the 2014 Carlsborg Wastewater Treatment Plan, as amended, and the adopted sewer connection standards found in Chapter 13.12 CCC, Carlsborg Sewer System.

(iii) Development served by existing on-site septic systems should be encouraged to connect to the Carlsborg Sewer System through incentives and other programs.

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

(e) *Policy 5.* The UGA is part of a regional transportation network, including Highway 101, whereby coordination between local planning and regional transportation planning should be done in order to continue to provide a safe and efficient transportation network.

(f) *Policy 6.* To enhance multi-modal opportunities, linkages and improvements shall be encouraged with a service extension along Carlsborg Road to the Village Center. The multi-modal transit opportunities should include a transit stop and a park and ride lot.

(g) *Policy 7.* Non-motorized transportation and pedestrian usage will be enhanced by installing sidewalks and paths throughout the UGA within walking distance of Greywolf School, along Highway 101, and major arterials and collectors including along Carlsborg/Hooker, Atterbury, Taylor Cutoff, Mill, Heath, East Runnion, and Spath Roads. In addition, non-motorized opportunities should be established adjacent to Matriotti Creek with connections to the Olympic Discovery Trail, residential areas, and the Village Center.

(h) *Policy 8.* Residential zoning is the predominant land use within the UGA and residential areas abut or surround commercial and industrial zones. Carlsborg residents are drawn by the natural beauty of the area; the accessibility of area amenities; and the low to moderate cost of living. New commercial and industrial development should respect the needs and views of adjacent residential areas. Consideration should be given to design elements such as buffers and screening between residential, commercial and industrial zones to protect residents from inordinate noise, light, glare and obstruction of views.

(2) *Urban Growth Area Boundaries.* Policy 9. The Carlsborg UGA is composed of three areas: Highway Commercial, Carlsborg Village Center, and Urban Residential. These areas are depicted on the official land use map and are more generally described as follows:

(a) Highway Commercial – generally defined as that area adjacent to the Highway 101 corridor between Matriotti Creek on the west and Gilbert/Taylor Cutoff Road on the east, excluding that portion on the south side of Highway 101 beginning at Parkwood Manufactured Housing Community, LLC. East of Parkwood Manufactured Housing Community, LLC, to Taylor Cutoff

Road is commercial. This also includes those existing businesses on the east side of the intersections of Gilbert/Taylor Cutoff Road and Highway 101, as well as the commercial areas along Hooker Road between Highway 101 and Atterberry Road.

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

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

(3) *Background Data.* Policy 10. Considerable information was obtained in the course of developing the Carlsborg neighborhood plan. The information includes existing and forecast population and 20-year built-out potential.

(a) The population in the Carlsborg neighborhood was 856 in 2013, and is forecast to be about 1,288 in 2030, and 1,971 in 2050 based on a 2.15 percent annual rate of growth as identified in the 2014 Sewer Facility Plan.

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

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

(d) Sanitary sewer service is anticipated by the fall of 2017. This system will require gravity sewer mains connecting to a pump station in Carlsborg and force mains (pressure sewer lines) to the City of Sequim via Highway 101 bridge to a point of connection with the City of Sequim collection system at Grant Road. From there, Carlsborg wastewater will be conveyed in a common sewer to the City of Sequim Water Reclamation Facility.

(4) *Public Services and Facilities.*

(a) *Water.* Policy 11. The following policies guide water service delivery to this neighborhood:

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

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

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

(b) *Sewage Disposal*. Policy 12. The following policies shall guide sewage disposal within the area:

(i) Clallam County shall utilize the 2014 Carlsborg Wastewater Facilities Plan, as amended, to assist in guiding development and expansion of the Carlsborg Sewer System.

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

(iii) Clallam County shall adopt and periodically update policies and requirements for connections to the Carlsborg Sewer System found in Chapter 13.12 CCC.

(5) *Critical Areas*.

(a) *Policy 13*. The Dungeness River and various wetlands within and near the UGA shall be protected from encroachment of urban development consistent with the Clallam County Critical Areas Ordinance.

(b) *Policy 14*. The County shall continue efforts to work with the Carlsborg community to protect and enhance Matriotti Creek for fish and wildlife habitat, and promote environmental education.

(c) *Policy 15*. A large portion of the Carlsborg UGA is within an area having a critical recharging effect on aquifers used for potable water.

(i) With the development and construction of a sanitary sewer system, properties with on-site septic systems will be encouraged to connect to sewer. The decrease in on-site septic use will reduce groundwater contamination from this source.

(ii) All new development and redevelopment shall adhere to stormwater run-off best management practices that include the use of low impact development techniques, best management agricultural practices, and homeowner maintenance practices (e.g., lawn fertilizer, disposal of pet wastes) to ensure aquifer contamination is minimized.

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

(6) *Open Space and Greenbelts*. Policy 16. Matriotti Creek shall be considered as an open space corridor and greenbelt within the UGA. Consideration should be given to public access (e.g., trails) along the creek only with the mutual agreement of property owners.

(7) *Transportation*.

(a) *Non-motorized Transportation.* Policy 17. Non-motorized trails, paths and sidewalks are required within walking distance of Greywolf School, and in the vicinity of Highway 101, Carlsborg Road, Olympic Discovery Trail, and Matriotti Creek, in order to enhance foot and bicycle transportation between residential, commercial, recreation areas and public schools. A sidewalk and trail plan, as specified in the Carlsborg Capital Facilities Plan, shall be implemented as a condition of new developments and/or through an improvement district or grant project approved by the Board of Clallam County Commissioners.

(b) *Policy 18.* Traffic circulation shall be improved through and within the Carlsborg UGA. This should include maintaining a level of service of "C" throughout the UGA.

(c) The County shall consider the 2008 Carlsborg Area Transportation Study as it relates to overall traffic improvements within the Carlsborg UGA.

(d) The County shall continue efforts in identifying road and traffic enhancements through the Six-Year Transportation Improvement Program.

(e) *Highway 101.* Policy 19. New development along the highway corridor shall address congestion and conflict along with the need for regional mobility of traffic along Highway 101 by considering alternate and safe access to the development, including but not limited to: constructing a frontage road along Highway 101 or combining access with existing, adjacent access locations where feasible.

(f) *Policy 20.* Highway 101 is the primary highway that provides the main through-corridor for all vehicle traffic between Sequim and Port Angeles, and all points to the east and west of those communities. The County recognizes that the maintenance, operation and/or modifications to SR 101 are under the jurisdiction of the Washington State Department of Transportation (WSDOT). However, the County also has an inherently vested interest in the safe and efficient traffic flow on SR 101 for commercial, private and emergency vehicular traffic throughout its length, including the section that passes through the Carlsborg UGA. The County shall work with the WSDOT to develop a plan for the Carlsborg/Highway 101 Corridor that:

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

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

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

(g) *Policy 21.* The County and WSDOT shall jointly review access permits to insure that new access is minimized to the greatest degree feasible. New access is to be directed to existing intersections with preference to those that are signalized.

(h) *Policy 22.* To accommodate new development, frontage roads may need to be developed by property owners with assistance of Clallam County through the Road Improvement District program in the following locations: (i) between Greywolf School and Highway 101 west of Carlsborg Road, and (ii) between Parkwood Manufactured Housing Community, LLC, and Hooker Road via Valley Center Place and Harrison Road (private roads).

(i) *Regional County Roads.* Policy 23. Carlsborg Road is considered to have regional significance to the County. The County shall work to ensure that this road continues to function as a regionally significant component of the transportation system.

(j) *Other County Roads.* Policy 24. Improvements to County roads identified in this area are specified in the Carlsborg Capital Facilities Plan and include: Mill Road, E. Runnion Road and Spath Road. These improvements (road widening) are for safety purposes only.

(8) *Development Standards.*

(a) *Policy 25.* It is the general goal to improve the appearance of Highway 101 commercially zoned properties and the Carlsborg Village area through improvements to building appearance, landscaping, parks and trails. The following guidelines should be followed:

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

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

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

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

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

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

(b) *Policy 26.* Water supply shall be provided consistent with the following:

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

(A) Clallam County PUD Carlsborg water system;

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

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

2. Provide level of service (LOS) equal to or greater than that specified in the 2000 Carlsborg Capital Facilities Plan, as amended.

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

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

(iv) New community water systems in the Carlsborg UGA shall be permitted only if they meet or exceed the criteria for Group A water systems (15 or more connections), and demonstrate consistency with the level of service established in the Carlsborg CFP.

(c) *Land Use Designations/Boundaries.* Policy 27. Land use designations for the Carlsborg UGA shall only be amended consistent with the following:

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

(ii) Amendments to land use designations involving individual parcels or groups of parcels shall be reviewed consistent with CCC 31.08.370 (Required Showing for an Amendment).

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

(9) *Land Uses.*

(a) *Policy 28.* The Carlsborg Land Use Map shall serve as the official zoning map for the unincorporated Carlsborg UGA. Land use zones established are shown in Table 1 below:

Table 1. Conversion Table of Comprehensive Plan and Zoning Designations

Comprehensive Plan Designation	Zoning Designation	Zoning Symbol
Carlsborg Urban Residential – Low	Carlsborg Urban Residential – Low	CR-I
Carlsborg Urban Residential – Medium	Carlsborg Urban Residential – Medium	CR-II
Carlsborg Urban Residential – High	Carlsborg Urban Residential – High	CR-III
Carlsborg Village Center	Carlsborg Village Center	CN
Carlsborg General Commercial	Carlsborg General Commercial	CGC
Carlsborg Commercial	Carlsborg Commercial	CC
Carlsborg Industrial	Carlsborg Industrial	CI

(b) *Policy 29.* The purpose of land use zones established under this section is as follows:

(i) *Carlsborg Urban Residential – Low (CR-I).* The purpose of the Carlsborg Urban Residential Low designation is to provide a density of four to six dwelling units per acre for single-family residential development that is generally free from encroachment of commercial and industrial activities.

(ii) *Carlsborg Residential – Medium (CR-II).* The purpose of the Carlsborg Urban Residential Medium designation is to provide a density of four to eight dwelling units per acre for areas of single- and multifamily residential development that is generally free from encroachment of commercial and industrial activities.

(iii) *Carlsborg Residential – High (CR-III).* The purpose of the Carlsborg Urban Residential High designation is to provide a density of four to 10 dwelling units per acre for areas of single- and multifamily residential development that is generally free from encroachment of commercial and industrial activities.

(iv) *Carlsborg Village Center (CN).* The purpose of the Carlsborg Village Center designation is to provide for high-density residential development and small scale commercial uses that can be located and serve residential neighborhoods within the historic village center of Carlsborg. The standards for the district are intended to reinforce the established scale and ambiance of neighborhood retail oriented toward the pedestrian while ensuring adequate transit and automobile access. The Village Center designation is intended to promote local orientation and to limit adverse impacts on nearby residential areas.

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

(vi) *Carlsborg Industrial (CI)*. The purpose of the Carlsborg Industrial designation is to allow for low nuisance, low intensity industrial uses.

(vii) *Carlsborg Commercial (CC)*. The purpose of the Carlsborg Commercial designation is to provide for a limited area of high-density residential development and low impact neighborhood commercial activities.

Chapter 33.20

CARLSBORG URBAN GROWTH AREA

Sections:

33.20.010	Carlsborg urban growth area zoning – Purpose.
33.20.020	Establishment of land use zones.
33.20.030	Purpose of districts.
33.20.040	Use tables.
33.20.050	Bulk and dimensional standards.
33.20.060	Development standards – Purpose and intent.
	Minimum residential density standards.

SOURCE:	ADOPTED:
Ord. <u>701</u>	12/05/00
AMENDED SOURCE:	ADOPTED:
Ord. <u>766</u>	12/21/04
Ord. <u>919</u>	11/29/16

33.20.010

Carlsborg urban growth area zoning – Purpose.

The purpose of this chapter is to establish zoning controls for the unincorporated Carlsborg UGA consistent with the adopted Sequim-Dungeness Regional Comprehensive Plan.

33.20.020

Establishment of land use zones.

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

Table 33.20.020(A). Conversion Table of Comprehensive Plan and Zoning Designations

Comprehensive Plan Designation	Zoning Designation	Zoning Symbol
Carlsborg Urban Residential – Low	Carlsborg Urban Residential – Low	CR-I
Carlsborg Urban Residential – Medium	Carlsborg Urban Residential – Medium	CR-II
Carlsborg Urban Residential – High	Carlsborg Urban Residential – High	CR-III
Carlsborg Village Center	Carlsborg Village Center	CN
Carlsborg General Commercial	Carlsborg General Commercial	CGC
Carlsborg Commercial	Carlsborg Commercial	CC
Carlsborg Industrial	Carlsborg Industrial	CI

33.20.030 Purpose of districts.

The purposes of land use zones established under CCC 33.20.020 are as follows:

- (1) *Carlsborg Urban Residential – Low (CR-I)*. The purpose of the Carlsborg Urban Residential Low designation is to provide a density of four to six dwelling units per acre for areas of single-family residential development that are generally free from encroachment of commercial and industrial activities.
- (2) *Carlsborg Urban Residential – Medium (CR-II)*. The purpose of the Carlsborg Urban Residential Medium designation is to provide a density of four to eight dwelling units per acre for areas of single- and multifamily residential development that are generally free from encroachment of commercial and industrial activities.
- (3) *Carlsborg Urban Residential – High (CR-III)*. The purpose of the Carlsborg Urban Residential High designation is to provide a density of four to 10 dwelling units per acre for areas of single- and multifamily residential development that are generally free from encroachment of commercial and industrial activities.
- (4) *Carlsborg Village Center (CN)* is intended to provide for high-density residential development and small scale commercial uses that can be located within and serve residential neighborhoods within the historic village center of Carlsborg. The standards for the district are intended to reinforce the established scale and ambiance of neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. The purpose of the Village Center is to promote local orientation and to limit adverse impacts on nearby residential areas.
- (5) *Carlsborg General Commercial (CGC)*. The purpose of the Carlsborg General Commercial designation is to provide for a wide range of moderate-scale commercial activities that provide for neighborhood, regional, and tourist-related goods and services for both residents and the traveling public.

(6) *Carlsborg Industrial (CI)*. The purpose of the Carlsborg Industrial designation is to allow for low nuisance uses.

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

33.20.040 Use tables.

This section establishes whether a specific use is an allowed, conditional, or prohibited land use under the various land use zones established under CCC 33.20.020 and 33.20.030. Allowed, conditional, and prohibited land uses are represented as “A,” “C,” and “X,” respectively, as shown in Table 33.20.040(A).

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

Table 33.20.040(A).

Zoning District Use	CR-I	CR-II	CR-III	CN	CC	CGC	CI
Accessory use	A	A	A	A	A	A	A
Agriculture	A	A	A	A	A	A	A
Asphalt plant	X	X	X	X	X	X	C
Bed and breakfast	C	C	C	A	A	X	X
Business park	X	X	X	A	A	A	A
Cemetery	X	X	X	X	C	X	X
Child daycare center	X	X	X	A	A	A	X
Church	C	C	C	A	A	A	X
Commercial greenhouse	X	X	X	A(*)	A(*)	A(*)	A(*)

Commercial horse facility	X	X	X	A	A	A	C
Commercial storage	X	X	X	C	A(*)	A(*)	X
Duplex	X	A	A	A	A	X	X
Family daycare provider	A	A	A	A	A	X	X
Financial institution	X	X	X	A(*)	A	A	X
Gas station	X	X	X	A(*)	A(*)	A(*)	A(*)
Grocery store	X	X	X	A(*)	A(*)	A(*)	X
Group homes (16 or fewer persons)	C	C	C	A	A	X	X
Group homes (17 or more persons)	C	C	C	A	A	X	X
Home-based industry	C	C	C	A	A	X	X
Home enterprise	A	A	A	A	A	X	X
Indoor shooting range	X	X	X	X	X	C	X
Industrial use	X	X	X	X	X	C	A(*)
Kennels/boarding	X	X	X	C	C	C	X
Lodge	X	X	X	A	A	A	X
Mini-storage/self-storage	X	X	X	X	A	A	X
Marijuana producer/processor	X	X	X	X	X	X	A
Marijuana retail	X	X	X	A	X	A	X
Medical service facility	X	X	X	A	A	A	X
Mobile home park	X	A	A	C	C	X	X
Motel/hotel	X	X	X	A	A	A	X
Multiple-family dwelling	X	A	A	C	C	X	X
Outdoor-oriented recreation facility	X	X	X	A(*)	A(*)	A(*)	X
Planned unit development	A	A	A	A	A	X	X
Professional office	X	X	X	A	A	A	X
Research facility	X	X	X	C	C	A(*)	A(*)
Restaurant	X	X	X	A(*)	A(*)	A(*)	X
Retail use (not listed)	X	X	X	A	A	A	X
RV park	X	X	X	A(*)	A(*)	A(*)	X
School	X	X	X	A	A	A	X
Single-family dwelling	A	A	A	A	A	X	X
Tavern	X	X	X	A(*)	A(*)	A(*)	X
Tourist shop	X	X	X	A	A	A	X
Vehicular repair	X	X	X	A(*)	A(*)	A(*)	X
Veterinarian clinic/kennels	X	X	X	A(*)	A(*)	A(*)	X
Wholesale commercial use	X	X	X	X	C	C	A
Wood manufacturing	X	X	X	A(*)	A(*)	A(*)	A(*)
Wood manufacturing, small-scale	X	X	X	A(*)	A(*)	A(*)	A(*)
Wrecking yard	X	X	X	X	X	X	A(*)

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

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

33.20.050 Bulk and dimensional standards.

(1) *Bulk and Dimensional Purpose.* In recognition of the varied topography and geographical relationships within the Carlsborg UGA, and for the safety and general welfare of the public, bulk, dimensional and general requirements for the zoning districts shall be required as a necessary part of the development review process. All permitted uses and conditional uses, except as otherwise established in an approved planned unit development, shall comply with the requirements of this section.

(2) *Bulk, Dimensional and General Requirements.* Bulk, dimensional, and general requirements are herewith established and shall be provided in accordance with the minimum standards set forth in Table (A) of this subsection. Additional criteria are provided in subsection (3) of this section. Bulk and dimensional standards measure the spatial, four-dimensional limitations of the site, including building height and size, if any, and minimum lot width, if any. Lot size and residential density is also subject to CCC 33.20.050(3), Exceptions, and CCC 33.20.060, Development Standards.

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

Zone	Minimums								
	Lot Size	Lot Width	Required Setbacks ¹					Minimum Residential Density	Bui He
			Front			Side (each)	Rear		
			Access Road	Collector Road	Arterial				
CR-I	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.
CR-II	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per acre ³	36 ft.
CR-III	None	None	15 ft.	15 ft.	60 ft.	10 ft.	15 ft.	4 dwelling units per	36 ft.

1 Where required setbacks under the International Building Code adopted by Clallam County differ from the minimum setbacks established in Chapter 33.03 CCC the more restrictive regulation shall apply.

2 Subject to the International Building Code, side and rear yard setbacks shall be a minimum of 15 feet when abutting a residential zone.

3 See CCC 33.20.070, minimum density standards.

(3) *Exceptions.* The bulk, dimensional and general requirements set forth in subsection (2) of this section shall apply to specifically permitted and conditional uses tabulated in CCC 33.20.040, excepting the following:

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

(4) *Sight Clearance.* In all zones, corner lots shall maintain a triangular safety zone consisting of an area in which no physical obstruction, such as a structure, fence, tree or shrub higher than 36 inches above grade shall be permitted. Such triangular area shall have one angle formed by the front lot line and the side lot line separating the lot from the side street, the length of which lot line sides of the triangle shall be 15 feet. The third side of the triangle shall be a line connecting the two lot lines at the 15-foot point on each.

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

Arterials	Collectors
State Route 101	Atterberry Rd. Carlsborg Rd. E. Runnion Rd. Hooker Rd. Mill Rd. Taylor Cutoff Rd.

33.20.060 Development standards – Purpose and intent.

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

- (1) Sewage disposal shall be provided consistent with the following:
 - (a) New land divisions and development shall connect to the Carlsborg sewer system consistent with Chapter 13.12 CCC, Carlsborg Sewer System.
 - (b) Pursuant to Chapter 13.12 CCC, all new, and repair or replacement of failed, on-site or community septic systems shall require that the developer install enhanced treatment technologies that demonstrate greater than 50 percent reduction of nitrate discharge as compared to conventional treatment systems. Additionally, all new or replacement of existing on-site or community septic systems shall, at a minimum, meet Treatment Standard II per the Washington Department of Health standards for on-site sewage treatment, as now or hereafter amended. In identifying appropriate treatment methods, consideration shall be given to the latest technology available that has demonstrated reliable treatment of biological and chemical contaminants.
- (2) Water supply shall be provided and consistent with the following:
 - (a) All new land divisions shall connect to an approved public water supply. Approved public water supply shall consist of either of the following:
 - (i) Clallam County PUD Carlsborg water system;
 - (ii) Existing Group A public water systems (i.e., private systems with more than 15 service connections); provided, that such system shall:
 - (A) Comply with design and water quality standards established by state law (Chapters 246-290 and 246-291 WAC), as now or hereafter amended, and
 - (B) Provide level of service (LOS) equal to or greater than that specified in the 2000 Carlsborg CFP (Chapter 4).
 - (b) Existing individual wells and community water systems shall be allowed to continue indefinitely; provided, that they are consistent with State and County health code requirements for potable water. Existing systems that fail to meet these standards and are unable to rectify the deficiency within a reasonable time period shall be required to obtain connection from the PUD system or other approved community water system. To rectify a deficiency, the landowner may make structural or facility repairs, or deepen or replace an existing well, which must be drilled at a minimum into the middle aquifer.
 - (c) Existing individual wells or community systems shall not be expanded or altered in any way that would result in the expansion of the system or service area without full compliance with all criteria of this section.
 - (d) New community water systems in the Carlsborg UGA shall be permitted only if they meet or exceed the criteria for Group A water systems (15 or more connections), and demonstrate consistency with the LOS established in the Carlsborg Capital Facilities Plan. Vacant parcels

which were lawfully established prior to the effective date of this chapter shall be allowed the use of private, individual wells.

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

- (a) Landscaped areas between public roads and parking shall be provided;
- (b) Outside storage, garbage, recycling and maintenance facilities, and loading dock areas shall be screened from view from public roads and neighboring properties;
- (c) Commercial/industrial development abutting residential areas shall include a landscape plan that describes tree/shrub species, size of plant materials, and the use of fencing, berms, or solid walls so that noise, light, and aesthetic impacts to residential properties are adequately minimized and/or mitigated.

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

- (a) Duplexes and multifamily residences shall provide no less than 1.5 parking spaces per unit. Parking areas shall be located behind or under buildings where practicable; except that, attached garages shall be allowed for duplexes.
- (b) The number of access points from parking areas to public streets shall be minimized or shall be shared (where possible) within a development.
- (c) Parking areas shall include landscaping, fencing and/or berming substantially equivalent to the standards in Chapter 33.55 CCC when abutting existing single-family residences or residential zoning districts.
- (d) Where practicable, parking for commercial developments should be located to the rear of the development site.
- (e) Parking lighting shall not create off-site glare, and shall utilize "cut-off" type fixtures that ensure glare will be downward facing and/or shielded and directed away from neighboring properties.

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

- (a) *Highway 101 Corridor or within 500 Feet of Highway 101 – Minimum Sidewalk Development Standards.* Sidewalks shall be constructed consistent with the City and County Design Standards, 1995 Edition, as amended. Where sidewalk depths of adjacent properties are inconsistent, a

transition area shall be provided to avoid hazardous conditions, as approved by the County Engineer (or his/her designee).

- (b) *Other Roads – Minimum Sidewalk Development Standards.* For development more than 500 feet from the right-of-way of SR 101 and abutting roads indicated in Figure 10-2 of the CFP as requiring sidewalks, the owner of the subject property shall dedicate to the County right-of-way, all area abutting the County roadway to a width sufficient to accommodate road improvement and maintenance needs as determined by the County Road Engineer, and a minimum six feet to accommodate sidewalk/pedestrian facilities.
 - (c) *Trails – Minimum Trail Development.* For development abutting or containing land indicated in Figure 10-2 of the CFP as requiring trails, the owner of the subject property shall dedicate to the County right-of-way all area along the designated trail to a width of 10 feet to the County right-of-way for pedestrian facilities.
 - (d) In review of site plans for sidewalk and trail facilities, the County Road Department and Department of Community Development shall consider the location of existing pedestrian facilities, the topographic and geographic setting of the subject parcel in relation to adjacent parcels, available space sufficient to accommodate pedestrian facilities, and the character of the vicinity of the subject property. The purpose of this review shall be to ensure pedestrian facilities are designed and developed consistently, safely, and provide for logical connectivity to other pedestrian facilities and community features.
- (6) *Signage.* Signs shall comply with the standards set forth in Chapter 33.57 CCC, Sign Requirements.
- (7) *Site Planning.* Commercial, industrial, mixed use, duplex, and multifamily developments shall provide:
- (a) Compliance with CCC 31.03.350, Carlsborg UGA, and the Carlsborg CFP;
 - (b) Safe ingress and egress, and pedestrian and vehicular circulation;
 - (c) Adequate stacking or vehicle queuing room at driveways and street intersections, which shall be based on engineered traffic studies and calculations as required by the County Engineer (or his/her designee);
 - (d) Shared access and circulation to minimize road approaches, where practicable;
 - (e) Off-site traffic controls, devices, or improvements, including traffic signals, intersection improvements, and/or turning lanes as required by the County Engineer, consistent with the Comprehensive Plan;
 - (f) Separation of service vehicle access and parking from customer circulation and parking;
 - (g) Limited use of on-site circulation and parking areas as “cut-throughs”;
 - (h) Design of residential subdivisions, duplex and multifamily developments to orient to public or private streets and to provide pedestrian and vehicular connections to existing nearby neighborhoods and community features. The following standards are required:
 - (i) For developments proposing multiple structures of phased development, all buildings shall face an internal street or other access shall be developed,
 - (ii) Each building shall be provided with direct pedestrian access from a street fronting the building and from established parking areas.

- (8) *Services.* Commercial, industrial, mixed use, duplex, and multifamily developments shall at a minimum include mailboxes, garbage and recycling pickup, pedestrian walkways and parking area lighting. In addition, the following performance standards shall be met:
- (a) Adequate safe pedestrian walkways shall be established within the project, which shall be designed to be in conformance with ADA (Americans with Disabilities Act) regulations.
 - (b) Street lighting shall be provided along walkways adjacent to and within the development. Lighting shall not create glare, and shall be downward facing and/or shielded and directed away from neighboring properties.
 - (c) Security lighting shall be provided in parking and designated outdoor recreation areas. Security lighting shall minimize glare, shall be downward facing and/or shielded, and shall be directed away from neighboring properties.
 - (d) Garbage, maintenance and recycling facilities shall be screened.
 - (e) Pedestrian connections to adjacent development shall be provided, where practicable, in public rights-of-way, or along designated trail corridors.

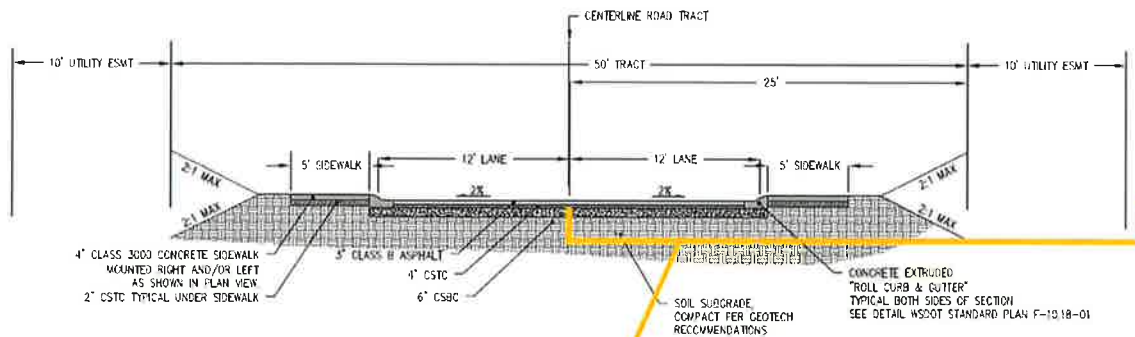
33.20.070 Minimum residential density standards.

- (1) *Purpose.* The purpose and intent of this section is to establish a process to transition or phase development at urban densities where a full range of urban services is not yet available. It serves to establish an urban residential development pattern over time by protecting land that is needed for urban development when an urban level of service is made available. This process allows low-density development to occur below the desired level in a manner that will not impede the redevelopment of the area when urban services become available.
- (2) *Minimum Residential Density Required.* Proposed residential land divisions must meet the minimum required density standards for the zone classification referenced in Table 33.20.050(2)(A) in which the property is located. The Administrator may approve residential land divisions and development less than the minimum residential density, subject to approval of a phased development, pursuant to Chapter 29.19 CCC, or the shadow plat requirements listed below.
- (3) *Shadow Platting Requirements.* Shadow platting must be used to satisfy the minimum density requirements. The applicant must demonstrate that the proposed development plan would not preclude the provision of adequate access and infrastructure to future development that would allow for the eventual compliance with the density requirement through future redevelopment of the property.
- (a) The shadow plat is drawn to the same specifications of a preliminary plat or short plat showing the lots, blocks, utility corridors, and streets necessary to serve the lots that will be developed at the time of development approval as well as delineating the future lots and the major transportation routes and utility corridors that will be necessary to serve the remainder of the lots that will be developed once urban services are available and re-division is proposed to retain the required urban density.
 - (b) A shadow plat must be submitted and approved prior to any development of the parcel.

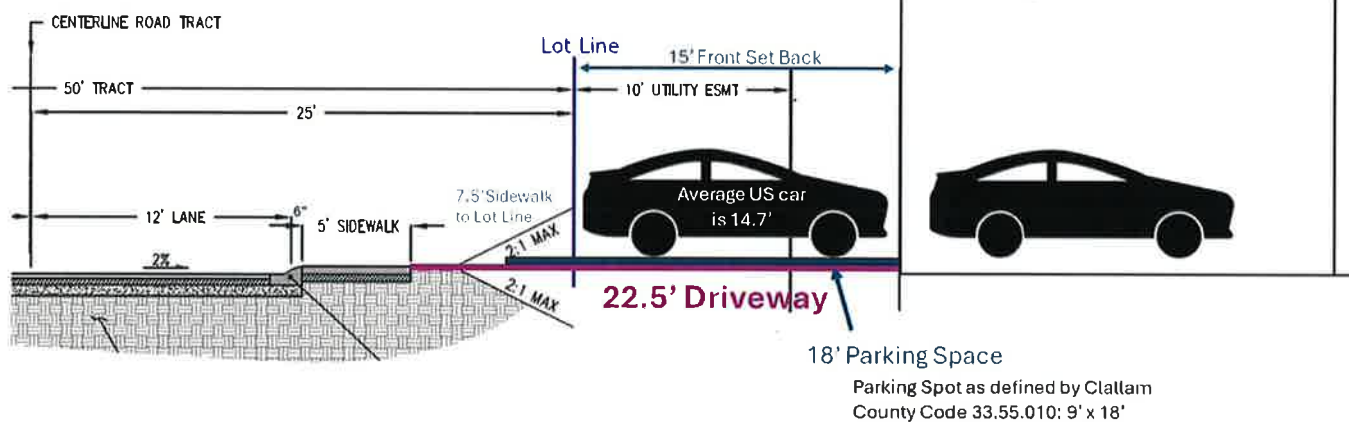
- (c) The shadow plat must consider the extension of utilities and future transportation corridors and/or extensions of the existing street network that may be necessary to serve adjacent properties.
- (d) The property may not be further divided until such time as the property is served with water and sewer services.

Standard Road Profile

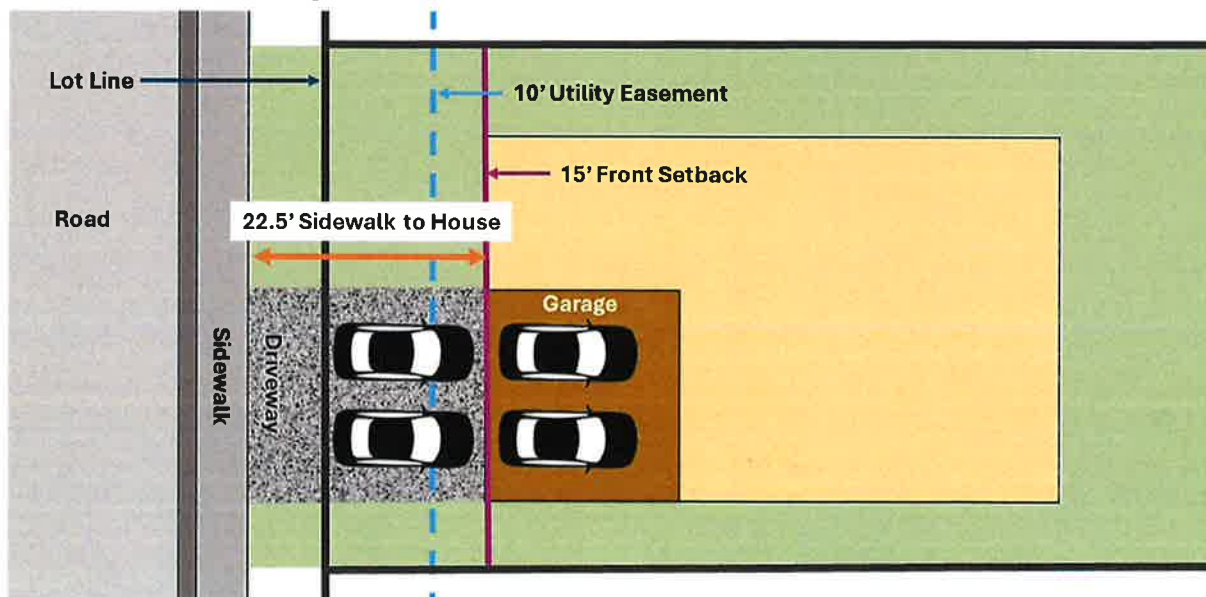
REQUIRED in Clallam County Developments



Sideview of road, sidewalk, driveway and home



Top Down View of above diagram



Agriculture Accessory Uses Public Hearing Discussion Paper

Clallam County Department of Community Development

May 15, 2024

The following document is substantively like a document originally created in November of 2023 modified and updated to reflect the most current information and recommendations.

Overview

Clallam County is proposing a Type B amendment to amend its development regulation for the purpose of creating prescriptive performance standards relating to agricultural accessory uses. To support this effort, Clallam County has engaged in several public events and workshops to gather information, solicit public feedback, and ensure that the proposed development regulation would align with the needs of many local agricultural producers. Specifically, staff is recommending the adoption of performance standards related to the following agricultural accessory uses:

- (1) Temporary onsite retail stands
- (2) Onsite agricultural retail stores
- (3) Onsite commercial greenhouse or nursery
- (4) Farmers' Markets
- (5) U-pick sales to the public
- (6) Tours of the agricultural operations
- (7) Work stays
- (8) Other farm dependent accessory activities

Also included in this document is a brief summation of Clallam County's agricultural history, relevant policies, existing regulatory framework, and recommendation summary.

Purpose

Farming in Clallam County has gone through significant changes in the past several decades. From its "hay-day" of the 1940's and 50's, agricultural operations have seen a dramatic decline in Clallam County, and most significantly in the Sequim-Dungeness region. Large expanses of integrated farm operations have since given way to residential communities and affiliated uses. Along with the reduction in farms, the businesses necessary to support agriculture have also diminished. However, farming on small acreage remains a viable and important part of Clallam County's rural landscapes and economy.

To survive in this changing environment, local farms have adapted to focusing on direct-to-customer sales, niche-markets, and business diversification in order to maintain economic viability. In some cases, this has included changes to traditional farm operations to accommodate an emerging agritourism industry where the "farm"

becomes the central focus of more recreational and leisure experiences monetized to supplement the farm operation.

In so doing, typical farm operations have introduced new land uses and operational characteristics that have, in some instances, exceeded limits established in the County's land use regulations. In the interest of supporting and facilitating local farms in developing new and innovative strategies for diversifying and strengthening their businesses, there exists a need to evaluate existing land use policy and adjust regulations to offer clarity and harmonize the need for farm business diversification while maintaining rural communities free from potential adverse impacts of unregulated commercial encroachment. Clallam County is proposing a Type B amendment to its development regulations for the purpose of creating prescriptive performance standards related to agricultural accessory uses.

Existing County Policy

Both the Clallam County Code and the Washington State Growth Management Act require that Clallam County "[e]ncourage conservation of productive agricultural lands and discourage incompatible uses (CCC 31.01.110, RCW 36.70A.020(8))." In developing policies to respond to this directive, the Comprehensive Plan was updated in 2006 to include an array of goals and policies intended to provide for the preservation and strengthening of the local agricultural industry. Key to this objective were policies that establish existing agricultural operations as a preferred land use, including protections against nuisance complaints and limits on the development of viable agricultural land from competing land uses. But also key to these policies was a strong recognition that, for agriculture to continue to be economically viable in Clallam County, farms would need the ability to diversify to incorporate limited on-location retail and agritourism-related business elements. Specific policies are included in Appendix A, and are summarized as follows:

- Lavendar farms have developed an agritourism industry to complement the sales of lavender products by selling the experience of visiting lavender farms and the region through festivals, farm tours, and other events (CCC 31.02.115(5)(b)).
- Agritourism may also be developed through other farm-related opportunities, like U-pick, corn mazes, farm stays (pay to work on farms), and farm education events (CCC 31.02.115(5)(b)).
- The local farming industry will need to enhance its capacity to perform local processing and provide retail of value-added products (CCC 31.02.115(6)).
- Clallam County should encourage continued farming through tax incentives, technical assistance, and permitting of compatible on-farm enterprises subject to applicable performance standards (CCC 31.02.120(2)).
- The raising of crops and livestock shall be the principal land use in areas designated agricultural. Other uses will include a farm residence, farm buildings,

direct marketing farm stands, home enterprises and home-based industries (CCC 31.03.220(3)(b)(ii)).

Existing County Regulatory Framework

The agricultural policies of the Comprehensive Plan set forth the guiding principles that support the applicable regulations enumerated in the Zoning Code. As shown in Appendix A, the Zoning Code currently regulates accessory farm uses through three primary mechanisms:

- Allowance of temporary on-site retail stands for the sale of agricultural goods as accessory to agricultural operations (CCC 33.03.010(7))
- Allowance of a home enterprise as a permitted use (CCC 33.07.010(1)), and
- Allowance of a home-based industry as a conditional use (CCC 33.07.010(2)).

For clarity, a home enterprise is a business use that is carried on within a home or existing building and does not generate any traffic or other outward characteristics of a business. A home-based industry does include some limited commercial activities outside and may include the generation of limited traffic. The conditional use permit process requires a decision of the Hearing Examiner and analysis of the specific development to identify and mitigate any potential objectionable characteristics, such as adequate parking, noise and glare abatement, hours of operation, and adequate landscaping or screening.

Although a range of possible accessory uses to an agricultural operation could be considered through the conditional use permit process, the Zoning Code allows home-based industries as a conditional use in all rural residential zones. In this respect, the only special consideration afforded to agricultural operations is the allowance of a temporary on-site retail stand.

Given the policy background on this issue, additional regulatory tools could be considered to expand and guide the development of accessory entrepreneurial developments associated with existing farms to help diversify and strengthen their operations. But these tools must also be balanced with the need to ensure the protection and preservation of agricultural lands and to protect rural communities from proliferation of commercial development and incompatible uses.

To support this effort, Clallam County has engaged in several public events and workshops to gather information, solicit public feedback, and ensure that the proposed development regulation would align with many needs for local agricultural producers.

Recommendation Summary

All proposed changes to the Clallam County Zoning Code regulations have been determined to be consistent with the established policies and meet the criteria as a Type B Amendment, CCC 33.35.015(2) (see Appendix A).

In addition to the general discussion about entrepreneurial diversification of agricultural operations, the Comprehensive Plan specifically indicates the County should allow for "...the permitting of compatible on-farm enterprises subject to applicable performance standards (CCC31.02.120(2))." Although the conditional use permit process remains a tool for more complex development proposals, developing clear, objective performance standards for *compatible* uses that are allowed outright would go a long way in assisting farms with additional tools for diversification consistent with their existing operations. Of course, determining what is compatible is a subjective question. Central in considering the answer to this question is 1) the need to ensure the long-term conservation of viable agricultural lands and farm operations, and 2) the protection of farm and rural lands from incompatible uses.

The following are the types of uses that are being considered as accessory to agricultural operations and a summation of what prescriptive performance standards would be applied.

- ***On-site processing of ag-related products.*** The processing of raw agricultural products into value-added products ready for market is a great way for local farmers to increase the value of their operation. However, such activities have the potential to introduce incompatible operational characteristics. The Clallam County Code currently allows home enterprises outright in rural areas, and home-based industries as a conditional use (both discussed earlier). The former allows limited manufacturing of raw agricultural products within lawfully established buildings without the need for a permit. The latter requires review and approval from the Hearing Examiner to evaluate potential impacts and set conditions for use and operations that are intended to address impacts. Rather than create additional performance standards related to on-site agricultural processing, it is recommended the definition of Agriculture be changed to include this type of use in a limited capacity.
- ***On-site retail.*** The Zoning Code allows for temporary on-site retail stands for the sale of agricultural goods as accessory to agricultural operations (permitted outright). One point of confusion has been that any building used for commercial purposes in which the public enters requires a commercial building permit (IBC 105.1). Another issue is the lack of appropriate limits on the scope of on-site retail operations or the need for adequate access, parking, signage, lighting, or other features commonly associated with retail use.

Through public engagement, a series of performance standards addressing the above concerns are being proposed. Generally, staff recommends that, when applicability, placement, and performance standards are met, that agricultural producers be allowed up to 1000 sq. ft. of onsite retail space through the issuance of a certificate of compliance.

- ***Farm tours.*** Farm tours are a great way to introduce the public to agricultural operations and provide education, as well as to diversify sources of revenue for the farm. Similar to retail, there needs to be standards for ensuring adequate

access, parking, signage, landscaping, lighting, or other features necessary to ensure the scope of the activity is commensurate with the scope of the farm.

- **Farm education events.** Similar to farm tours, farm education events and farm-related classes help to diversify farm operations and revenue. But reasonable limits should be considered to ensure such operations do not exceed on-site parking, interfere with ongoing agriculture, or introduce impacts to the rural community. Appropriate building permits must be obtained if any portion of the education event is to occur within an agricultural building.

Through public engagement, it was determined that farm tours be considered a type of educational event, or that an educational event may take the form of a farm tour. As such, a series of performance standards relevant to both were created addressing the concerns regarding impacts to rural characteristic/community. Generally, staff recommends that farm tours be treated as an accessory use allowed outright on all farms greater than 5 acres and through a certificate of compliance on any smaller farms.

- **U-pick.** The same concerns expressed for farm tours and farm education events exist for the uses of this section.

Similarly to the above section, staff recommends limited performance standards for the described use and allow the use outright on all farms greater than 5 acres.

- **Farm work-stays.** The Zoning Code allows for the creation of bed and breakfast inns (up to five units) in most rural residential zones, and as a conditional use in the Agricultural Retention Zone (AR). Consideration given to expanding farm work-stays as an agricultural accessory use has been done with great care to ensure the facility does not exceed the scope of the farm operation and does not otherwise interfere with farming activities or impact neighboring rural residential areas. It is strongly suggested that if such use is allowed as an accessory use, that the use be relatively constrained and clearly connected to the agricultural production taking place on site.
- **Farmers' Markets.** Farmers Markets can represent an easy way for an agricultural producer to access a retail market greater than what may be available to them through their own temporary farm stand, retail store, or green house. Farmers Markets also have real potential to create traffic & noise well beyond uses that would otherwise be allowed in rural or resource zones. As such, along with performance standards generally applicable to most agricultural accessory uses, specific standards for access and frequency have been proposed to limit Farmers' Markets to being accessed only from public roads and not taking place more than two times per week.
- **Other Farm Dependent Uses.** Staff understands that there may arise some proposals that do not align with any of the agricultural accessory uses for which prescriptive performance standards have been created, such as limits on frequency and limits on total numbers of other activities allowed. When no such prescriptive standards exist for a proposed use, but the proposal is directly related to, and dependent on the onsite agricultural activity, and when all other

general requirements can be met, it may be beneficial to have relatively restrictive standards by which staff can review the activity and apply performance standards.

Uses not addressed through this amendment.

- ***Wedding venues and other non-agricultural events.*** Wedding and similar event venues that rely on agriculture as a backdrop of the use, but that are not dependent on the agriculture occurring on the property are not currently identified in the use tables of the Clallam County Zoning Code. In accordance with CCC 33.05.010, such activities may be allowed through the issuance of a conditional use permit. It is suggested that this process is appropriate for the potential scope and complexities that weddings and other destination venues present. The opportunity to evaluate all aspects of the development to ensure no impacts on agricultural operations or the rural community is apparent, provides rationale for the requirement of the conditional use permit for such proposed uses.
- ***Festival participation.*** The Lavender Festival, Sequim Irrigation Festival, and other regional festival events are generally administered through the Special Events Ordinance, Chapter 15.02, CCC. No further controls are recommended for this section.
- ***Wineries, breweries, and distilleries.*** Like wedding venues above, as an unspecified use within the zoning code, these uses could be applied for through the conditional use permit process. Staff did not find sufficient evidence to believe the implementation of performance standards related to these uses could be completed through the Type B amendment process.

A Note on Applicability

Except for temporary farm stands, all agricultural accessory uses proposed through this chapter would have to take place on parcels meeting the following requirements:

1. Contain a minimum of one (1) acre of land utilized in the production of agricultural products.
2. Be located within a Rural or Resource zoning district in which Agricultural Activities are listed as an allowed use per the underlying zoning of the property.

The first applicability standard was designed to create a clear threshold of entry, that would be easily reviewed through site plans and GIS data, while not requiring participating agricultural producers to be enrolled in any programs or have to actively report any performance metrics.

The second was designed to reflect the fact that as a Type B amendment only those changes that align development regulations with existing comprehensive plan policies are allowed. There is specific language in the Clallam County Comprehensive land

directing staff to consider development regulations to allow for compatible on-farm enterprises in agricultural resource zones (CCC 31.02.120), and similar directives are made for rural zones. While agricultural production in our urban areas is valuable and should continue, no such direct policy language exists that would allow for this form of development regulation to be implemented through a Type B amendment. Also of note is that agriculture will still be allowed in all urban zones where it is currently listed as an allowed use, and no part of this proposed development regulation would prohibit an interested party from utilizing a temporary farm stand, home enterprise, or applying for a conditional use permit.

Staff Recommendation

Staff recommends the adoption of specific development regulations related to agricultural accessory uses as provided in the attached draft ordinance.

Appendix A

Existing Policies and Regulations for Agricultural Accessory Uses Clallam County Code and the Revised Code of Washington

Clallam County Comprehensive Plan, Title 31, CCC

CCC 31.01.200 Growth Management Goals

(8) *Natural Resource Industries.* Maintain and enhance natural resource-based industries, including productive timber, agricultural, mineral extraction, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands and discourage incompatible uses.

CCC 31.02.110 Resource Land Issues

A goal of the Growth Management Act of 1990 is to “Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries...[and] Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.” The Act requires local governments to classify and designate agricultural, forest and mineral resource lands and to adopt interim development regulations to assure their conservation. This chapter supports County-wide efforts to maintain, enhance, and to conserve resource lands, and to discourage incompatible uses adjacent to resource lands, particularly forest and mineral lands.

CCC 31.02.115 Agricultural Resource Land Inventory and Issues

(5)(b) *Agritourism.* Clallam County’s lavender industry is another example of the market niches farmers can identify and develop to make their farms profitable and sustainable. Our lavender farmers produce a wide array of value-added lavender products and have developed an agritourism industry to complement the sales of lavender products by selling the experience of visiting lavender farms and the region through festivals, farm tours, and other events. Other types of farming can also benefit by cultivating tourists on the farm such as U-pick berry farms and corn mazes that are popular with locals as well as tourists, farm stays in which visitors pay to work on farms, and farm educational events. Agritourism also benefits other local businesses such as lodging and food service, thus multiplying its economic impact.

(6) *Changes in Local Agricultural Industry.* For farming to survive and thrive in Clallam County, how we view agriculture and how we develop local land use policies and implement development regulations needs to be continuously evaluated and updated. In the past our county policies have been driven by a view of agriculture as largely a producer of farm commodities such as milk, beef cattle, barley, hay, potatoes, or apples. These commodities were either processed locally or shipped out of the County as raw commodities. Clallam County can no longer compete in most of these markets. For

farmers to succeed here they need to be innovative and entrepreneurial and to find markets that are not satisfied by the industrial agricultural and food industry. Products such as organic baby salad greens, gourmet lavender barbecue sauce, or farmstead gouda cheese are the high-value, niche products that many small farmers are turning to in order to make a profit.

This will require enhanced capacity to perform local processing and increased efforts to effectively brand and market Clallam County farm products. These and other new agricultural opportunities can continue and expand in the County if supported by local land use policies and regulations that allow farm entrepreneurs to explore and exploit these types of farming niches. There are a few large, commercial farms left in Clallam County that have adapted to changing economic conditions, but the future of agriculture in Clallam County will largely be determined by operators who produce high-value, unique products, and agricultural services on relatively small farms.

The need to redefine and broaden what we mean by the term “farm,” and in so doing develop policies and programs that support this new vision of agriculture, exists in many places, not just in Clallam County. The Washington State Legislature passed legislation in 2004, which was amended in 2006, that essentially redefined what agriculture is; including references to “agriculturally related experiences, or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities” (RCW 36.70A.177). The State of Washington now recognizes that the needs of many farmers are much broader than in the past, and that small, innovative, entrepreneurial farmers require the ability to sell everything from high-dollar, value-added products to farm experiences on agritourism-oriented farms.

CCC 31.02.120 Agricultural Resource Land Goals.

- (1) Clallam County shall work to promote a strong, economically viable and ecologically responsible agricultural economy.
- (2) Clallam County should provide incentives to encourage continued agriculture operations by providing property tax incentives, education and technical assistance, and the permitting of compatible on-farm enterprises subject to applicable performance standards.

CCC 31.03.220 Agricultural Land – Inventory and Analysis

(2) *Definition.* The Growth Management Act defines “agricultural land” as land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

The Growth Management Act defines “long-term commercial significance” to include the growing capacity, productivity, and soil composition of the land for sustained commercial

production, in consideration of the land's proximity to population areas, and the possibility of more intense uses of the land.

(3)(b)(ii) The raising of crops and livestock and associated agricultural activities shall be the principal land use within areas designated as agricultural. Agricultural land uses on the portion of a parcel set aside for agriculture would include, but not be limited to, a farm residence, farm buildings, and direct marketing farm stands, home enterprises and home-based industries. These uses shall not disrupt agricultural land use within the district.

Clallam County Zoning Code, Title 33, CCC

CCC 33.03.010 Definitions

(4) "Accessory use or improvement" means a use or improvement which is necessary for the full use and enjoyment of the main use of the property, is typically associated with the main use, and is subordinate to or incidental to the main use of a parcel and which includes the utilities necessary to serve the accessory use. Accessory uses and improvements are allowed in all zoning districts.

(7) "Agriculture" means improvements and activities associated with the raising and harvesting of crops and livestock. "Agriculture" includes ancillary activities, including equipment storage and repair, seasonal employee housing, and temporary on-site retail stands for the sale of agricultural goods.

CCC 33.05.010 Land Use Zones

Unclassified uses may be allowed through the issuance of a conditional use permit.

CCC 33.07.010 Agricultural Retention (AR)

The purpose of the Agricultural Retention zone is to maintain and enhance the agricultural resource industry of Clallam County through conservation of productive agricultural lands and discouragement of incompatible land uses within the agricultural retention zone.

(1) *Permitted Uses.* The following uses are permitted in an Agricultural Retention zone:

- Agricultural activities
- Home enterprises

(1) *Conditional Uses.* The following uses are in an Agricultural Retention zone subject to the procedures and requirements of Chapter 33.27, CCC:

- Bed and breakfast inn facilities which do not interfere with the agricultural use of the adjacent land.
- Home-based industries not interfering with agricultural use

(8) *Agricultural Land Reservation Conditional Uses*. The following conditional uses are permitted in an agricultural land reservation of a parcel in an Agricultural Retention zone pursuant to the procedures and requirements of Chapter [33.27](#) CCC:

- Home-based industry
- Outdoor-oriented recreation facilities designed to be compatible with the agricultural use of the land.

CCC 31.04.200 Agricultural Land – Inventory and Analysis

(3) *Resource Base*. The Port Angeles planning area contains no land which qualifies as agricultural resource land of long-term commercial significance. This finding is based on the fact that agricultural lands in this region are primarily utilized as pasture for animal raising and very few of these operations are commercially viable. The region does, however, contain several large farms which have significant impact on the rural character and aesthetics of the region. These properties should be targeted for transfer or purchase of development rights programs. The Port Angeles watershed characterization report identified eighty-five (85) farms exceeding twenty (20) acres in size covering nearly 2,000 acres. Policies should encourage the conservation of land put to productive use.

CCC 33.35.015 Type of Amendments

(2) Type B revisions to the development standards or other provisions of this title that do not require a change to the comprehensive plan, including the official comprehensive plan and zoning map, shall be considered a Type B amendment. Type B amendments include correcting errors, clarifying, or revising development standards, and adopting new development standards that are consistent with and implement the comprehensive plan. Type B amendments may be initiated at any time and only by the Board of Clallam County Commissioners, Clallam County Planning Commission, or the Administrator.

Revised Code of Washington

RCW 36.70A.030 Definitions

(6) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by *RCW [84.33.100](#) through [84.33.140](#), finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(23) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

RCW 36.70A.177 Agricultural lands—Innovative zoning techniques—Accessory uses.

(1) A county or a city may use a variety of innovative zoning techniques in areas designated as agricultural lands of long-term commercial significance under RCW [36.70A.170](#). The innovative zoning techniques should be designed to conserve agricultural lands and encourage the agricultural economy. Except as provided in subsection (3) of this section, a county or city should encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes.

(2) Innovative zoning techniques a county or city may consider include, but are not limited to:

(a) Agricultural zoning, which limits the density of development and restricts or prohibits nonfarm uses of agricultural land and may allow accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production, as provided in subsection (3) of this section;

(b) Cluster zoning, which allows new development on one portion of the land, leaving the remainder in agricultural or open space uses;

(c) Large lot zoning, which establishes as a minimum lot size the amount of land necessary to achieve a successful farming practice;

(d) Quarter/quarter zoning, which permits one residential dwelling on a one-acre minimum lot for each one-sixteenth of a section of land; and

(e) Sliding scale zoning, which allows the number of lots for single-family residential purposes with a minimum lot size of one acre to increase inversely as the size of the total acreage increases.

(3) Accessory uses allowed under subsection (2)(a) of this section shall comply with the following:

(a) Accessory uses shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the property and neighboring properties, and shall comply with the requirements of this chapter;

(b) Accessory uses may include:

(i) Agricultural accessory uses and activities, including but not limited to the storage, distribution, and marketing of regional agricultural products from one or more producers, agriculturally related experiences, or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities; and

(ii) Nonagricultural accessory uses and activities as long as they are consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site. Nonagricultural accessory uses and activities, including new buildings, parking, or supportive uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural land to nonagricultural uses; and

(c) Counties and cities have the authority to limit or exclude accessory uses otherwise authorized in this subsection (3) in areas designated as agricultural lands of long-term commercial significance.

(4) This section shall not be interpreted to limit agricultural production on designated agricultural lands.

Ordinance _____

An ordinance creating a chapter 33.48, of the Clallam County Code,
titled Agricultural Accessory Uses

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Amending 33.03.010 (7) Agriculture Definition Only:

Section 33.03.010, Definitions, is amended to read as follows:

(7) "Agriculture" means improvements and activities associated with the raising, ~~and harvesting,~~
~~and necessary processing~~ of crops and livestock. "Agriculture" includes ancillary activities, including,
~~but not limited to,~~ equipment storage and repair, seasonal employee housing, and temporary on-site
retail stands for the sale of agricultural goods.

And

Section 33.48.010, Definitions, is created to read as follows:

(1) "Agricultural Accessory Use" means a use that directly supports, promotes and is subordinate
to a permitted primary agricultural use or agricultural activity on a farm.

(2) "Agricultural Work" means tasks related to farming, cultivation, and production of
agricultural products. These tasks include, but are not limited to, manual labor assisting with crop
production, harvesting, sorting, and animal care and husbandry.

(3) "Other Farm Dependent Accessory Activities" means those accessory activities, not
elsewhere defined in this chapter, that directly relate to or are dependent on the operations of a farm.
These activities may provide an engaging and entertaining experience for participants and may
include, but are not limited to, corn mazes and other such maze structures, tractor rides, and/or
agricultural demonstrations and do not include wedding venues.

(4) "Farm Tours" mean a tour of an agricultural operation, or other farm related educational
events, allowing members of the public to observe or learn about agricultural operations onsite.

(5) "Farmers' Markets" mean a venue located on a farm, which is used by multiple agricultural
producers, for the sale of agricultural products grown, produced, or processed primarily in Clallam
County or Jefferson County.

(6) "Onsite Commercial Greenhouses or Nurseries" means a structure (greenhouse), and or
nursery operation, located on a farm, devoted to the cultivation of plants or other grown agricultural
products.

(7) "Onsite Retail Stores" means a retail establishment, located on a farm, primarily engaged in
the sale of agricultural products produced onsite directly to consumers.

(8) "Temporary Onsite Retail Stands" mean a temporary or permanent structure, not internally
accessible to the public, located on a farm, where agricultural products produced onsite and related
items are sold directly to consumers.

(9) "U-picks" means an agricultural enterprise where consumers visit a farm to harvest, or pick,
produce and other agricultural products directly from the fields or orchards.

(10) "Work Stays" means paid accommodation on a working farm where guests partake in
agricultural work.

Section 33.48.020, Purpose and intent, is created to read as follows:

Clallam County recognizes the benefits that agricultural accessory uses can have on meeting community goals. The purpose and intent of this chapter is to:

- (1) Ensure that agricultural accessory uses remain clearly subordinate to ongoing agricultural activities on a parcel or parcels.
- (2) Protect rural and neighborhood character in areas where commercial activities are otherwise not allowed.
- (3) Accommodate unique and creative accessory uses that are harmonious with and support onsite agricultural activities.
- (4) Support a diversity of revenue streams for agricultural producers to strengthen the economic viability of agricultural operations.
- (5) Provide specific prescriptive standards for a wide range of agricultural accessory uses in Clallam County.
- (6) Encourage the continuation of agricultural lands for long-term agricultural use.

Section 33.48.030, Applicability, is created to read as follows:

To be eligible for the accessory agricultural uses specified in this Chapter, a farm on which such uses are conducted must meet all of the following:

1. Contain a minimum of one (1) acre of land utilized in the production of agricultural products.
2. Is located within a Rural or Resource zoning district in which Agricultural Activities are listed as an allowed use per the underlying zoning of the property.

A Temporary Farm Stand is not restricted by the conditions stated in Subsections 1 & 2 above and are considered to be an allowed accessory use of any agricultural operation in which Agricultural Activities are permitted by the underlying zone, including Rural, Resource and Urban zoning districts.

Any use authorized by this Chapter will also require compliance with the Shoreline Master Program, stormwater management program, development regulations, Critical Areas Code, and any other federal and/or state requirements. Agricultural accessory uses which conform to the standards in this Chapter and all other applicable standards shall not be considered an intrusion of commercial activity within rural residential, or resources zones. The standards of this Chapter, as applicable, supersede the use standards of the underlying zone.

For the purposes of this Chapter, contiguous parcels under shared ownership will be reviewed as one farm when determining the appropriate level of review and other area related requirements for the proposed agricultural accessory use.

No part of this chapter will be interpreted to exempt uses or structures from the requirements of the adopted building codes and/or other applicable development regulations. Contact the Department of Community Development for all related permit requirements.

Section 33.48.040, Agricultural Accessory Uses, is created to read as follows:

An accessory use to agriculture may include, but may not be limited to, the following:

- (1) Temporary onsite retail stands
- (2) Onsite agricultural retail stores
- (3) Onsite commercial greenhouse or nursery
- (4) Farmers' Markets

- (5) U-pick sales to the public
- (6) Tours of the agricultural operations
- (7) Work stays
- (8) Other farm dependent accessory activities

Section 33.48.050, General requirements, is created to read as follows:

The requirements listed below apply to all agricultural accessory uses:

(1) *Relationship to Onsite Agricultural Production.* Any proposed agricultural accessory use must be related to and dependent on the agricultural activity taking place on site and remain subordinate to the scale of the agricultural activity on site.

(2) *Review Procedure.* Agricultural Accessory Uses will be reviewed on a site-by-site basis utilizing the standards specific to each agricultural accessory use found in this chapter. When no specific standards are found for a proposed agricultural accessory use, the Administrator may provide a Code Interpretation on the use in question pursuant to CCC 26.10.555, and must ensure the agricultural accessory use remains clearly incidental and subordinate to the agricultural activity on the parcel and protect the rural and neighborhood character of the surrounding area.

(3) *Access.* Safe vehicular access and customer parking must be provided on site, such that vehicles are not required to back onto roads. Temporary and permanent structures and parking must be located outside of public rights-of-way, meet setbacks for the zoning area, and should be located where impacts to adjacent residential uses are minimized.

(4) *Placement.* All Agricultural Accessory Uses, including new buildings, parking, or supportive uses, should be located inside the general area already developed for buildings and residential uses and must not otherwise convert more than 25% of land to accessory uses.

(5) *Signs.* All signage must be compliant with CCC 33.57.

(6) *Landscaping.* A visual buffer consistent with CCC 33.53, is required along all sides of a permanent parking area within 30 linear feet of a front, side, or rear property boundary. Natural vegetation may be allowed in lieu of a visual buffer provided existing vegetation is sufficient to break up the visual impact of the parking area from neighboring properties or road frontages.

(7) *Lighting.* All lighting associated with agricultural accessory uses must be directed downward and shielded to prevent glare and light encroachment onto neighboring properties and roads. All uses requiring a certificate of compliance or conditional use permit per CCC 33.48.060 must be required to submit a lighting plan for review and approval.

(8) *Noise* Agricultural Accessory Uses must be compliant with CCC 15.30

Section 33.48.060, Use Review Table, is created to read as follows:

Agricultural Accessory Use Review Chart					
	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Temporary onsite retail stand	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright
Onsite retail store	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Onsite greenhouses	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Farmers Market	Conditional Use Permit	Conditional Use Permit	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
U-Pick	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright
Farm Tours	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright
Work Stays	Prohibited	Prohibited	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Other Farm Dependent Acc. Activities	Conditional Use Permit	Conditional Use Permit	Conditional use permit	Certificate of Compliance	Certificate of Compliance

Section 33.48.070, Additional standards for temporary onsite retail stands, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, temporary onsite retail stands are subject to the following requirements:

Temporary Onsite Retail Stands

Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Structure*: Temporary Onsite Retail Stands must be no larger than 400 sq. ft. and must not be made internally accessible to the public.

b. *Product*: 75% of all products retailed at a Temporary Onsite Retail Stand must be agricultural products produced in Clallam and/or Jefferson County.

c. Temporary onsite retail stands are allowed in all zones that identify agricultural uses as allowed outright and is not otherwise restricted by the applicability provisions contained in this Chapter.

Section 33.48.080, Additional standards for onsite retail stores, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, onsite retail stores are subject to the following requirements:

Onsite Retail Stores

Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance

(1) Additional Performance Standards

a. *Structure*: Farms are limited to one Onsite Retail Store and must have no more than 1000 sq. ft. of publicly accessible space. This maximum may be exceeded with the issuance of a conditional use permit when all other standards are met.

b. The owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the adopted building code.

c. *Product*: 75% of all products retailed at an Onsite Retail Store must be agricultural products produced in Clallam and/or Jefferson County.

d. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required conforming to applicable parking standards.

e. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Service Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

f. *Hours of Operation:* Operation must be limited to between sunrise and 10 PM.

g. *Length of Operation:* Onsite Retail Stores may only be operated between the months of May and October unless otherwise approved by a certificate of compliance or conditional use permit.

Section 33.48.090, Additional standards for onsite commercial greenhouse, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, onsite commercial greenhouses are subject to the following requirements:

Onsite Commercial Greenhouse

		Size of Parcel				
		Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Certificate of	Certificate of	Certificate of	Certificate of	Certificate of	Allowed
	Compliance	Compliance	Compliance	Compliance	Compliance	Outright

(1) Additional Performance Standards

a. *Structure:* For greenhouses allowing public entry, the owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the adopted building code.

b. *Product:* 90% of products retailed from a greenhouse must be agricultural products, of which 75% must be produced onsite..

c. *Parking:* The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

d. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

e. *Hours of Operation:* Operation must be limited to between sunrise and 10 PM.

f. *Length of Operation:* The retail operation of an onsite commercial greenhouse or nursery may only be operated between the months of May and October unless otherwise approved by certificate of compliance or a conditional use permit.

Section 33.48.100, Additional standards for farmers' markets, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, Farmers' markets are subject to the following standards:

Farmers' Markets

Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Conditional Use Permit	Conditional Use Permit	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance

(1) Additional Performance Standards

(a) *Structure*: When a permanent structure is utilized, the owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the adopted building code.

(b) *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

(c) *Frequency*: No more than 2 farmers' market events may be hosted per week.

(d) *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

(e) *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

(f) *Access*: Farmers' Markets must be accessed from a public road capable of supporting traffic generated from the use.

Section 33.48.110, Additional standards for U-picks, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, U-picks are subject to the following requirements:

U-Pick

Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

b. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

c. *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

Section 33.48.120, Additional standards for farm tours, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, farm tours are subject to the following requirements:

Farm Tours					
Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Educational Exemption*: Educational tours or events hosted in partnership with the WSU Extension Office, Clallam County 4H club, or accredited educational institutes are considered allowed outright for the purposes of performance standards related to this section but must conform with all applicable performance standards.

b. *Size of Groups*: All groups and individuals involved in a farm tour must be guided by a designated farm representative or be contained within areas with clearly delineated boundary lines.

c. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for all farm tour participants. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

d. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

e. *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

Section 33.48.130, Additional standards for work stays, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, farm stays are subject to the following requirements:

Work Stays					
Level of Review	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Prohibited	Prohibited	Certificate of Compliance	Certificate of Compliance	Allowed Outright

(1) Additional Performance Standards

a. *Structures*: Permanent structures, park models, recreational vehicles, and/or semi-permanent tents are not allowed for use as work stays. Work stays must be limited to temporary tents and tents must not be provided by the farm operator.

b. *Limitations*: Work Stays must be limited to individuals or groups where at least one individual is performing agricultural work onsite. Farm Stays must be limited to no longer than two weeks and a group must be no larger than 6 individuals.

c. *Number of Sites*: Farm stays must be limited to no more than 3 sites per 5 acres with no more than a maximum of 12 sites. This maximum may be exceeded through the issuance of a Conditional Use Permit when all other standards are met.

d. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

e. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

f. *Fire Safety*: When applicable, recreational fires must be contained within a designated and approved fire ring or other similar containment device.

g. *Required Notice*: The owner is responsible to provide written notice to of:

(a) County sound and noise regulations pursuant to CCC 15.30, Public Disturbance.

(b) Rules of conduct, local laws, burn bans, and responsibility not to trespass on private property or to create disturbances (e.g., noise). If there is an easement that provides legal access to off-site areas such as beach access, this shall be indicated on a map and the easement must be clearly marked.

(c) Emergency numbers and the name and number of a local contact person(s) for the work stay operator.

Section 33.48.140, Additional standards for other farm-related accessory activities, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, these activities are subject to the following requirements:

Other Farm Dependent Accessory Activities

		Size of Parcel				
		Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Conditional Use	Conditional Use	Conditional Use	Conditional Use	Certificate of	Certificate of
	Permit	Permit	Permit	Permit	Compliance	Compliance

(1) Additional Performance Standards

a. *Frequency*. No more than 21 days of activities or events are to be undertaken under this use within a calendar year when those activities have the potential to generate noise, traffic, or other nuisances above uses otherwise allowed in this chapter. This number may be increased through the issuance of a conditional use permit when all other standards are met.

b. *Parking.* The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

c. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

d. *Limited number of other activities:* No more than three other activities may be allowed through this section without the issuance of a conditional use permit.

Section 33.48.150, 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

State Environmental Policy Act (SEPA) WAC 197-11
DETERMINATION OF NON-SIGNIFICANCE (DNS)

Applicant: Clallam County
Department of Community Development
223 East 4th Street, Suite 5
Port Angeles, WA 98362-3000

Representative: Clallam County
Department of Community Development
Holden A. Fleming, Chief Deputy Director
223 East 4th Street, Suite 5
Port Angeles, WA 98362-3000

Project Number: Development Regulation Adoption (Agricultural Accessory Uses)

Proposed Amendment to Clallam County Zoning Ordinance: The proposed action is to create prescriptive standards to enable the following types of agricultural accessory activities to take place within the rural and resource zones of Clallam County when and where permitted agricultural activities are taking place.

- (1) Temporary onsite retail stands
- (2) Onsite agricultural retail stores
- (3) Onsite commercial greenhouse or nursery
- (4) Farmers' Markets
- (5) U-pick sales to the public
- (6) Tours of the agricultural operations.
- (7) Work stays
- (8) Other farm dependent accessory activities

Location of proposal: Clallam County

Lead Agency: Clallam County is the lead agency for this non-project proposal and has determined that this proposal is not categorically exempt from SEPA. Clallam County, as the lead agency has also determined that the non-project proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the office of the Responsible Official as listed herein.

This Determination of Non-Significance (DNS) is issued under WAC 197-11-355. Comments must be submitted by May 3, 2024.

Staff Contact: Holden A. Fleming, Chief Deputy Director, (360) 565-2616

Responsible Official: Bruce Emery, Director
Department of Community Development
223 E. 4th Street, Suite 5, Port Angeles, WA 98362

Issuance Date: April 19, 2024

Signature:


Bruce Emery, Director
Clallam County Department of
Community Development

This may be the only opportunity to comment on the environmental impacts of the proposal. Unless the Responsible Official withdraws the threshold determination pursuant to WAC 197-11-340(3) (a), the threshold determination shall be final at the end of the comment period. Agencies and interested parties will be notified if the threshold determination is withdrawn. Within 14 days of the Clallam County Board of Commissioners decision on the underlying Comprehensive Plan Amendment/Rezone, the permit decision and the final threshold determination may be appealed to the Superior Court. Contact the Planning Division for SEPA appeal procedures.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

COUNTY RESPONSES IN BLUE.

A. Background

1. Name of proposed project, if applicable: Clallam County Adoption of Prescriptive Standards for Agricultural Accessory Uses in Rural & Resource Zones.
2. Name of applicant: Clallam County Department of Community Development (DCD)
3. Address and phone number of applicant and contact person:
Clallam County DCD
223 E. 4th Street, Suite 5
Port Angeles, WA 98368
(360) 565-2616
Greg Ballard, Project Planner
4. Date checklist prepared: April 17, 2024
5. Agency requesting checklist: Clallam County DCD is the lead agency for this proposal.
6. Proposed timing or schedule (including phasing, if applicable): This proposal has been scheduled for a Public Hearing before the Planning Commission (PC) on May 15, 2024. The PC will make a recommendation to the Clallam County Board of County Commissioners (BOCC). The BOCC will hold an open public hearing prior to its adoption of the proposed amendments to Development Regulations pertaining to agricultural accessory uses.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Any future updates would take place after the required periodic update of Clallam County's Comprehensive Plan scheduled to be completed prior to December 2025.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
 - a. Final Environmental Impact Statement (FEIS) for the adoption of the Clallam County Comprehensive Plan and Regional Comprehensive Plans.
 - b. Consolidate Development Permit Process (Title 26.10) Adopted by Ordinance 632 and amendments.
 - c. Zoning Ordinance (Title 33) adopted by Ordinance 581 on December 19, 1995 and amendments.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No
10. List any government approvals or permits that will be needed for your proposal, if known. Proposed amendments to the Development Regulations will be filed with the WA State Department of Commerce as a part of the 60 Day Notice To Commerce.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This is a Non-Project Action for modifying Development Regulations pertaining to accessory activities associated with permitted agricultural activities in rural & resource zones in Clallam County.

This Non-Project Action specifically seeks to create prescriptive standards for the following agricultural accessory uses.:

(1) Temporary onsite retail stands

(2) Onsite agricultural retail stores

(3) Onsite commercial greenhouse or nursery

(4) Farmers' Markets

(5) U-pick sales to the public

(6) Tours of the agricultural operations.

(7) Work stays

(8) Other farm dependent accessory activities

A copy of the proposed modifications are attached.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. This proposal would apply throughout Clallam County in all rural and resource zones.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site: This Non-Project Action would apply to all terrains and soil types in rural and resource zones where agricultural activities are permitted.

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other All

- b. What is the steepest slope on the site (approximate percent slope)? 0 to 100%
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. All Soil Types
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. N/A to non-project action
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. N/A to non-project action
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Erosion could occur from activities regulated under this proposed amendment to the Development Regulations. The County's Critical Areas Ordinance (Ch. 27.12 CCC) would be in effect anywhere the site contains critical areas.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? N/A to non-project action
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: N/A to Non-Project Action.

2. Air

- i. a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known: N/A to non-project action
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Emission are from land uses in the county, cities, & tribes. This should not affect agricultural accessory uses regulated under this proposal.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: N/A to non-project action

3. Water

- a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yes there are AHCA & Wetlands located throughout the county that could be located within 200 feet of existing agricultural activities and by extension the accessory activities that would be regulated through this amendment.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. Yes however no specifics are available for this non-project action.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected.
Indicate the source of fill material. N/A to this non-project action.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Yes some lands associated with agricultural activities are located within the 100 year floodplain.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. N/A to non-project action.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. There is potential for sewage to be generated from the activities regulated through this amendment. Any sewage generated would be addressed utilizing existing county permits & policies.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. N/A to non-project action.

2) Could waste materials enter ground or surface waters? If so, generally describe. N/A to non-project action.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. N/A to non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: N/A to non-project action.

4. Plants

a. Check the types of vegetation found on the site: All types for this non-project action.

☐ deciduous tree: alder, maple, aspen, other

☐ evergreen tree: fir, cedar, pine, other

☐ shrubs

☐ grass

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered? All vegetation type could be altered or removed by agricultural accessory activities.

c. List threatened and endangered species known to be on or near the site. There may be all ESA listed plants that exist in Clallam County located within this non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: There are landscaping requirements associated with this amendment which would require naturally vegetated buffers, in line with existing county policies, in certain circumstances.

e. List all noxious weeds and invasive species known to be on or near the site. There may be all noxious weed and invasive species located in Clallam County within this non-project action.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. There may be all animals that exist in Clallam County located within this non-project action.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. There may be all ESA listed wildlife (i.e. animals, fish, birds, reptiles, amphibians, etc.) that exist in Clallam County located within this non-project action.

c. Is the site part of a migration route? If so, explain. Rural & resource Zones in Clallam County may be located in a migration route.

d. Proposed measures to preserve or enhance wildlife, if any: N/A to non-project action.

e. List any invasive animal species known to be on or near the site. There may be all invasive animal species located within Clallam County in this non-project action.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. All energy types may be utilized for agricultural accessory uses regulated by this proposed amendment.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. This proposal would not impact solar energy being used on adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: N/A for this non-project action.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. N/A to non-project action.

1) Describe any known or possible contamination at the site from present or past uses. N/A for this non-project action.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas

transmission pipelines located within the project area and in the vicinity. N/A for this non-project action.

Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. N/A to non-project action.

- 3) Describe special emergency services that might be required. N/A for this non-project action.

Proposed measures to reduce or control environmental health hazards, if any: N/A to non-project action.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? All noises associated with permitted and conditional permitted activities in rural & resource zones in Clallam County

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site. Noise generated from this amendment would be consistent with noises generated by small crowds and or vehicle traffic generated by the proposed agricultural accessory uses.

- 3) Proposed measures to reduce or control noise impacts, if any: Prescriptive standards have been developed to limit hours of operation and or locations of accessory activities. To reduce or limit noise impacts to those associated with the underlying allowed use.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. This proposal is limited to resource and rural zones where existing agricultural activities are taking place. This proposal should not impact the adjacent land use more than existing conditions. All agricultural accessory activities will be required to meet prescriptive standards specific to the type of use being proposed.
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? This proposal is reliant on existing and ongoing agricultural activities and will help to limit the conversion of farmland or resource lands to other incompatible uses.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: See above & N/A for this non-project action.
- c. Describe any structures on the site. N/A for this non-project action.
- d. Will any structures be demolished? If so, what? N/A for this non-project action.
- e. What is the current zoning classification of the site? Rural & Resource Zones.
- f. What is the current comprehensive plan designation of the site? Agricultural accessory activities may occur within any comprehensive plan designation in Clallam County. New MRL and MRL0D are not permitted within UGA.
- g. If applicable, what is the current shoreline master program designation of the site? Agricultural accessory activities would be subject to the Clallam County Shoreline Master Program in effect when the activity is proposed.
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Many areas within Clallam County have been designated as critical areas. Said critical areas are regulated through CCC 27.12. Any agricultural accessory activity would be required to meet the requirements of CCC 27.12.
- i. Approximately how many people would reside or work in the completed project? N/A to this non-project action.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: N/A to this non-project action.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: As a "type B" amendment, this project is intended to align development regulations with the comprehensive plan.
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: See Section 8(b) above.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. N/A to this non-project action.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. N/A to this non-project action.

c. Proposed measures to reduce or control housing impacts, if any: N/A to this non-project action.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? N/A to this non-project action.

b. What views in the immediate vicinity would be altered or obstructed? N/A to this non-project action.

Proposed measures to reduce or control aesthetic impacts, if any: The proposed development regulations have limited landscaping requirements.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? As an accessory use, any light or glare produced would be associated with the primary agricultural use on the property.

b. Could light or glare from the finished project be a safety hazard or interfere with views? N/A to this non-project action.

c. What existing off-site sources of light or glare may affect your proposal? Light and glare from the adjacent variety of land uses found in rural and resource zones.

d. Proposed measures to reduce or control light and glare impacts, if any: The proposed development regulations incorporate hours of operation requirements that would reduce or help control any light or glare being produced. Existing County regulations related to light and glare would also apply.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? All designated and informal recreation opportunities may exist within rural and resource zones in Clallam County.

b. Would the proposed project displace any existing recreational uses? If so, describe. This non-project action should not displace any existing recreation uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: N/A to this non-project action.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. There may be historic structures or sites located within the rural and resource zones of Clallam County.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. There are likely landmarks, features, or other evidence of Indian or historic use or occupation found in the rural and resource zones of Clallam County. This non-project action should not impact historic and cultural preservation.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. This non-project action should not increase the impacts cultural and historic resources over the existing regulations.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. See Above

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. There are highways, county, and private roads located within the rural and resource zones of Clallam County. As a development regulation limited in applicability to a specific type of accessory use, this non-project action should not change how existing transportation system are utilized.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? N/A to this non-project action.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? N/A for this non-project action.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). This non-project action should not require any new or improvements to the existing transportation system.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. This non-project action should not require any new or improvements to the existing transportation system.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? N/A for this non-project action.
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. This non-project action should not impact the movement of resources uses, which include mineral resources, agricultural, or forestry products.
- h. Proposed measures to reduce or control transportation impacts, if any: As a development regulation targeting accessory use, transportation impacts would be limited primarily by the underlying allowed agricultural use of the zone.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. This non-project action should not result in a need for increased public services.
- b. Proposed measures to reduce or control direct impacts on public services, if any. None required for this non-project action.

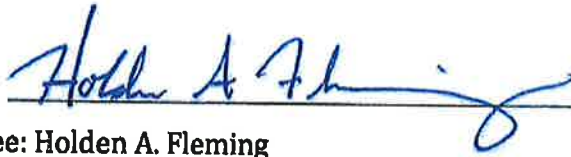
16. Utilities

- a. Circle utilities currently available at the site: All of these utilities may be available for this non-project action that applies throughout Clallam County within rural & resource zones.
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. Not applicable to this non-project action.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

A handwritten signature in blue ink, reading "Holden A. Fleming", written over a horizontal line.

Name of signee: Holden A. Fleming

Position and Agency/Organization Clallam County Chief Deputy Director, DCD

Date Submitted: 4/17/2024

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or faster rate than if the proposal was not implemented. Respond briefly and in general terms. The questions on this attachment have been summarized as "topics of concern" for purposes of the chart found below.

Topic of concern	County response
Discharges to Water	See §B.3 above at pages
Emissions to Air	See §B.2 above at page
Production, storage or release of toxic or hazardous substances	See §B.7 above at pages
Noise	See §B.7b above
Plants	See §B.4 above
Animals	See §B.5 above
Fish or marine life	See response to "Animals" immediately above.
Impact, if any, on protecting or conserving energy or natural resources	This non-project action is not intended to conserve/protect energy resources.
Impacts to environmentally sensitive areas such as parks, wilderness	See all of Section B.
Impacts to existing land use and shoreline use patterns	See §B.8 above
Demands on transportation	See §B.14 above

infrastructure	
Possible conflicts with federal, state and local rules enacted for the protection of the environment	See all of Section B.

END OF DOCUMENT

Fleming, Holden

From: rick@lavenderconnection.com
Sent: Monday, May 6, 2024 2:36 AM
To: Emery, Bruce
Cc: Fleming, Holden
Subject: RE: Draft Ordinance & Support Document
Attachments: Agricultural Accessory Uses 33.48 (Draft Ordinance)-Letter 240505.pdf; Agricultural Accessory Uses 33.48 (Draft Ordinance)-Comments.pdf

Bruce and Holden,

I want to thank you both for keeping me informed on the updates on this important topic. You both have been positive about the total process in working towards a solution to the zoning issues that have complicated the farming businesses in the county. It is complicated and has many complex issues where not everyone in the county will get exactly what they may want in this years update to the code. My input is to try to point out specific wording issues in the text of the ordinance that I believe conflicts with what I understood the consensus was at the last meeting with suggested revisions to help clarify these issues.

I have attached a PDF of a letter to you that I have completed with comments on the current Draft Ordinance Chapter 33.48 Agricultural Accessory Uses. I hope that you and Holden will be able to review and use the thoughts in this letter in preparation of the final packet for the Public Hearing and Planning Commission meeting Wednesday May 15th. I am not sure if you are able to make changes to the draft ordinance prior to it being presented to the public hearing since some of these recommended changes may be just oversights on what was agreed to during the previous meeting. These comments reflect on the revisions that have been made in the current draft, but may repeat some of my earlier comments where those appear applicable to the current draft. Please accept my thoughts for your consideration in presentations to the Planning Commission.

It is my plan to be present at the public hearing meeting. If these thoughts are not reflected in an updated draft, I will probably use the public comment period to support the need for their inclusion in the final ordinance. If you have specific reasons why these issues were not addressed in the current draft, your discussing this by phone would be helpful prior to the public hearing. If either of you have any questions, please do not hesitate to shoot me an email or better yet give me a call.

Respectfully Submitted

Rick Olson

The Lavender Connection LLC
1141 Cays Road,
Sequim WA 98382
(206) 715-5535
www.lavenderconnection.com

May 5, 2024

Bruce Emery, Director
Department of Community Development
223 E 4th Street, Suite 5
Port Angeles, WA 98362

Re: Chapter 33.48 Agricultural Accessory Uses Draft Ordinance

I have reviewed the Discussion Paper and I have completed a review of the Draft Ordinance of the above referenced proposed Chapter of the Clallam County Zoning Code as made available May 3, 2024 in preparation for the Public Hearing scheduled for the Planning Commission Meeting May 15, 2024.

Below I have outlined comments on both the Discussion Paper and the Draft Ordinance with recommended revisions. The comments on the Draft Ordinance are also made in blue notes and the recommended revisions made in red notes directly on the attached PDF of the Draft Ordinance.

Discussion Paper Comments:

In the discussion of the types of uses of agricultural accessory uses on pages 4 & 5, there should be a discussion of the Commercial Greenhouses and Nurseries. This should provide discussion about commercial greenhouses and nurseries which can be either wholesale or retail with retail requiring more additional requirements than wholesale.

Draft Ordinance Comments:

General Comments

1) Building Code Reference:

I again ask why the continued reference to the International Building Codes? Those codes are not directly controlling anything in Washington State. They are only enforced to the extent they are adopted by reference and with modifications by Washington State. I recommend a more appropriate reference to the "State Building Codes" as codified and referenced by Chapter 19.27 RCW be utilized throughout this Zoning Code revision that does not create a potential conflict in code requirements.

2) Table Column Titles:

The second column in all of the tables for Section 33.48.070 through 33.48.140 should match the title shown in Section 33.48.060 "Less than 3 Acres".

SPECIFIC CODE WORDING ISSUES:

The following discusses the proposed draft Chapter 33.48 in order of each Section as follows:

33.XX.010 Definitions.

(4) "Farm Tours" - Add the wording "or other farm related educational events" after "tour of an agricultural operation". This is necessary to reflect the intent of the section to cover tours and educational events both similarly as extensively discussed in the Discussion Paper. It is also necessary to clarify that all educational type activities such as private agricultural related operations, classes and instruction on are included in the term Farm Tours, not just those with the exemption outlined in Section 33.48.120.

(6) "Onsite Commercial Greenhouses" This title should be revised to add at the end "an Nurseries". This is as the term is used in the Discussion Paper and necessary to be consistent with the use of this term later in the ordinance in several places. This total definition needs to be revised to include the nursery use and to exclude any reference to the retail sale, or access to the public or sales directly to the public as these elements are not part of non-retail (wholesale) greenhouses and nurseries. The description of retail or direct sales to customers and accessibility to the public should be left to the code section that describes the specific requirements where the public is allowed access. This makes the definition generic to all commercial operations, not just the public accessible retail greenhouse. The following is a recommended revision of that definition:

(6) "Onsite Commercial Greenhouse or Nursery" means a structure (greenhouse) and/or a nursery operation located on a farm, devoted to the cultivation of plants or other grown agricultural products.

33.48.030 Applicability.

In the first line of this section, change the existing phrase "...a parcel on which such uses are conducted..." to read "...a farm on which such uses are conducted..."

In the fourth paragraph of this section starting "For the Purposes of this Chapter, contiguous parcels..." discusses using contiguous parcels for review as "one farm when **determining the appropriate level of review** for the proposed agricultural accessory use". Adding "*and other area related requirements*" after the word "review" is necessary in order to make the statement consistent with the discussions during the previous public meetings that the total farm area would be used when deciding when a farm store would be allowed on a small parcel associated with a larger farm parcel operation.

Section 33.48.090, Additional standards for onsite commercial greenhouse.

At the end of the title after "greenhouse" add "*and/or nursery*".

Under Paragraph (1)a. Structure: In the first line remove the words "with products grown on site and". This is because the issue of growing products on site is addressed in subsection (1)b. and has nothing to do with whether or not a building permit is required for the structure.

Under paragraph (1)b. Product: The requirement that 100% of products retailed must be agricultural products is overly restrictive in that many times a related product such as a hanging basket or pot to place a plant in could logically be offered for the benefit of the customer buying a plant grown on the site. It is suggested that the requirement be set at 90%. Also requiring all agricultural products be produced onsite is overly restrictive and, it is suggested that 75% produced on site would be more appropriate allowing some varieties that are grown offsite from the Clallam and Jefferson Counties similar to the requirements for retail stores.

Respectfully Submitted
Richard Olson
Lavender Connection
1141 Cays Rd.
Sequim WA 98382

(See Attached Draft Ordinance with Comments)

Ordinance _____

An ordinance creating a chapter 33.48, of the Clallam County Code,
titled Agricultural Accessory Uses

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 33.48.010, Definitions, is created to read as follows:

(1) "Agricultural Accessory Use" means a use that directly supports, promotes and is subordinate to a permitted primary agricultural use or agricultural activity on a farm.

(2) "Agricultural Work" means tasks related to farming, cultivation, and production of agricultural products. These tasks include, but are not limited to, manual labor assisting with crop production, harvesting, sorting, and animal care and husbandry.

(3) "Other Farm Dependent Accessory Activities" means those accessory activities, not elsewhere defined in this chapter, that directly relate to or are dependent on the operations of a farm. These activities may provide an engaging and entertaining experience for participants and may include, but are not limited to, corn mazes and other such maze structures, tractor rides, and/or agricultural demonstrations and do not include wedding venues.

(4) "Farm Tours" mean a tour of an agricultural operation ~~allowing~~ ^{or other farm related educational events} members of the public to observe or learn about agricultural operations onsite.

(5) "Farmers' Markets" mean a venue located on a farm, which is used by multiple agricultural producers, for the sale of agricultural products grown, produced, or processed primarily in Clallam County or Jefferson County.

(6) "Onsite Commercial Greenhouses" ^{or Nurseries} means a structure (greenhouse) ^{and/or a nursery operation} located on a farm, ~~accessible to the public and devoted to the cultivation and retail of plants or other grown agricultural products, directly to consumers.~~ ^{This does not include wholesale greenhouses that do not allow access to the public (and therefore no building permit) nor does it mention nurseries.}

(7) "Onsite Retail Stores" means a retail establishment, located on a farm, primarily engaged in the sale of agricultural products produced onsite directly to consumers.

(8) "Temporary Onsite Retail Stands" mean a temporary or permanent structure, not internally accessible to the public, located on a farm, where agricultural products produced onsite and related items are sold directly to consumers.

(9) "U-picks" means an agricultural enterprise where consumers visit a farm to harvest, or pick, produce and other agricultural products directly from the fields or orchards.

(10) "Work Stays" means paid accommodation on a working farm where guests partake in agricultural work.

Section 33.48.020, Purpose and intent, is created to read as follows:

Clallam County recognizes the benefits that agricultural accessory uses can have on meeting community goals. The purpose and intent of this chapter is to:

(1) Ensure that agricultural accessory uses remain clearly subordinate to ongoing agricultural activities on a parcel or parcels.

(2) Protect rural and neighborhood character in areas where commercial activities are otherwise not allowed.

(3) Accommodate unique and creative accessory uses that are harmonious with and support onsite agricultural activities.

(6) needs to be completely rewritten to include both wholesale and retail greenhouses and nurseries (growing plants in pots both inside and outside greenhouses).

Do not restrict to only retail greenhouses.

(4) Support a diversity of revenue streams for agricultural producers to strengthen the economic viability of agricultural operations.

(5) Provide specific prescriptive standards for a wide range of agricultural accessory uses in Clallam County.

(6) Encourage the continuation of agricultural lands for long-term agricultural use.

Section 33.48.030, Applicability, is created to read as follows:

To be eligible for the accessory agricultural uses specified in this Chapter, a ^{farm} ~~parcel~~ on which such uses are conducted must meet all of the following:

1. Contain a minimum of one (1) acre of land utilized in the production of agricultural products.
2. Is located within a Rural or Resource zoning district in which Agricultural Activities are listed as an allowed use per the underlying zoning of the property.

A Temporary Farm Stand is not restricted by the conditions stated in Subsections 1 & 2 above and are considered to be an allowed accessory use of any agricultural operation in which Agricultural Activities are permitted by the underlying zone, including Rural, Resource and Urban zoning districts.

Any use authorized by this Chapter will also require compliance with the Shoreline Master Program, stormwater management program, development regulations, Critical Areas Code, and any other federal and/or state requirements. Agricultural accessory uses which conform to the standards in this Chapter and all other applicable standards shall not be considered an intrusion of commercial activity within rural residential, or resources zones. The standards of this Chapter, as applicable, supersede the use standards of the underlying zone.

For the purposes of this Chapter, contiguous parcels under shared ownership will be reviewed as one farm when determining the appropriate level of review for the proposed agricultural accessory use. ^{and other area related requirements} This must also apply not only to the "level of review" but also in relation to other area requirements such as item 1 above and other area qualified requirements.

No part of this chapter will be interpreted to exempt uses or structures from the requirements of the International Building Codes and/or other applicable development regulations. Contact the Department of Community Development for all related permit requirements.

Section 33.48.040, Agricultural Accessory Uses, is created to read as follows:

An accessory use to agriculture may include, but may not be limited to, the following:

- (1) Temporary onsite retail stands
- (2) Onsite agricultural retail stores
- (3) Onsite commercial greenhouse or nursery
- (4) Farmers' Markets
- (5) U-pick sales to the public
- (6) Tours of the agricultural operations
- (7) Work stays
- (8) Other farm dependent accessory activities

Section 33.48.050, General requirements, is created to read as follows:

The requirements listed below apply to all agricultural accessory uses:

(1) *Relationship to Onsite Agricultural Production.* Any proposed agricultural accessory use must be related to and dependent on the agricultural activity taking place on site and remain subordinate to the scale of the agricultural activity on site.

(2) *Review Procedure.* Agricultural Accessory Uses will be reviewed on a site-by-site basis utilizing the standards specific to each agricultural accessory use found in this chapter. When no specific standards are found for a proposed agricultural accessory use, the Administrator may provide a Code Interpretation on the use in question pursuant to CCC 26.10.555, and must ensure the agricultural accessory use remains clearly incidental and subordinate to the agricultural activity on the parcel and protect the rural and neighborhood character of the surrounding area.

(3) *Access.* Safe vehicular access and customer parking must be provided on site, such that vehicles are not required to back onto roads. Temporary and permanent structures and parking must be located outside of public rights-of-way, meet setbacks for the zoning area, and should be located where impacts to adjacent residential uses are minimized.

(4) *Placement.* All Agricultural Accessory Uses, including new buildings, parking, or supportive uses, should be located inside the general area already developed for buildings and residential uses and must not otherwise convert more than 25% of land to accessory uses.

(5) *Signs.* All signage must be compliant with CCC 33.57.

(6) *Landscaping.* A visual buffer consistent with CCC 33.53, is required along all sides of a permanent parking area within 30 linear feet of a front, side, or rear property boundary. Natural vegetation may be allowed in lieu of a visual buffer provided existing vegetation is sufficient to break up the visual impact of the parking area from neighboring properties or road frontages.

(7) *Lighting.* All lighting associated with agricultural accessory uses must be directed downward and shielded to prevent glare and light encroachment onto neighboring properties and roads. All uses requiring a certificate of compliance or conditional use permit per CCC 33.48.060 must be required to submit a lighting plan for review and approval.

(8) *Noise.* Agricultural Accessory Uses must be compliant with CCC 15.30

Section 33.48.060, Use Review Table, is created to read as follows:

Agricultural Accessory Use Review Chart					
	Size of Parcel				
	Less than 3 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Temporary onsite retail stand	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright
Onsite retail store	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Onsite greenhouses	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Farmers Market	Conditional Use Permit	Conditional Use Permit	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
U-Pick	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright
Farm Tours	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright
Work Stays	Prohibited	Prohibited	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Other Farm Dependent Acc. Activities	Conditional Use Permit	Conditional Use Permit	Conditional use permit	Certificate of Compliance	Certificate of Compliance

Section 33.48.070, Additional standards for temporary onsite retail stands, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, temporary onsite retail stands are subject to the following requirements:

Applies to this and all remaining sections below

Temporary Onsite Retail Stands					
Level of Review	Size of Parcel				
	Less than 3 Acres ~~Less than 2.99 Acres~~	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Structure*: Temporary Onsite Retail Stands must be no larger than 400 sq. ft. and must not be made internally accessible to the public.

b. *Product*: 75% of all products retailed at a Temporary Onsite Retail Stand must be agricultural products produced in Clallam and/or Jefferson County.

c. Temporary onsite retail stands are allowed in all zones that identify agricultural uses as allowed outright and is not otherwise restricted by the applicability provisions contained in this Chapter.

Section 33.48.080, Additional standards for onsite retail stores, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, onsite retail stores are subject to the following requirements:

Onsite Retail Stores					
Level of Review	Size of Parcel				
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance

(1) Additional Performance Standards

a. *Structure*: Farms are limited to one Onsite Retail Store and must have no more than 1000 sq. ft. of publicly accessible space. This maximum may be exceeded with the issuance of a conditional use permit when all other standards are met.

b. The owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the International Building Code.

c. *Product*: 75% of all products retailed at an Onsite Retail Store must be agricultural products produced in Clallam and/or Jefferson County.

d. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required conforming to applicable parking standards.

e. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Service Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

f. *Hours of Operation:* Operation must be limited to between sunrise and 10 PM.

g. *Length of Operation:* Onsite Retail Stores may only be operated between the months of May and October unless otherwise approved by a certificate of compliance or conditional use permit.

Section 33.48.090, Additional standards for onsite commercial greenhouse, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, onsite commercial greenhouses are subject to the following requirements:

Onsite Commercial Greenhouse					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Allowed Outright

(1) Additional Performance Standards

a. *Structure:* For greenhouses ~~with products grown on site and~~ allowing public entry, the owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the International Building Code.

b. *Product:* ~~100%~~^{90%} of products retailed from a greenhouse ~~must be agricultural products produced onsite.~~ ^{or nursery} of which 75% must be produced onsite.

c. *Parking:* The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

d. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

e. *Hours of Operation:* Operation must be limited to between sunrise and 10 PM.

f. *Length of Operation:* The retail operation of an onsite commercial greenhouse or nursery may only be operated between the months of May and October unless otherwise approved by certificate of compliance or a conditional use permit.

Section 33.48.100, Additional standards for farmers' markets, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, Farmers' markets are subject to the following standards:

Farmers' Markets					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Conditional Use Permit	Conditional Use Permit	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance

(1) Additional Performance Standards

(a) *Structure*: When a permanent structure is utilized, the owner is responsible for obtaining a building permit from the Clallam County Department of Community Development to review that the structure has adequate means of egress, exits, smoke detectors, carbon monoxide alarms, fire extinguishers, and other fire protection systems in compliance with the International Building Code.

(b) *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

(c) *Frequency*: No more than 2 farmers' market events may be hosted per week.

(d) *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

(e) *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

(f) *Access*: Farmers' Markets must be accessed from a public road capable of supporting traffic generated from the use.

Section 33.48.110, Additional standards for U-picks, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, U-picks are subject to the following requirements:

U-Pick					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

b. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

c. *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

Section 33.48.120, Additional standards for farm tours, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, farm tours are subject to the following requirements:

Farm Tours					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Certificate of Compliance	Certificate of Compliance	Allowed Outright	Allowed Outright	Allowed Outright

(1) Additional Performance Standards

a. *Educational Exemption*: Educational tours or events hosted in partnership with the WSU Extension Office, Clallam County 4H club, or accredited educational institutes are considered allowed outright for the purposes of performance standards related to this section but must conform with all applicable performance standards.

b. *Size of Groups*: All groups and individuals involved in a farm tour must be guided by a designated farm representative or be contained within areas with clearly delineated boundary lines.

c. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for all farm tour participants. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

d. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

e. *Hours of Operation*: Operation must be limited to between sunrise and 10 PM.

Section 33.48.130, Additional standards for work stays, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, farm stays are subject to the following requirements:

Work Stays					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Prohibited	Prohibited	Certificate of Compliance	Certificate of Compliance	Allowed Outright

(1) Additional Performance Standards

a. *Structures*: Permanent structures, park models, recreational vehicles, and/or semi-permanent tents are not allowed for use as work stays. Work stays must be limited to temporary tents and tents must not be provided by the farm operator.

b. *Limitations*: Work Stays must be limited to individuals or groups where at least one individual is performing agricultural work onsite. Farm Stays must be limited to no longer than two weeks and a group must be no larger than 6 individuals.

c. *Number of Sites*: Farm stays must be limited to no more than 3 sites per 5 acres with no more than a maximum of 12 sites. This maximum may be exceeded through the issuance of a Conditional Use Permit when all other standards are met.

d. *Parking*: The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

e. *Environmental Health Services Requirements*: The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

f. *Fire Safety*: When applicable, recreational fires must be contained within a designated and approved fire ring or other similar containment device.

g. *Required Notice*: The owner is responsible to provide written notice to of:

(a) County sound and noise regulations pursuant to CCC 15.30, Public Disturbance.

(b) Rules of conduct, local laws, burn bans, and responsibility not to trespass on private property or to create disturbances (e.g., noise). If there is an easement that provides legal access to off-site areas such as beach access, this shall be indicated on a map and the easement must be clearly marked.

(c) Emergency numbers and the name and number of a local contact person(s) for the work stay operator.

Section 33.48.140, Additional standards for other farm-related accessory activities, is created to read as follows:

In addition to the general requirements of CCC 33.48.030, these activities are subject to the following requirements:

Other Farm Dependent Accessory Activities					
Size of Parcel					
	Less than 2.99 Acres	3-4.99 Acres	5-9.99 Acres	10-19.99 Acres	20+ Acres
Level of Review	Conditional Use Permit	Conditional Use Permit	Conditional Use Permit	Certificate of Compliance	Certificate of Compliance

(1) Additional Performance Standards

a. *Frequency*. No more than 21 days of activities or events are to be undertaken under this use within a calendar year when those activities have the potential to generate noise, traffic, or other nuisances above uses otherwise allowed in this chapter. This number may be increased through the issuance of a conditional use permit when all other standards are met.

b. *Parking.* The owner must designate parking spaces onsite capable of providing adequate parking for the proposed use. At least 1 ADA accessible parking space must be provided, but additional ADA parking may be required, conforming to applicable parking standards.

c. *Environmental Health Services Requirements:* The owner must ensure all Clallam County Environmental Health Services Division requirements are met including, but not limited to, requirements for solid waste disposal, sewage disposal, food handling, and water system compliance.

d. *Limited number of other activities:* No more than three other activities may be allowed through this section without the issuance of a conditional use permit.

Section 33.48.150, 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