

AGENDA

Clallam County Planning Commission

Planning Commission Meeting of Wednesday, March 5, 2025, 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://clallamcountywa.gov/meetings>

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. WELCOME**
- E. APPROVAL OF MINUTES:** February 19, 2025
- F. ANNOUNCEMENTS:**
- G. PUBLIC COMMENT on AGENDA ITEMS** – Please Limit Comments to Three Minutes
- H. UNFINISHED BUSINESS:** None
- I. PUBLIC HEARING/COMMISSION ACTION:**
- J. WORK SESSION ITEMS:**
 - 1) Continued discussion regarding definition and code changes regarding RV's.
- K. PUBLIC COMMENT** – Please Limit Comments to Three Minutes
- L. DISCUSSION OF PUBLIC COMMENTS**
- M. GOOD OF THE ORDER:** Vote on proposed amendment to Bylaws.
- N. ADJOURNMENT**

Members:

Chair, Steve Gale & Vice-Chair, Ron Long
Bonnie Booth; Thomas Butler; Katina Hester;
Kenneth Reandeau; Jane Hielman; Dann May; Vacancy District 2
Department of Community Development Staff:
Donella Clark, Principal Planner; Bruce Emery, DCD Director

MINUTES

Clallam County Planning Commission

Meeting of February 19, 2025, 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 Vice-Chair Ron Long, Tom Butler, Ken Reandeau, Katina Hester, Dann May, Bonnie Booth, and Jane Hielman. Donella Clark, Principal Planner, Tim Havel, Deputy Director, and Bruce Emery, Director of Community Development represented staff. Timothy Dalton, Clallam County Housing Coordinator also joined the meeting.
- D. WELCOME: Vice-Chair Long welcomed all in attendance.
- E. APPROVAL OF MINUTES: Katina Hester made a motion to approve the minutes and Dann May seconded. Motion passed to approve minutes.
- F. ANNOUNCEMENTS: Bruce Emery discussed the Lands Capacity Analysis that we are waiting on from GIS which had to perform maintenance in order to provide.
- G. PUBLIC COMMENT PERIOD: None.
- H. UNFINISHED BUSINESS: None
- I. PUBLIC HEARING ITEM: Staff presented the proposed changes to the code affecting timelines and answered a few questions from the Commission. No public comment received. Motion from Katina Hester to forward changes to the Board of County Commissioners, Bonnie Booth seconded. Motion passed 7-0.
- J. WORK SESSION ITEMS:
 - 1. Tim Havel gave a presentation on the Comprehensive Plan Update. The Planning Commission asked questions and discussed the process with staff.
 - 2. Pam McCarter and Pam Rushton from the Assessor's office attended the meeting to discuss the Open Space Program. The Commissioners asked questions regarding what happens to the monies collected from back taxes when people leave the open space program. That money is given back to the taxing districts as a windfall. Commission discussed lot combinations and how the value is changed when combined. It was agreed that the Commission is ready to conduct the public hearing on the draft ordinance as written.
 - 3. Bruce Emery introduced proposed changes to the codes in order to address the use of Recreational Vehicles and to assist Code Enforcement with more clear regulations. Planning Commission would like to see the exact issues that need to be mitigated and are hesitant to allow something that is intended for recreational use to be used as housing. Staff will take comments received and bring the issue back to the next meeting for discussion.
- K. PUBLIC COMMENT PERIOD: None
- L. DISCUSSION OF PUBLIC COMMENTS: None.
- M. GOOD OF THE ORDER: County's Attorney provided comment on the proposed amendments to the Bylaws and suggests revision to the ex parte wording. Commission would like to consider this language and get clarification regarding the existing wording that states "In the event a challenge to one or more members would cause a lack of quorum or failure to obtain a majority vote" and the intention of this and if it should be changed. Katina Hester moved to postpone the vote until the next meeting.
- N. ADJOURNMENT: The meeting adjourned at __8:00__ p.m.



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Memorandum

Date: February 26, 2025
To: Clallam County Planning Commission
From: Bruce Emery, Director
Re: Draft RV Use Code Amendments

Discussion

During the February 19, 2025, Planning Commission meeting, the Commissioner's began preliminary discussions on proposed changes to the Clallam County Code centering primarily on the use of recreational vehicles. During the discussion, it was requested that staff provide a framework describing the range of issues that are intended to be addressed by the draft changes. It was requested that additional information concerning the costs of tiny homes and RVs, and information concerning barriers to traditional construction (permitting, timelines, etc.) be provided for context.

Issues to Address

To help facilitate discussion, the issues we feel are necessary to consider include the following:

- *Aesthetic impacts.* The proliferation of RV use for transitional or permanent housing has resulted in a substantial increase in their appearances on residential lots. This raises concerns with respect to rural character and neighborhood aesthetic impacts. In prior years, this wasn't a significant issue as total numbers remained comparatively low. Given housing affordability and attainability challenges, it is expected that RVs will increasingly be sought as a residential alternative.
- *Environmental health impacts.* Because RVs have their own holding tank and water storage sufficient for short-term use, it is challenging to ensure that sewage disposal and the provision of potable water are provided in an acceptable manner. The Clallam County Environmental Health Division (EH) will require in many circumstances demonstrated hookups to permanent sewage disposal and potable water for RVs that are being used for more than a temporary/recreational basis. But by virtue of the proliferation of RV residential use, it has become

increasingly difficult for EH to ensure these health safeguards are being met in all cases. This represents a significant risk to public health.

- **Safety.** RVs and recreational park trailers are not built to State Building Code standards and are not intended for long-term residential use. Ventilation and moisture control alone raises significant concerns about the well-being of a long-term occupancy of an RV or park model. Because RV use does not require tie-downs or other secure placements, they are not entirely wind resistant and could pose a risk to occupants from tumbling. Lastly, RVs typically have one point of access, making them hazardous in case of fire.
- **Current Code deficiencies.** 33.50.030(2), CCC, prohibits the use of RVs for more than 90 consecutive days, or are considered a violation of the County's Accessory Dwelling Unit (ADU) standards. Two deficiencies exist with this provision: 1) it only applies where a single-family residence already exists, creating inequity between vacant lot owners and owners lot owners with a home, and 2) it is not practicable to prove occupancy of an RV for 90 days.

Other factors that contribute to this discussion may include:

- **RV and tiny house costs.** During the 2/19/25 meeting of the Planning Commission, it was requested that information regarding the cost of RVs, Tiny homes, and stick-built tiny houses be provided. The following is a general estimate based on a review of internet information available on pricing, and discussions with Building Division staff concerning construction costs:
 - Recreational Vehicle. Generally starting around \$30,000; Good used starting around \$20,000.
 - Recreational Park Trailer. Starting around \$70,000, but most ranging around \$120,000 to \$130,000 and up.
 - Tiny House/THOW. Generally starting around \$135,000 and ranging up to \$200,000 or more.
 - Tiny House, Stick-Built. Generally starting out at \$250/SF, or \$100,000 for a simple, 400 SF unit.

The range of costs clearly shows that RVs present the most economical alternative for those with minimal financial resources.

- **Role of building permitting as a barrier.** Obtaining a building permit is sometimes challenging. But even at the lowest end of the spectrum, as a percentage of over-all project costs, it remains relatively small. With the implementation of the new permitting software, plans review has dramatically increased in efficiency and the time required for permit processing as been reduced. For projects where sewage and potable water has already been addressed, the timeline may take less than two weeks. The Department of Community Development has been working

towards pre-approved plans for 400 SF and 800 SF accessory dwelling units. Our goal is to work with material vendors for take-off cost estimates, and possibly lenders for package deals simplifying the process and increasing the likelihood of their use. Such improvements will further reduce the wait and cost related to building permit approval for small homes and ADUs.

Key Areas of Discussion

Because the draft Ordinance language covers several sections of the County Code, it may be useful to focus attention on the specific areas that have the potential for greatest impact. Most of the definitions, for example, are more or less house-cleaning items. And while everything is up for discussion, there are only three significant areas that we feel merit the most attention:

- *Definition of "RV Park."* The draft language under CCC 33.03.010(96) would potentially allow for the placement of one recreational park trailer and one RV on a residential lot. Two other reasonable options exist, including:
 - Allowing only one RV, OR one recreational park trailer; or
 - Allowing one RV and one recreational park trailer, two RVs and no recreational park trailer, or two recreational park trailers and no RV.

I do believe time should be devoted to determining exactly what should be allowed, and therefore what would be considered prohibited. It is also important to consider some of the "Alternative Solutions" provided below to help include more context.

- *Use of recreational park trailer as a vacation rental.* By definition (CCC 33.03.010(114)), *vacation rentals* currently are required to be "...a legally constructed dwelling." This definition preempts the use of recreational park trailers for use as short-term rentals. Upon examination, staff believe such units could be made available for short-term rental use as they are designed for short-term occupancy, now have a siting protocol established in Code (CCC 21.06), and could help to offset current demand for smaller housing units.
- *Prohibition of RVs or pads for rental purposes.* The proposed Ordinance language includes a prohibition on the rental of RVs or RV pads outside of a designated RV park (see General Requirements, CCC 33.40.100(1)(c)). This, like some of the other proposed amendments, does require a judgement call. The question being, with the desire to control the proliferation of RV use, or to avoid the provision of substandard housing on a commercial basis, should such rentals be restricted. On the other side of this argument is the recognition that some people lack the means to own a parcel on which to place their own RV. Demand for RV parks is high, making an alternative attractive and potentially reasonable. This should be considered through discussion before a final decision is reached.

Alternative Solutions

In addition to the above points of discussion, there exists some additional opportunities to remediate the issues and possibly arrive at an acceptable course of action:

- *Storage of one or more RVs in fully enclosed garage.* While not everyone has the opportunity to store an RV within an existing building, if the Commission feels that allowing a second RV on site is problematic, we could allow for the option of storing the unit within an existing garage or barn as an acceptable alternative.
- *Allow hardship approval for second RV.* The County's accessory dwelling unit standards used to allow for the placement of a second dwelling for purposes of medical hardship—to be used by an onsite caretaker. An option exists for the allowance of the placement of a second RV or park model (depending on the thresholds discussed above) on a case-by-case basis where hardship is demonstrated. This could be a decision issued by the Zoning Administrator and, if needed, a set of simple criteria could be developed to guide that decision-making.
- *Require maximum separation from primary residence/other aesthetic standards.* During the 2/19/25 Planning Commission meeting, the suggestion was made for a standard requiring the placement of an RV no greater than 150-feet from the primary residence to avoid the appearance of sprawl. This and other standards, like adherence to structural setback standards or landscape screening, might be considered. We do, however, recommend caution in considering such standards since we are not proposing a siting permit or other mechanism to certify compliance or have an upfront review process.

As mentioned in our prior report, we do feel that the task at hand requires the balancing of the need to recognize the use of alternative housing (RVs) while protecting existing communities from the proliferation of uncontrolled RV use. As with most land-use items, the simplest course may make the most sense. But this needs to be worked out in discussion. I hope this information has helped to frame the issues. The draft Ordinance language has also been included for your reference.

If you have any questions regarding this information, please contact me at 360-417-2323 or at bruce.emery@clallamcountywa.gov. Thank you for your consideration on this matter.

Sincerely,



Bruce Emery, Director
Clallam County DCD

Draft RV Use Code Amendments
Draft February 11~~B~~, 2025

The following are excerpts from the Clallam County Code related directly or indirectly to residential use of RVs. The proposed changes shown herein are intended to clarify the County's position on uses of recreational vehicles.

Definitions, Section 33.03.010, CCC.

(14) "Building" means any structure utilized or intended for supporting or sheltering any use or occupancy.

(354) "Dwelling uUnit" means any building or any portion thereof which is ~~Lawfully established~~~~intended~~ ~~and/or~~ designed to be used, rented, leased, let or hired out to be occupied for living purposes having independent living facilities for one or more persons ~~one family~~ including permanent provisions for living, sleeping, eating, cooking, sanitation and including accessory structures and improvements.

(5152) "Lodges" means any ~~structure~~~~permanent building, constructed and approved in accordance with Chapters 21.01 and 21.02, CCC,~~ accommodating an organization which is operated not-for-profit where entrance to the premises is contingent upon the payment of a monthly or yearly fee.

(91) "Recreational Park Trailer" or "Park Model Recreational Vehicle" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

- a) Built on a single chassis, mounted on wheels; and
- b) Having a gross trailer area not exceeding 400 square feet in the set-up mode; and
- c) Certified by the manufacturer as complying with ANSI A119.5 (WAC 296-150P-0020).

Recreational park trailers shall be placed in accordance with Chapter 21.06, CCC.

(95) "Recreational Vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle or as defined by NFPA 1192 *Standard on Recreational Vehicles*, current edition. Recreational vehicles including but not limited to: camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers (WAC 296-150R-0020).

(963) "RV park" means a ~~parcel or portion thereof, or group of adjacent parcels or portion(s) thereof, intended or otherwise established~~ campground for day use and

overnight accommodations by two or more recreational vehicles or two or more recreational park trailers, motor homes, travel trailers, truck campers and camping trailers.

(108) "Structure" means anything which is built or constructed, an edifice or building of any kind, or any piece of work artificially erected or composed of parts joined together in some definite manner, but not including unroofed paved areas, fill, automobiles or recreational vehicles, or any fence less than seven feet in height.

(112) "Tiny House" or "Tiny House on Wheels," for purposes of this Title, are defined by the following two generalized categories as follows:

- a) "Tiny House, Stick-Built" means a Dwelling Unit measuring no larger than 400 square feet in area and constructed in place in accordance with Section AQ102, Appendix Q, International Residential Code, as permitted and administered by the Clallam County Department of Community Development, Building Division.
- b) "Tiny House" or "Tiny House on Wheels" means a modular-type unit, whether constructed on a chassis or not, constructed to State Building Code standards and bearing an insignia verifying approval by the Washington Department of Labor and Industries (L&I). Use and occupancy of a Tiny House or Tiny House on Wheels requires placement on a permanent foundation approved by the Clallam County Department of Community Development, Building Division in accordance with Title 21, CCC. Once so placed, the Tiny House is considered a Dwelling Unit.

(1194) "Vacation rental" means a legally constructed dDwelling Unit or Recreational Park Trailer established in accordance with CCC 33.51.020 and intended for occupancy of the entire dwelling (not rental of individual rooms) by any person/group other than the primary owner for periods of 30 days or less and is an allowed use in all zoning districts that allow single-family residences. Uninhabitable structures like garages, barns, or sheds, and unpermitted structures, shall not be used as vacation rentals. "Vacation rental" does not include a bed and breakfast permitted and operated in accordance with this code.

Accessory Housing, Ch 33.50, CCC.

CCC 33.50.030: The requirements listed below apply to all accessory housing:

(2) *Structure Type.* Accessory housing units shall be stick-built or manufactured residential units approved by the Department of Community Development, or the Washington Department of Labor and Industries, as applicable, for permanent occupancy. Accessory housing units shall not include be travel trailers, recreational vehicles, buses, truck storage containers, or similar manufactured mobile units which are not originally intended to be used for permanent residences. Structures described

~~under WAC 296-150R-0020 as "temporary living quarters" shall not be permitted or placed under the provisions of this section. If such structures are occupied for a period of 90 or more consecutive calendar days in the same location, such occupation shall be considered a violation of this chapter and subject to enforcement under Clallam County Code.~~

(4) *Recording.* To ensure continued compliance with ~~owner-occupancy and other~~ ordinance requirements by current, as well as any subsequent owners, a registration of the accessory housing unit in the form of a notice to title shall be filed and recorded with the Clallam County Auditor. The notice to title shall be on a form provided by the Administrator and filled out completely by the applicant prior to filing. The notice to title shall run with the land and serve as notice to all future purchasers/owners of the subject property of the presence of the accessory housing unit and applicable restrictions regarding accessory housing units contained in the Clallam County Code. Proof of registration, in the form of a copy of the filed document, shall be submitted to the Department of Community Development prior to issuance of a certificate of occupancy. Said registration may only be removed upon a demonstration to the Department of Community Development that the accessory housing unit has been lawfully removed from the subject property, or the portion of the subject property containing the accessory housing unit is legally subdivided from the remainder of the property pursuant to CCC Title 29.

(6) *Density.* In rural zoning districts, there shall be no more than one accessory housing unit allowed per lot. In designated Urban Growth Areas, there shall be no more than two accessory housing units allowed per lot as set forth in RCW 36.70A.681.

33.50.040 Additional standards for accessory dwelling units.

(1) *Size.*

(a) *Size of Detached ADU.* Detached ADUs shall not exceed 50 percent of the gross floor area of the primary dwelling unit, nor exceed 1,250 square feet in gross floor area. This requirement shall not apply to any detached ADU 400 square feet or less or detached ADUs in designated Urban Growth Areas up to 1,000 square feet in gross floor area.

(b) *Size of Attached ADU.* Attached ADUs shall not exceed 35 percent of the gross floor area of the primary dwelling unit. This requirement shall not apply to any attached ADUs in designated Urban Growth Areas up to 1,000 square feet in gross floor area.

(3) *Occupancy.*

(a) In rural zoning districts, the owner of the parcel shall live either in the primary dwelling or ADU as their primary residence. For the purpose of this

standard, "primary residence" shall mean occupancy by the underlying property owner for no less than 120 days during a calendar year.

(b) ADUs may be used for occupation by family members, guests, renters, lessees, and estate caretakers/groundskeepers.

(c) Either the primary dwelling or ~~the one~~ ADU may be used as a vacation rental, as defined in Chapter 33.51 CCC, but not ~~more than one both~~.

(4) *Design.* ADUs shall be designed so that the appearance of the lot remains that of a single-family residential development through the following standards:

(a) In rural zoning districts, When development abuts or is accessed by a county road, all building entrances shall be located so that only one entrance faces the road frontage of the development.

(b) Unless located within a designated Urban Growth Area and within ½ mile of a major transit stop, On-site parking area shall be provided.

(c) Access for vehicle ingress and egress shall share the same legal access onto a public or private road as the primary dwelling unit and no new access shall be established for the ADU.

(d) The primary dwelling and the ADU may be no more than 300 linear feet from each other.

33.51.020 Vacation rental standards.

The dwelling and vacation rental use must comply with all County and State regulations and requirements as well as the following standards:

(2) Connection to a ~~P~~ublic ~~S~~anitary ~~S~~ewer or an ~~O~~n-~~S~~ite ~~S~~eptic ~~S~~ystem ~~T~~hat ~~C~~omplies with Chapter 41.20 CCC, On-Site Sewage Systems. If connected to an on-site septic system, the owner is responsible to ensure that the vacation rental occupancy is consistent with the design capacity of the on-site septic system and type of wastewater discharges allowed, and in compliance with on-site septic systems periodic inspection, maintenance, and reporting requirements under CCC 41.20.170.

(5) A recreational park trailer, under American National Standards Institute A119.5 standard for Park Model Recreational Vehicles, as defined by WAC 296-150P-0020, and placed in accordance with Chapter 21.06, CCC, may be used as a vacation rental subject to the requirements of this Chapter. It is incumbent on the applicant to demonstrate compliance with applicable requirements of the Washington State Department of Labor and Industries (L&I) and CCC, Chapter 21.06.

General Requirements, Chapter 33.40, CCC

33.40.100 Unauthorized Rental for Use of Structures

(1) The following are prohibited in all zoning districts in Clallam County:

- a) Unpermitted cabins or similar structures being advertised as, or otherwise being offered on, a rental or lease basis.
- b) Tiny Houses on Wheels that do not bear the proper Washington Department of Labor and Industries (L&I) compliance insignia, or that have not been properly placed in accordance with Title 21, CCC, that are being advertised as, or otherwise being offered on, a rental or lease basis.
- c) Recreational Vehicles, or service pads intended for the location of Recreational Vehicles, that are being advertised as, or otherwise being offered on, a rental or lease basis; except that Recreational Vehicles or service pads intended for the location of Recreational Vehicles located within a designated RV Park, approved under a Binding Site Plan in accordance with Title 29, CCC, are allowed in accordance with the terms of said Binding Site Plan.
- d) Any cabins or similar structures that do not meet the requirements of Title 41, CCC, that are being advertised as, or otherwise being offered on, a rental or lease basis.

(2) Any advertisement for the rental or lease of units described under Subsection (1), above, shall be considered prima facie evidence that a violation of the provisions of this Section is occurring.

(3) Any violation of the provisions of this Section shall be enforced in accordance with CCC Section 33.59.010 and CCC Title 20, as applicable.

Park Model Placement, Chapter 21.06, CCC

21.06.020 Definition.

- 1) "Recreational Park Trailer" or "Park mModel Recreational Vehicle," "recreational park trailer," or "tiny home on wheels" shall mean a trailer-type unit that has substantially lost its identity as a mobile unit by virtue of its being permanently fixed on property complying with American National Standards Institute A119.5 standard for park trailers as defined by WAC ~~296-150P-0020~~. These units shall bear an insignia issued by the Washington Department of Labor and Industries or equivalent. This definition does not include recreational vehicles as defined by L&I is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

- a) Built on a single chassis, mounted on wheels; and
- c) Having a gross trailer area not exceeding 400 square feet in the set-up mode; and
- d) Certified by the manufacturer as complying with ANSI A119.5 (WAC 296-150P-0020).

21.06.030 Park model placement requirements.

- (1) Applicability. The provisions of this Chapter shall apply to the placement of a Recreational Park Trailer within unincorporated Clallam County. As used in this Chapter, the term "park model" shall apply to, and be considered synonymous with, a Recreational Park Trailer.
- ~~(24) Placement of a park model (including recreational park trailers, or tiny home on wheels with appropriate L&I insignia or equivalent) within Clallam County requires approval of a placement permit issued by the Clallam County Department of Community Development (DCD).~~
- ~~(45) Only one park model may be placed on a legal lot zoned for residential purposes with or without an existing single-family residence, provided compliance with all other criteria specified in this Chapter. Multiple park model trailers may be located on property within an approved bBinding Ssite pPlan established for the purpose of creating an RV Parkplacing multiple park models.~~
- ~~(1) — A park model placed on property with a single family residence will disqualify the property for an accessory dwelling unit while the park model is present. Likewise, a property containing an accessory dwelling unit is not eligible for the placement of a park model, unless allowed per zoning.~~

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023
Revised September 20, 2023
Revised March 5, 2025

BYLAWS OF THE CLALLAM COUNTY PLANNING COMMISSION

ARTICLE I - NAME

Section 1. Name

The official name of the organization shall be "Clallam County Planning Commission".

ARTICLE II - OFFICIAL SEAT

Section 1. Official Seat

The official seat of the Planning Commission shall be in the Clallam County Courthouse, 223 East 4th Street, Port Angeles, Washington, and meetings shall be held there except on such occasions and at such times as the Planning Commission may, by a majority vote of those present at any regular, recessed or special meeting, otherwise direct.

ARTICLE III - OFFICERS

Section 1. Officers

The elective officers of the Planning Commission shall consist of a Chair and Vice-Chair. The Executive Secretary of the Planning Commission shall be the Planning Division Manager or designee.

Section 2. Nomination and Election of Officers

Nomination of elective officers shall be made from the floor at the annual election meeting, which shall be held on the first regular meeting of January of each year. The election shall follow immediately thereafter. Officers shall be nominated and elected from the appointed members only. A nominee receiving a majority vote of those present at the election meeting shall be declared elected.

Section 3. Terms of Officers

The elective officers shall take office at the first regular meeting in February and shall serve for a term of one year.

Section 4. Vacancies in Offices

Vacancies in elective offices shall be filled immediately by regular election procedure for the unexpired portion of the term.

Section 5. Duties of Officers

- a. Chair. The Chair shall preside at all meetings and public hearings of the Planning Commission and shall call special meetings when necessary or required. The Chair shall appoint all committees, shall be an ex-officio member of each, without power to vote. The Chair shall sign

all official papers and plans involving the authority of the Planning Commission which are transmitted to the County Commissioners. The Chair shall have the privilege of discussing all matters before the Planning Commission and voting thereon. The Chair shall have all the duties normally conferred by parliamentary usage on such officers and shall perform such other duties as may be conferred by the Planning Commission except as otherwise provided in these Bylaws, in other Planning Commission regulations, or in County ordinances.

- b. Vice-Chair. The Vice-Chair shall assume the duties and powers of the Chair in the Chair's absence. If the Chair and Vice-Chair are both absent, the Planning Commission members may elect a temporary chair by a majority vote of those present at the regular, recessed or special meeting, who shall assume the duties and powers of the Chair and Vice-Chair during their absence.
- c. Executive Secretary. The Executive Secretary or designee shall keep the minutes of all regular, recessed, and special meetings of the Planning Commission; such minutes shall be approved by the Planning Commission. The Executive Secretary or designee shall give notice of all regular and special meetings to Planning Commission members, shall prepare the agenda of regular and special meetings, shall serve proper and legal notice of all public hearings, and shall draft and sign the routine correspondence of the Planning Commission. The Executive Secretary or designee shall maintain a file of all studies, plans, reports, recommendations, and official records of the Planning Commission, and perform such other duties as the Planning Commission may request.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings; Time and Place

The regular meetings of the Planning Commission shall be held on the first and third Wednesday of each month commencing at 6:00 p.m. in the Commissioners' Meeting Room #160, Clallam County Courthouse, 223 East 4th Street, Port Angeles, except as otherwise designated by the Planning Commission. The meeting will adjourn no later than 8:30 p.m., unless extended by majority vote of the Planning Commission. Any change in the hour, date and place of regular meetings shall be given wide publicity for the convenience of persons having business before the Planning Commission. When the regular meeting day falls on a legal holiday, the meeting shall be held the next day unless otherwise determined.

Section 2. Recessed Meetings

Any regular meeting may be recessed to a definite time and place by a majority vote of the Planning Commission members present at the meeting.

Section 3. Special Meetings

Special meetings may be called by the Chair. Special meetings may also be called upon the written request of any three members of the Planning Commission, or by majority vote of the Planning Commission at a regular, special, or recessed meeting.

Section 4. Notice of Meetings

Notice of all regular and special meetings shall be given by the Executive Secretary to each local newspaper of general circulation in Clallam County and to each radio station and television located in Clallam County. Notice of meeting cancellations shall be provided to the media as soon as possible after a meeting is canceled.

Section 5. Order of Business - Regular and Special Meetings

- A. Call to order by Chair
 - B. Pledge of Allegiance
 - C. Roll Call
 - D. Welcome
 - E. Approval of minutes of preceding meeting
 - F. Announcements
 - G. Public Comment on Agenda Items (Not subject of Public Hearing)
 - H. Unfinished Business
 - I. Public Hearing and Commission Action
 - J. Work session items
 - K. Public Comment on general items
 - L. Commission and Administration discussion of Public Comments
 - M. Good of the Order
 - N. Adjournment
-

See Attachment 1 for standard welcome format.

Each speaker will be limited to 3 minutes at the Chair's discretion.

The Chair may change the order of the agenda if deemed necessary.

Section 6. Operational Guidelines

- a. Any application may be tabled by majority vote of the Commission if the applicant or an authorized representative is not present at the public hearing.
- b. Action on any application or request may be tabled by majority vote of the Commission if all essential information is not provided to the Planning Commission, or if the volume of information provided is significant.
- c. Action on any request or application may be tabled to request a legal opinion or interpretation by a majority vote of the Commission.
- d. The Commission shall act as a body in (1) making its decisions and in announcing them; and, (2) officially representing itself or making public disclosures to entities outside the Commission or the County Planning staff.
- e. Willful misrepresentation of information provided by an applicant pertaining to a request or application will void that request or application upon discovery of the misrepresentation.
- f. The Planning Commission will not commence a new public hearing after 8:00 p.m., at the discretion of the Chair.

Section 7. Public Hearing Procedure

- 1. General. Public hearings provide an opportunity for citizens to give direct input to the Planning Commission on matters being considered. It is the policy of the Planning Commission to conduct hearings in a manner that allows input from the maximum number of citizens possible and respects the opinion of all those wishing to testify.
- 2. Conducting the Hearing. Public hearings are conducted as regular items on the Planning Commission's Board's published agenda. In order to ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Planning Commission will generally adhere to the following rules:

- a. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
- b. The Chair will open the public hearing and accept any written testimony. All written testimony received prior to the close of the public hearing will be considered.
- c. The Chair will request planning staff to provide a staff report and recommendation on the matters being considered. Planning Commission members are permitted to ask staff any relevant questions regarding the matter being considered.
- d. In order to maintain an accurate public record, all citizens testifying will be required to state their name, address, and nature of interest in the matter for the permanent record.
- e. For any application before the Planning Commission, the applicant will be given the opportunity to testify first with a limit of 20 minutes divided among as many of the speakers as determined by the applicant. The applicant will also be given an opportunity, at the end of the testimony period, to have one rebuttal, limited to 10 minutes. Rebuttal comments shall be limited to factual statements relating to previous testimony. The Chair has the discretion to allow more time to speak and/or additional opportunities to comment with the objective of ensuring adequate time for all present to have an opportunity to comment and in consideration of meeting time and other agenda items.
- f. The Chair, at its discretion, may limit the comment period for each speaker so that all can be heard. As a general rule, testimony will be limited to three minutes per person, except for a group spokesperson, who will be allowed up to 10 minutes.
- g. Public hearings are intended to provide information and opinions from citizens to the Planning Commission. They are not intended to be a debate between those on opposing sides of an issue, nor to weigh how many on each side of an issue attend. The Chair, at its discretion, may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Planning Commission.
- h. The public hearing is closed. Planning Commission members may voice other significant considerations and pose any relevant questions through the Chair. The Chair will question the proper party for answers.
- i. The Chair with majority vote may extend the written comment period at their discretion.
- j. Motion for disposition. The Commission may take action on the application or matter following a motion.

Section 8. Quorum

Five members of the Planning Commission shall constitute a quorum to conduct business and make recommendations.

Section 9. Motions

When requested, motions shall be restated by the Executive Secretary before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

Section 10. Voting

Any action taken by a majority of the quorum, at any regular, recessed or special meeting of the Planning Commission shall be deemed and taken as the final action of the Planning Commission; except that any changes to the Comprehensive Plan, as referenced in RCW 36.70.500, or development regulations involving Clallam County ordinances must be approved by a majority of the total membership of the Planning Commission. Voting on all matters requiring a public hearing before the Planning Commission, and all matters referred to the Planning Commission by the Board of Clallam County Commissioners shall be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting.

Section 11. Staff Reports

On all matters considered by the Planning Commission, the report and recommendations of the Planning Division shall be presented to the Planning Commission and shall be recorded in the minutes of the meeting.

Section 12. Conflict of Interest/Appearance of Fairness

1. Disclosure and Participation in Working Sessions

Any member of the Planning Commission who has an interest in any matter before the Planning Commission that would or could reasonably be perceived to prejudice their actions shall publicly disclose the nature of the conflict of interest prior to engaging in any discussions on the matter. Members with such a conflict may participate in working sessions for the purpose of providing factual information or expertise but shall not advocate for personal interests or unduly influence the outcome.

2. Conduct During Working Sessions

A member with a disclosed conflict of interest shall adhere to the same standards of decorum and impartiality expected of all Planning Commission members. If the member is deemed disruptive or unduly biased during the working session, the Chairperson may take appropriate action, including limiting their participation or referring the matter to the full Commission for resolution.

3. Participation in Public Hearings and Actions

Members with a conflict of interest shall abstain from voting on or participating in any Planning Commission action related to the matter. During public hearings, the member shall recuse themselves from the Planning Commission table and participate solely as a member of the public, with all rights and privileges afforded to the public, including the opportunity to provide testimony or commentary.

4. Ex Parte Communications

During deliberation on any quasi-judicial matter, no member shall engage in any ex-parte communications. In the event such communication takes place, a public announcement, on the record, about communications shall take place which outline the substance, with whom, the location, time, and approximate duration of communication.

Nothing in this section shall be interpreted to prohibit members from seeking specific information or data during public hearings if the request is made and responded to on the recorded public record.

5. Challenges Based on the Appearance of Fairness Doctrine

Anyone seeking to disqualify a member of the Planning Commission based on the appearance of fairness doctrine must raise the challenge at the earliest opportunity after the basis for disqualification becomes known.

6. Quorum and Decision-Making

In the event a challenge to one or more members would cause a lack of quorum or failure to obtain a majority vote, the challenged member(s) may fully participate in the proceeding and vote as though the challenge had not occurred, provided the member(s) publicly disclose the basis for the potential disqualification prior to rendering a decision.

- a. Any member of the Planning Commission who has an interest in any matter before the Planning Commission that would or could tend to prejudice his/her actions thereon, shall so publicly indicate this fact to the Planning Commission prior to the opening of the Public Hearing and shall abstain from voting or participating in any way in the Planning Commission members' action on that matter. The member shall excuse him/herself from the Planning Commission and shall leave the meeting room until the conclusion of the subject matter.
- b. During Planning Commission deliberation on any quasi-judicial matter, no member should engage in ex parte communications with opponents or proponents unless the member:
 1. Places on the record the substance of any written or oral ex parte communications concerning the application; and

- ~~2. Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the matter. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are part of the record. Anyone seeking to rely on the appearance of fairness doctrine to disqualify a member of the Planning Commission from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the individual.~~

~~In the event of a challenge to a member or members of the Planning Commission which would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any challenged member or members shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision.~~

Section 13. Attendance

- a. Attendance at all regular meetings and executive sessions is expected of each Planning Commission member.
- b. Any members anticipating absence from any meeting shall notify the Chair or Executive Secretary in advance.
- c. Any absence may be excused by the Planning Commission, even for an extended period, provided the absence is requested at least 48 hours in advance, unless the absence is necessitated by an emergency.

Section 14. Parliamentary Procedure

Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Bylaws, in other Planning Commission resolutions or in the County Code.

Section 15. Public Nature of Meetings and Records

All regular, recessed and special meetings, hearings, records, and accounts shall be open to the public; provided, however, executive sessions may be held by the Planning Commission as provided in RCW 42.30.110.

ARTICLE V - COMMITTEES

Section 1. Establishment of Committees

The Planning Commission may establish such standing or special sub-committees as it deems advisable and assign each sub-committee specific duties or functions. Each standing sub-committee shall consist of 3 members. No standing or special sub-committee shall have the power to commit the Planning Commission to the endorsement of any plan or program without its submission to the body of the Planning Commission.

Section 2. Appointment and Terms of Committee Members

The Chair of the Planning Commission shall appoint the members of each standing or special sub-committee and shall name the chair of each sub-committee. The members of each standing sub-committee shall be appointed as needed for a term of one year. Special sub-committees may be appointed at such times and for such purposes and terms as the Planning Commission approves.

Section 3. Committee Vacancies

Vacancies on sub-committees shall be filled immediately by the Chair of the Planning Commission for the unexpired portion of the term.

Section 4. Meetings of Committees

The sub-committees shall meet at the call of the sub-committee chair, provided that the Chair of the Planning Commission shall also have the authority to call a special meeting of any sub-committee at any time and upon such notice as the Chair may specify.

The Planning Staff shall issue notice of sub-committee meetings at the request of a sub-committee chair or the Planning Commission Chair.

Section 5. Quorum and Voting

A majority of the members appointed shall constitute a quorum of all sub-committees. The affirmative vote of a majority of the sub-committee membership shall be required for the adoption of a matter before the sub-committee.

ARTICLE VI - AMENDMENTS

Section 1. Amendments

THESE BYLAWS MAY BE AMENDED AT ANY REGULAR MEETING BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE PLANNING COMMISSION PROVIDED THAT THE PROPOSED AMENDMENTS HAVE BEEN SUBMITTED IN WRITING AT A PREVIOUS MEETING.

ADOPTION

Adopted February 15, 2023 by an affirmative vote of the members of the Clallam County Planning Commission.

Attachment 1 - Welcome

Welcome to the regular meeting of the Clallam County Planning Commission. The Commission is a nine-member, volunteer advisory panel appointed by the Board of Clallam County Commissioners. The Commission makes recommendations to the Board on legislative changes to the Clallam County Comprehensive Plan and implementing development regulations; the Six Year Transportation Improvement Program; applications for amendments to the Comprehensive Plan and Zoning Code, and applications for open space tax reductions. The Commission's actions are advisory to the Board of Clallam County Commissioners.

If you have any questions, please let me know at this time.