

**MINUTES**  
**PLANNING COMMISSION**  
**Port Angeles, Washington 98362**  
**March 28, 2012**  
**6:00 p.m.**

**ROLL CALL**

Members Present: Doc Reiss, Amanda Anderson, David Miller, John Matthews, Tim Boyle, Duane Morris, Scott Headrick

Members Excused: None

Staff Present: Sue Roberds, Scott Johns, Nathan West

Public Present: Jeffree Stewart

**APPROVAL OF MINUTES**

**Commissioner Morris moved to approve the March 14, 2012, regular meeting minutes. Commissioner Matthews seconded the motion which passed unanimously.**

**WORK SESSION:**

**SHORELINE MASTER PROGRAM UPDATE: 2<sup>ND</sup> Worksession**

**Associate Planner Scott Johns** began discussion regarding the environmental designations proposed for adoption in the updated Shoreline Master Program by the use of maps. He explained that the reason for establishing designation boundaries topographically (top of bluff) rather than by property boundary lines is that it is more important to define use areas rather than ownership boundaries and it is important to be able to identify distinct use areas that anyone can see to ensure the least amount of confusion amongst the general public and property owners. An exception to using mainly a top of the bluff line (topographic) as the designation boundary is in the Lee's Creek area because there is some development potential around Lee's Creek that may be negatively impacted by not doing so. That area can be designated as a sub-reach of the main segment. It will be important for property owners to know the limits of development in that area.

Commissioner Headrick asked what happens when topographic changes occur?

Port Angeles has neither a mitigation banking nor an in-lieu-of program. Staff would like to include such programs in the updated text. Mr. Johns encouraged Commissioners to think of these type of processes and provide comments at the next meeting.

The next meeting will be regarding Chapters III and IV of the proposed update. He encouraged Commissioners to review the proposed update materials from the perspective of the general public: is the document understandable? Staff is proposing another work session in April with a public hearing in late April/May. It is hoped that the City Council will have the document and approve the updates in June. The program will then be forwarded to the Department of Ecology that likely will take up to 6 months for approval.

Jeffrey Stewart of the Washington State Department of Ecology (DOE)

Chair Reiss questioned the mechanics of how an in lieu of fee or mitigation banking would work. He noted that sometimes mitigation fees do not help the environment but simply allows deep pocket development to occur. Mr. Johns noted that an in lieu of fee would not be easy to obtain but would be a last chance effort barring any other opportunities to avoid negative impacts of a development. The idea of the Shoreline Master Program is no net loss of an environmental function. The method for obtaining an in lieu of fee would be a careful review process that would result in an increase in environmental gain.

Director West agreed that such a program would be carefully crafted to ensure no net loss but there may be small environmental areas that can be recreated nearby or larger areas enhanced in such a manner that no net loss or perhaps a gain net actually results.

In response to Commissioner Matthews, Planner Johns stated that the most restrictive regulations always apply for development from a land use perspective. In a shoreline area where portions of a site are not within 200 feet of a shoreline, the Master Program does not apply but access to the shoreline within that 200 foot area is required. Given the Rayonier site, the east side of the Creek is designated as being more natural where the west side is designated as for more intensive development.

Director West added that, specific to the 200 foot shoreline designation, that shoreline area would be more restrictive than the remaining portion of the site. It was a very difficult consensus to reach to leave the underlying zone as industrial heavy. The City's significant community visioning process that was conducted resulted in a mixed use designation for the Rayonier site. The site has not been rezoned for mixed use to date but that could happen in the future.

Mr. Johns noted that the industrial zoning designation for the Rayonier property has not been changed due to the current property owner's wishes. If that property ownership changes, the zoning may be reviewed at that time.

Commissioner Headrick asked why no bluff walls or bank stabilization is allowed? Planner Johns noted that the old railroad grade along the base of the bluff is heavily armored. The wording is to prevent further armoring.

Commissioner Headrick asked if there is a physical bluff defining the Lee's Creek ravine? Mr. Johns responded that there is somewhat of a bluff but mainly a slope. He noted that in the Lee's Creek area, where armoring has not occurred, that some armoring be permitted.

By a show of hands, consensus was reached to continue to move forward as described.

## **COMMUNICATIONS FROM THE PUBLIC**

Jeffrey Stewart, DOE, offered to clarify a couple of questions regarding what happens if bluff moves. The Shoreline Master Program is a planning instrument once adopted becomes a permitting instrument. The lines on a map are general lines on a map that will be worked out at the time of permitting. He encouraged considering practical reality when considering what provisions are.

**STAFF REPORTS**

None

**REPORTS OF COMMISSION MEMBERS**

None

**ADJOURNMENT**

The meeting adjourned at 7:35 p.m.

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Sue Roberds, Secretary

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Doc Reiss, Chair

PREPARED BY: S. Roberds