

November 30, 2004

Mr. Eric Toews, Principal
Cascadia Community Planning Services
914 Washington St. Suite 5
Port Townsend, WA 98368

Re: Zoning & UDC Questions – Douglas Larson properties

Mr. Larson's properties (tax parcel #901024069, 901024034, 901024068, 901024088, 901024059, 901024070, 901024067) were recently rezoned to Urban Commercial. The three parcels that do not front on Rhody Drive were not originally part of the Urban Commercial zone. The Task Force added the three parcels in their recommendation to the Planning Commission dated April 2, 2004. The map as recommended by the Task Force is available on our website.

Although Mr. Larson's properties exist within a commercial zone, existing residential uses are a conforming use. Single-family residences (SFR) are an "existing only" use as listed in the use table in the Unified Development Code (UDC) Appendix D.

In earlier drafts of the development regulations SFR were a "No" in Urban Commercial zones. It was not the intent of the UGA Task Force or the Planning Commission to create non-conforming uses, due to the difficulties involved in permitting for non-conforming uses.

The questions posed in your letter have been included for ease of reference and have been addressed individually below:

1. Are expansions or alterations to Mr. Larson's existing residential use of his properties permissible under the UDC, as amended?
{Expansions of 'existing only' single-family residential uses are allowed in Urban Commercial zones. In earlier drafts of the development regulations SFR were a "No" in Urban Commercial zones. It was not the intent of the UGA Task Force or the Planning Commission to create non-conforming uses, due to the difficulties involved in permitting for non-conforming uses. }
2. Under the new urban commercial zoning applied to his properties, would Mr. Larson be permitted to establish new single-family uses?
Or, would new residential uses be restricted to multi-family/mixed-use only, as suggested by Table 1-1?
{New single-family residences are not allowed in Urban Commercial zones. Mr. Larson does have the option of adding an accessory dwelling unit. Multi-family residential uses must have retail on the ground floor in the Urban Commercial zone. Mr. Larson indicated during a phone conversation a few months ago that he had considered building a hotel or motel on his property, hotels and motels are a commercial use and are allowed. }

3. Is Mr. Larson correct in concluding that his properties fall within the 20- year sewer service area described in the General Sewer Plan for the Irondale/Hadlock UGA?
{The properties in question are all in the sewer service area.}
4. If the answer to question #3 is yes, is he correct in concluding that only new development approval for a commercial, industrial, or multi-family use, or a major modification to any such existing use, would trigger a requirement to: a) obtain confirmation of sewer availability; and b) if available, to connect to a sewer line?
{New commercial, industrial, and multi-family residential uses, and major modifications to existing commercial, industrial, and multi-family residential uses are required to hook up to sewer service}
5. To clarify further, would additions or alteration to Mr. Larson's established single-family residential use trigger a requirement to obtain confirmation of sewer availability and connection to a sewer line, if available?
{Expansion or alterations to Single-family residences will not trigger a requirement to obtain sewer service.}
6. Lastly, if no sewer is available at the time Mr. Larson or his successors alter an existing single-family residential use, or establish a new commercial or multi-family use, under what circumstances, if any, would the County permit development to be served by an on-site septic system?
{The County will permit a new septic system during the period without sewer service. Once sewer service is made available, commercial, industrial, and multi-family uses that were permitted for construction or expansion since adoption of the UGA will have one year to hook into the system. Alterations to an existing single-family residence may not necessarily require septic improvements or alterations, although a septic system would be allowed for expansion of a single-family residence.}

Please contact me if you have further questions regarding any of this information or any other question regarding the UGA.

Sincerely,

Kyle Alm
Assistant Planner