Ordinance No. 2539

AN ORDINANCE OF THE CITY OF PORT TOWNSEND, WASHINGTON, ADOPTING THE CITY OF PORT TOWNSEND COMPREHENSIVE PLAN AS REQUIRED BY THE GROWTH MANAGEMENT ACT OF 1990, AS AMENDED, (CHAPTER 36.70A RCW); ADOPTING AND INCORPORATING BY REFERENCE THE PORT TOWNSEND URBAN WATERFRONT AND GATEWAY DEVELOPMENT PLANS AS SUBAREA PLANS; READOPTING AND INCORPORATING BY REFERENCE THE 1991 COMPREHENSIVE PARKS AND RECREATION PLAN; REQUIRING THE PREPARATION OF DEVELOPMENT REGULATIONS AND A NEW OFFICIAL ZONING MAP TO IMPLEMENT THE PLAN; AND, ESTABLISHING AN EFFECTIVE DATE.

The City Council of the City of Port Townsend finds as follows:

1. After review and recommendation from the Port Townsend Planning Commission, the City's current comprehensive plan was adopted by the City Council in 1981 (the "1981 Plan") as the official public document intended to guide the physical development and conserve the resources of the City.

2. The Washington State Legislature adopted the Washington State Management Act of 1990 and amendments thereto, Chapter 36.70A. RCW, (the "Act"), requiring selected counties and cities to prepare comprehensive plans consistent with the provisions of the Act.

3. Under the Act, the City of Port Townsend is charged with the responsibility of preparing a new comprehensive plan to facilitate the orderly and coordinated growth and development of the City (Chapter 36.70A.040 RCW).

4. As required under the Act (Chapter 36.70A.210 RCW), and to ensure coordination and consistency between the comprehensive plans of Jefferson County and the City of Port Townsend, the City participated in the preparation and adoption of the County-Wide Planning Policy for Jefferson County (City Resolution No. 92-112 and County Resolution No. 128-92, both dated December 21, 1992).

5. Throughout the City's planning process, the County-Wide Planning Policy for Jefferson County has been used as a policy guide for the development of the City of Port Townsend Comprehensive Plan.

6. Following adoption of the County-Wide Planning Policy for Jefferson County, the City implemented a thorough planning and public involvement process to guide development of the new Comprehensive Plan in conformance with the Act, and to repeal and replace the 1981 Plan.

7. As set forth in the findings below, the citizen involvement process employed in the planning process exceeds the public participation requirements set forth in the Act (Chapter 36.70A.140 RCW).

8. In May of 1993, the Port Townsend City Council sponsored the PT 2020: *Getting Together* project to provide an opportunity for citizens to express their concerns about the future of the City.

9. The PT 2020: *Getting Together* process involved over 1,400 hours of citizen discussion between March and May, 1993, and included more than 600 citizen responses to a questionnaire that sought information about the concerns and values of Port Townsend residents.

10. The product of the PT 2020 project was a report entitled, "PT 2020: *Getting Together* - Final Report of Coffee Hour Process and Results" (the "PT 2020 Report").

11. On June 21, 1993, the City Council accepted the PT 2020 Report as a guide to be used in the City's future planning efforts (Resolution No. 93-73).

12. After timely public notice, the City Council held two public workshops on March 16 and 23, 1994, to develop a "Community Direction Statement" to guide the development of the new Comprehensive Plan.

13. Derived from the results of the PT 2020 Report, the Community Direction Statement was adopted by the City Council on May 2, 1994, as a vision statement for the comprehensive planning process (Resolution No. 94-65).

14. Throughout the planning process, the City Council, Planning Commission, citizen workgroups, and staff have referred to the Community Direction Statement to ensure that the basic values it embodies are reflected in the new Comprehensive Plan.

15. In May of 1994, Port Townsend Mayor John Clise appointed Councilpersons, Planning Commissioners and Port Townsend citizens to five Citizen Workgroups charged with the responsibility of developing goals, policies, and implementing strategies for the Draft Comprehensive Plan. A sixth workgroup, known as the "String and Glue" Committee, was also formed to help coordinate the efforts of the citizen workgroups and to prepare meeting minutes for the other citizen workgroups.

16. Between May of 1994 and December 1995, the workgroups held a total of more than 50 public meetings as they gathered information, identified key issues, and prepared the Draft Plan elements for community review.

17. Citizen workgroup meeting times and places were listed in the weekly "*Meetings, Meetings, Meetings*" flyer posted at City Hall, and were provided to the Port Townsend - Jefferson County Leader.

18. On January 10, 1996, the Draft Port Townsend Comprehensive Plan and Environmental Impact Statement was released for public and agency review (*see* Exhibit "A" attached hereto).

19. The Draft Plan represented an integrated State Environmental Policy Act (SEPA) and Growth Management Act (GMA) document, and was formatted and prepared to fulfill the requirements of both the Act and SEPA (Chapter 43.21C RCW).

20. On January 30, 1996, and after timely public notice, the SEPA Responsible Official (Building and Community Development Director, Dave Robison) conducted a public hearing to accept public testimony on the Draft Environmental Impact Statement (DEIS) portion of the integrated Draft Plan and DEIS document.

21. In February, 1996, and after timely public notice, the Port Townsend City Council and Planning Commission conducted four televised community workshops to review the major policy recommendations of the Draft Plan, and to answer questions from interested citizens. These workshops were held on February 7, 14, 21, and 28, 1996.

22. In March and April of 1996, and after timely public notice, the Port Townsend Planning Commission held a series of eight public hearings to accept public testimony on the specific recommendations contained in the Draft Plan. These hearings were held on March 7, 14, 21, and 28, and April 4, 11, 18, and 25, 1996.

23. Following the conclusion of the Planning Commission public hearings on April 25, 1996, and after timely public notice, the Planning Commission held a series of seven closed record meetings to deliberate upon the testimony received, and prepare findings, conclusions, and recommendations for the advice of the City Council. These meetings were held on May 4, 8, 15, 16, 22, 23, and 29, 1996.

24. On June 3rd, 1996, the Planning Commission transmitted the Draft Port Townsend Comprehensive Plan and a list of final recommended amendments to the City Council, together with a unanimous recommendation for adoption (*see* Exhibit "B" attached hereto).

25. Between June 4 and 18, 1996, and after timely public notice, the City Council held a series of four public workshops to review the specific recommendations contained in the Planning Commission's report, and to preliminarily direct further revisions to the Draft Plan. These workshops were held on June 4, 11, 12, and 18, 1996.

26. On June 19 and 20, 1996, and after timely public notice, the City Council held two additional televised public hearings to accept final public testimony on the Draft Port Townsend Comprehensive Plan.

27. Between June 24 and July 10, 1996, and after timely public notice, the City Council held a series of six special public meetings to deliberate upon the testimony received and to direct final lines-in and lines-out to the goals, policies, and implementing strategies of the Plan, and to direct final changes to the Land Use Map. These special meetings were held on June 24 and 25, and July 2, 8, 9, and 10, 1996.

28. On July 3, 1996, a Final Environmental Impact Statement (FEIS) was issued for the Port Townsend Comprehensive Plan as required under SEPA (Chapter 43.21C RCW) (*see* Exhibit "C" attached hereto).

29. Throughout the comprehensive planning process, workshops, meetings and hearings have been advertised through a wide variety of media, including direct mailings to City Utility customers and individuals on the City's Comprehensive Plan Mailing List, legal ads and display ads in the Port Townsend - Jefferson County Leader, and announcements broadcast on Port Townsend cable television station (Channel 8).

30. In addition to advertisements for meetings, workshops and hearings, the City has widely disseminated information regarding important issues for community discussion, and key recommendations contained in the Draft Port Townsend Comprehensive Plan. Examples of these public information efforts are detailed in findings #31 through #35, below.

31. In November, 1995, the Port Townsend - Jefferson County Leader ran an insert entitled "Planning Port Townsend," which provided information on the planning process and the three conceptual plan alternatives under consideration (*i.e.*, Alternative #1 - Residential Community; Alternative #2 - Neighborhood Community (Focussed Growth); and Alternative #3 - Urban Community (Concentrated Economic Growth)). This insert also contained an informal preference questionnaire regarding the conceptual plan alternatives; more than 100 responses to this questionnaire were returned to City Hall, and the results were tabulated and reviewed by the citizen workgroups.

32. In August, 1995, the City prepared a 25 minute video describing major issues addressed by the Draft Plan and encouraged residents to become involved in the planning process. This video was broadcast a total of 30 times on local Cable Channel 8, and was available for free rental at local video stores, City Hall, and the Port Townsend Library.

33. Over the course of the planning process, five articles written by the Mayor and City Councilmembers have been published in the Port Townsend - Jefferson County Leader describing the planning process, important issues for community discussion, and how to become involved in the process. Articles published by the Leader include:

a. "*Please Join Us in Planning Port Townsend*" by Councilmember Dan Harpole in November, 1994;

b. "*The Port Townsend Comprehensive Plan: 'Our Legacy for the Future'*" by then Mayor John Clise in May, 1995;

c. "*The Land Use Chapter - The 'Heart' of the City's Draft Comprehensive Plan*" by Councilmember Bill Davidson in February, 1996;

d. "*Port Townsend's Draft Comprehensive Plan: Promoting More Affordable Housing & 'Family-Wage' Jobs*" by Mayor Julie McCulloch and Councilmember Diane Perry-Thompson in February, 1996; and

e. "*Port Townsend's Draft Comprehensive Plan: Providing Public Facilities & Services Within Our Financial Resources*" by Councilmember Ted Shoulberg and Mayor Julie McCulloch in February, 1996.

34. Prior to the Planning Commission's public hearings beginning in March, 1996, Draft Port Townsend Comprehensive Plan display boards were set up at key locations throughout town, including: City Hall; the Port Townsend Library; Safeway; the Port Townsend Food Co-Op; and Stock Market Foods. These displays were comprised of the draft Land Use Map, the Community Direction Statement, text highlighting important policy issues for community discussion and major recommendations of the Draft Plan, and text describing how to participate in the process.

35. To promote community involvement in the development of the Plan, the Mayor, City Councilmembers and staff visited local service clubs (*i.e.*, Chamber of Commerce, Rotary, Lions, and Soroptimists) on ten occasions between the summer of 1995 and spring of 1996. These presentations highlighted key issues for community discussion, the major policy recommendations of the Comprehensive Plan Workgroups, and encouraged citizen involvement in the planning process.

36. As more fully described in finding #37, below, the Port Townsend Comprehensive Plan meets the requirements of the Act, including, but not limited to, the required elements concerning Land Use, Housing, Transportation, Capital Facilities and Utilities, and in addition, the optional element of Economic Development as allowed by the Act.

37. The Port Townsend Comprehensive Plan contains goals, policies, implementing strategies and a land use map intended to establish the character, quality and pattern of the future physical development of the City. The Plan specifies the amount and location of land for various land uses, and the density and intensity of development allowed. Important direction provided by the Plan includes:

Section 4: Preparation of Final Revised Comprehensive Plan Copies. Copies of a Final Revised Port Townsend Comprehensive Plan, incorporating the changes to the goals, policies, implementing strategies and Land Use Map approved by the City Council (*i.e.* integrating Exhibits "A" through "D" attached hereto into one coherent document for public use), shall be prepared by Port Townsend Building and Community Development Department staff and available for public inspection within 30 days of final adoption of this ordinance.

Section 5: Effect on 1981 Plan. Upon the effective date of this ordinance, the 1981 Plan and land use map shall be superseded by the 1996 Port Townsend Comprehensive Plan as approved, PROVIDED however, that if the 1996 Comprehensive Plan is at any time hereafter declared in its entirety to be invalid or of no effect, the 1981 Comprehensive Plan shall spring into effect.

Section 6: Effect on Subarea Plans.

a. Upon the effective date of this ordinance, the Port Townsend Urban Waterfront Plan and the Port Townsend Gateway Development Plan shall be incorporated by reference and adopted within the 1996 Port Townsend Comprehensive Plan as subarea plans (*see* Exhibits "E" and "F" attached hereto);

b. Upon the effective date of this ordinance, the Port Townsend Comprehensive Parks and Recreation Plan shall be incorporated by reference and readopted under the 1996 Port Townsend Comprehensive Plan as a functional plan (*see* Exhibit "G" attached hereto);

c. In the event of an inconsistency between the policies of the Port Townsend Urban Waterfront Plan, the Gateway Development Plan or the Port Townsend Comprehensive Parks and Recreation Plan and the Port Townsend Comprehensive Plan, the policies of the Port Townsend Comprehensive Plan shall prevail.

Section 7: Preparation of Development Regulations and Official Zoning Map. The Director of the Port Townsend Building and Community Development Department, together with the Planning Commission, are directed to begin preparation of new development regulations and a new official zoning map in order to timely comply with, and implement, the 1996 Port Townsend Comprehensive Plan.

Section 8: Urban Growth Area. The incorporated limits of the City of Port Townsend shall serve as the limit of the Port Townsend Urban Growth Area until such time as a final unincorporated urban growth area boundary is mutually agreed to by Jefferson County and the City of Port Townsend, and approved by the Joint Growth Management Committee, the Jefferson County Board of Commissioners, and the Port Townsend City Council.

Section 9: Severability. In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance, but this ordinance shall be construed and enforced as if such

invalid provision had not been contained therein; PROVIDED, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deeded to be in effect to the extent permitted by law.

Section 10: Effective Date. This ordinance shall be in full force and effect five (5) days following publication of the attached summary, which is hereby approved.

Read for the first, second and third times and passed by the City Council of the City of Port Townsend, Washington, at a regular meeting thereof, held this fifteenth day of July, 1996.

By _____
Julie McCulloch, Mayor

ATTEST: _____
Pamela Kolacy, City Clerk

Approved as to form: _____
Timothy L. McMahan, City Attorney

First reading: July 15, 1996

Second reading: July 15, 1996

Third reading: July 15, 1996

Transmitted to the State: July 30, 1996

Passage: July 15, 1996

Publication: July 17, 1996

Effective: July 22, 1996

Ordinance No.: 2539

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Summary of Ordinance No. 2539

On July 15, 1996, the Port Townsend City Council passed Ordinance No. 2539, adopting the Port Townsend Comprehensive Plan as required by the Washington State Growth Management Act of 1990, as amended (Chapter 36.70A RCW), and establishing an effective date of July 22, 1996. The Port Townsend Comprehensive Plan contains goals, policies, implementing strategies and a land use map intended to establish the character, quality and pattern of the future physical development of the City. The Plan specifies the amount and location of land for various land uses, and the density and intensity of development allowed. Important direction provided by the Plan includes:

1. The designation of five new "mixed use centers" intended to serve as focal points for new or emerging neighborhoods and to help promote pedestrian friendly areas with small scale neighborhood shopping and services (*i.e.*, the new C-I/MU and C-II/MU designations);
2. The designation of significant additional land for commercial and manufacturing development, in order to help provide the retail, service, and employment opportunities needed by the community (*i.e.*, including the new C-I/MU, C-II/MU, C-II(H), M/C, M-II(A), and M-II(B) designations);
3. The designation of significant additional land for moderate and higher density multi-family development in order to encourage more diverse and affordable housing types (*i.e.*, the new R-III and R-IV designations);
4. A policy which directs that manufactured (*i.e.*, HUD Code) homes be allowed in all single-family residential districts outside the National Register Historic District, provided that such homes meet the standards of the State Energy Code, or its equivalent;
5. A policy which directs that duplexes, triplexes, and fourplexes be allowed in all single-family residential districts (*i.e.*, R-I and R-II designations) consistent with the underlying density requirements of such districts;
6. Policies intended to promote the creation of a City-wide system of interconnected open spaces and trails;
7. Policies intended to provide more opportunities and support for pedestrians, bicyclists, and transit riders, while at the same time allowing the construction of narrower streets to provide newer neighborhoods with a continuity found in older sections of the City;
8. A Capital Facilities and Utilities Element which establishes level of service standards and concurrency requirements, lists capital improvements, details construction and funding schedules for capital projects over the next six years, and provides a clear policy framework for providing adequate urban public facilities and services to address current needs and new growth and development; and
9. An optional Economic Development Element which includes a strategy which seeks to maximize Port Townsend's potential for future economic growth in a manner consistent with community and environmental values.

Ordinance No. 2539 directs that the 1996 Port Townsend Comprehensive Plan shall supersede the 1981 Port Townsend Comprehensive Plan as the official land use classification and guidance document for the City of Port Townsend. The ordinance further instructs the Director of the Port Townsend Building and Community Development Department, together with the Planning Commission, to begin preparation of development regulations and an official zoning map to implement the 1996 Comprehensive Plan. A complete copy of Ordinance No. 2539 may be obtained without charge at the City Clerk's Office at City Hall, 540 Water Street, Port Townsend, Washington, 98368.

ORDINANCE 2539

LAND USE MAP

NOT SCANNED