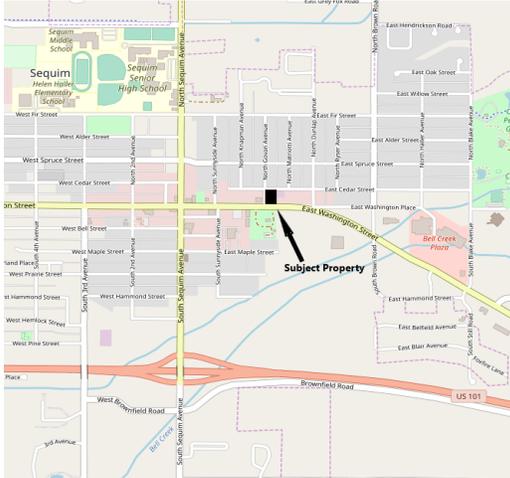


**CITY OF SEQUIM PLANNING COMMISSION
STAFF REPORT**

Clallam County PUD #1 Special Use Permit
Planning File No. SUP 19-001
Public Meeting Date: August 6, 2019



Map 1
Project location

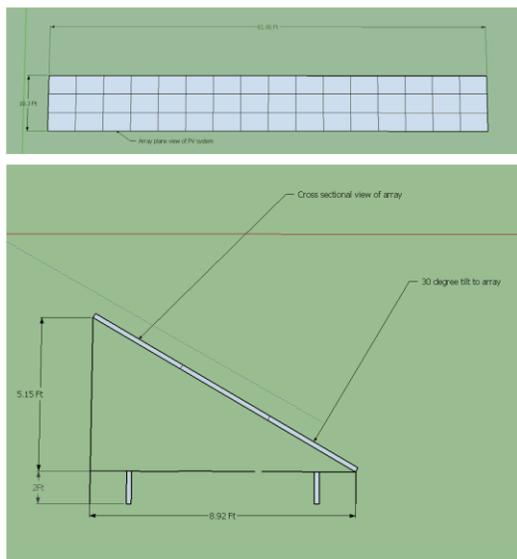


Map 2
Aerial of Project Location

<p>Owner/Applicant: Colin Young, Clallam County PUD No. 1, P.O. Box 1000, Carlsborg, WA 98324</p> <p>Applicant Representative: Andy Cochrane, Power Trip Energy, 83 Denny Avenue, Port Townsend WA, 98368</p> <p>Staff Contact: Tim Woollett Senior Planner twoolett@sequimwa.gov 360-582-2476</p>	<p>Property Location: The .62-acre subject property is located at 410 East Washington Street, Sequim, Washington, identified as Assessor’s Parcel No. 033020-230020.</p> <p>Public Comment: The project was noticed per Title 20 of the SMC. As of the published date of this report, no public comments have been received.</p>	<p>Staff’s Recommendation: Approval of the special use permit as conditioned herein.</p> <p>Action: The Planning Commission shall hereby recommend: Approval; Approval with Modifications; or Denial to the City Council, of the PUD No. 1 Special Use Permit (file No. SUP 19-001).</p>
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1. PROJECT SUMMARY

1. a. Project Description: The project consists of re-purposing a decommissioned electrical substation for the installation of a ground mounted 30kW solar system. The project is a Community Solar Project with utility district (Clallam County PUD No. 1) rate paying customers buying into the installation. The Clallam County PUD No. 1 will coordinate the energization of the Solar PV System to an existing PUD 50 DVA 7200V-120/240V transformer located within the Sequim Substation, thus providing solar energy to their utility customers. This proposed use consists of two (2) solar array panels being 10.3 feet wide by 81.86 feet long mounted two (2) feet above the ground. The panels will be set at an angle of 30 degrees facing south, extending vertically 5.15 feet from the panel's bottom edge to the top edge. Including the two (2) feet ground mounted support structure, the panels will attain a height of approximately 7.15 feet above ground level.



Array Diagram



Array Location/Site Plan

1. b Previous Actions:

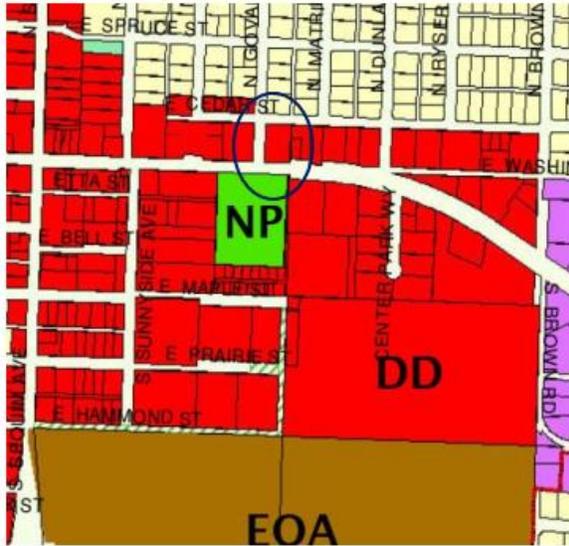
The property has been subject to the following previous actions:

- Subject property was previously the site of the Clallam County PUD No. 1 Sequim office.
- Pre-application meeting for the proposed binding site plan was held on July 9, 2019.
- Application for special use permit received July 12, 2019.
- Determination of completeness issued effective July 12, 2019.
- Notice of application issued July 14, 2019.
- Public comment period closes on August 5, 2019.

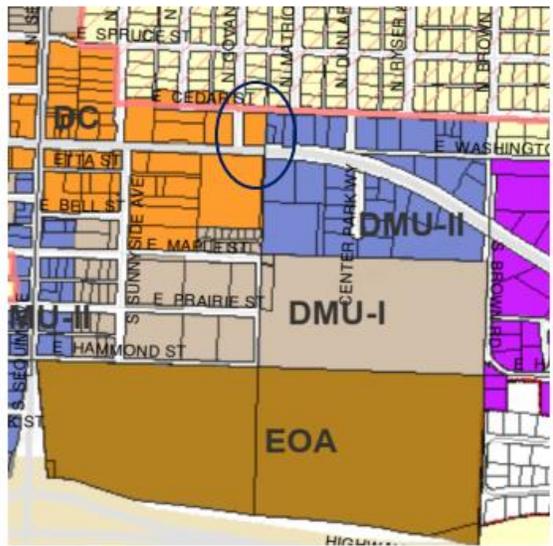
1. c Project Context:

The project site is situated in the Downtown Core (DC) zoning district, which is consistent with the City of Sequim Future Land Use Map (FLUM) Downtown District (DD) land use designation. The surrounding zoning is also Lifestyle District.

**Zoning/Comprehensive Plan
Designation**



Comprehensive Future Land Use Map



Zoning Map

The property is situated adjacent to the north side of East Washington Street, a city right-of-way classified as an Arterial, and the east side of North Govan Avenue, a city right-of-way classified as a local access street. There are no known or mapped critical areas on the property. The subject property is approximately 200 feet (north/south) by approximately 139 feet (east/west). Having been the former site of the Clallam County PUD No. 1’s Sequim office with parking lot on the south 125 feet (approximate) and equipment storage area on the north 75 feet (approximate), where the proposed solar array will be sited, the property remains primarily composed of impervious surfaces.

2. Staff Discussion/Analysis:

2. a Zoning, Land Use, Density & Development Standards

Discussion: The future land use designation of the project site as identified in the 2015-2035 Comprehensive Plan is “Downtown District” (DD), which is consistent with the “Downtown Core” (DC) zoning designation for the site. The Downtown Core is one of three districts regulated under Chapter 18.57; Downtown Districts. The zoning and development standards that govern “Downtown Districts” established in SMC Chapter 18.57 consist of the following:

- Allowed and prohibited uses [SMC 18.7.020];
- Development intensity [SMC 18.57.030];
- Development bonuses [SMC 18.57.040];
- Maximum building height [SMC 18.57.050];
- Set-to and setback lines [SMC 18.57.060];

- Parking Standards [SMC 18.57.070]; and
- Design standards and guidelines applicable to downtown [SMC 18.57.020];

Allowed and prohibited uses: Because the downtown districts are intended to encourage a wide mixture of uses, all uses listed in Chapter 18.20 SMC, except those listed in SMC 18.57.020 D. (Prohibited Uses) are permitted, subject to the additional use requirements of SMC 18.57.020 B. (Conditional Uses) and SMC 18.57.020 C. (Special Uses). SMC 18.57.020 C. provides that essential public facilities and utilities may be allowed as a Special Use in the Downtown Core (DC) zoning district.

Development intensity: SMC 18.57.030 addresses floor area ratio. This proposed use consists of two (2) solar array panels being 10.3 feet wide by 81.86 feet long mounted two (2) feet above the ground. The panels will be set at an angle of 30 degrees facing south, being and extending 5.15 feet vertically from the panel's bottom edge to the top edge. Including the two (2) feet above ground level the panels will attain a height of approximately 7.15 feet above ground level. As such, there is no proposed floor area; therefore, the requirements for development intensity are not applicable to this project.

Development Bonuses: This section applies to the potential allowance of increases to the floor area ratio. As provided above, there is no floor area associated with this proposal; therefore, the provisions for development bonuses are not applicable to this project.

Maximum building height: There are no buildings associated with this proposal. The solar panel arrays will be approximately 7.15 feet above ground level, well within any height limitations for the DC zone. There is currently a fence around the project site that appears to be approximately six (6) feet high. The proposed project will not conflict with any height requirements for the DC zone.

Set-to and setback lines: The setback provisions of this section apply to first floor building facades facing streets. The proposed solar array panels are not commercial or residential buildings and will not be facing streets. The solar array panels will be setback no less than five (5) feet from the ally along the property's rear (north) boundary. The proposed project will not pose any conflict with the setback provisions of this section.

Parking Standards: As provided in SMC 18.57.070, for commercial and other uses, one off-street parking stall must be provided for each 500 square feet of new construction in excess of 2,500 square feet. All permitted nonresidential uses less than 2,500 square feet are exempt from the parking requirements of Chapter 18.57 SMC. Because this is a public utility facility, there is an anticipated need for servicing and maintenance on a regular basis. Therefore, the proponent must provide one off street parking space for maintenance vehicles.

Design standards and guidelines applicable to downtown: This proposal does not include the new construction, remodel, or addition to an existing building; therefore, the design standards and guidelines would not apply to this proposal.

Staff Finding #1: Staff finds that (with conditions), the proposed special use permit satisfies the requirements of Chapter 18.57 (Downtown Districts).

2.b. Environmentally Significant Lands: There are no known or mapped environmentally significant lands located on or adjacent to the subject property.

Staff Finding #2: *There are no known regulated streams, wetlands, or fish & wildlife habitat areas on the subject property. Therefore, staff finds that the proposal would be consistent with SMC 18.80 – Critical and Environmentally Sensitive Areas Protection.*

2.c. Special Use Permit - Approval Process & Criteria:

Special Use Permits are identified as a Type C-2 process in Chapter 20.01.030, Table 2 (SMC), which requires a Planning Commission public meeting and a City Council public hearing. Chapter 18.56.060 of the Sequim Municipal Code (SMC) contains the criteria by which special use permits are reviewed as follows:

18.56.060-Permit – Criteria.

An essential public facilities and/or special property use permit granted by the council shall be subject to the following criteria:

- A. There shall be a demonstrated need for the essential public facilities and/or special use within the community at large which shall not be contrary to the public interest.**

Staff Discussion: The project site is on one (1) of three (3) parcels of land owned by the Clallam County PUD No. 1. There is a long-established Clallam County PUD No. 1 power substation on the parcel adjacent to the east boundary of the project site. The need for the proposed solar array was established by the Clallam County PUD No. 1, leaving the issue of siting. Having a vacant property that is currently fenced in and adjacent to an existing substation makes this a logical site for the proposed use. The siting of this low profile, noiseless non-polluting facility will not be contrary to the public interest.

- B. The essential public facility and/or special use shall be consistent with the goals and policies of the comprehensive plan, and applicable ordinances of the city.**

Staff Discussion: As provided in *Findings #1* and *#4*, the proposed use is consistent with the goals and policies of the Comprehensive Plan and the requirements of the applicable ordinances of the city.

- C. The council shall find that the essential public facility and/or special use shall be located, planned and developed in such a manner that the essential public facility and/or special use is not inconsistent with the health, safety, convenience or general welfare of persons residing or working in the city. The council's findings shall address, but not be limited to the following:**

- 1. The generation of noise, noxious or offensive emissions, or other nuisances which may be injurious or detrimental to a significant portion of the city.**

Staff Discussion: The proposed solar array will not generate noise, produce noxious or offensive emissions, and will not create any other nuisances which might be injurious or detrimental to any portion of the city.

2. **The availability of public services which may be necessary or desirable for the support of the special use. These may include, but shall not be limited to, availability of utilities, transportation systems, including vehicular, pedestrian, and public transit systems, and education, police and fire facilities, and social and health services.**

Staff Discussion: Other than a source of power, there are no other public services necessary for this proposed use. The proposed use is a non-occupied use and will not place a burden on utilities, transportation systems, education, police and fire facilities, or social health services.

3. **The adequacy of landscaping, screening, yard setbacks, open spaces or other development characteristics necessary to mitigate the impact of the special use upon neighboring properties.**

Staff Discussion: There is currently a slatted chain link fence with landscaping around the project site that is not in conformance with the fencing standards for the downtown districts. Minor landscaping improvements and fencing will be required to ensure against visual impacts to the surrounding area. Although no building construction is proposed, the proposal is listed as a “Special Use” in the Downtown Core (DC) zoning district. As such, the fencing requirements of SMC 18.24.140 shall be applicable to this project to ensure consistency with the purpose of the development standards typically applied to development in the downtown districts (e.g. DC. DMU-I & DMU-II), which will require replacement of the existing fence. A landscape plan that includes fencing provisions will be required prior to issuance of any site construction or building permits. The fencing shall satisfy the requirements of SMC 18.24.140 A.1. as follows:

1. *Fences shall be constructed of wood, wrought iron, brick, stone or concrete masonry unit (CMU). Smooth-faced CMU shall have a veneer finish visible to the public.*
4. **Proposed uses which exceed the bulk, dimensional, height, density and/or use standards of the zoning district within which they propose to locate, must demonstrate that the proposed variance is essential to the establishment of the public facility and/or special use; i.e., a variance in height may be granted for a water tower, but not to provide an architectural element.**

Staff Discussion: This proposal will not exceed any development standards for the underlying DC zoning district.

Staff Finding #3: Staff finds that the Clallam County PUD No. 1 proposed ground mounted solar array panel satisfies of the criteria for Special Use Permit in SMC 18.57.060.

2.d. Consistency with the Comprehensive Plan:

Staff Comment: The property subject to this review is mapped as “Downtown District” (DD) on the City of Sequim’s Future Land Use Map. The Comprehensive Plan identifies the DD designation as providing a “full range of community serving uses with specified exceptions.” The proposed ground mounted solar

array is an essential public facility and utility which is a specified exception that may be allowed as a Special Use in the DC zone, a zone that is within the Comprehensive Plan's "Downtown District". The Comprehensive Plan also contains provisions for this type of use in its Capital Facilities and Utilities element (Chapter 5) and its Energy and Environment Element (Chapter 7).

Capital Facilities & Utilities

- **CFU Goal 5.8 Reliable Energy:** Sustain and support reliable, safe and affordable energy resources.
- **CFU Policy 5.8.1 Affordable & Reliable Energy Services;** Provide quality, affordable and reliable conventional and renewable power for residents and businesses within the entire UGA.

Energy & Environment

- **EE Goal 9.1 Alternative Energy:** Reduce the energy costs for residents, businesses, and employers by supporting utilization of alternative sources of energy.
- **EE Policy 9.1.1 Active Solar Generation:** Accommodate active solar installations on roofs and ground-mounted on site when there is no direct impact to surrounding properties.

Staff Finding #4: Staff finds that, as conditioned, the Clallam County PUD No. 1 proposed ground mounted solar array panel would be consistent with the City's Comprehensive Plan.

2.e. State Environmental Policy Act (SEPA)

- The SEPA Responsible Official has determined that this proposal is categorically exempt from the requirements for a threshold determination pursuant to WAC 197-11-800(23)(e).

2.f. Project Process & Procedures:

- Type C-2 process (Quasi-judicial);
- Application Received: July 12, 2019;
- Notice of Complete Application issued effective: July 12, 2019;
- Consolidated Notice of application, Public Meeting, and Public Hearing: July 14, 2019;
- Planning Commission Meeting August 6, 2019;
- City Council Hearing: August 12, 2019.

Exhibits:

- #1 Special Use Permit application and plans received July 12, 2019
- #2 Agency Comments:
 - a. Public Works Preliminary review comments
- #3. Neighborhood Meeting notice and meeting notes;
- #4 Legal Notices/Affidavits;
 - a. Notice of Application, Public Meeting, and Public Hearing (affidavits of mailing, posting, and publication confirmation).

DEPARTMENT OF COMMUNITY DEVELOPMENT CONDITIONS OF APPROVAL

1. Prior to issuance of any site construction or building permits, the proponent shall provide a landscape plan with provisions for fencing consistent with the standards of SMC 18.24.140 A. The landscape and fencing plan shall be submitted for approval by the DCD Director. The plan shall include a planting schedule and maintenance bond or other acceptable surety from the owners to warrant in labor and material the survival of all plantings installed for a period of 24 months after acceptance by the city.
2. Prior to final building permit approval, the proponent shall install perimeter fencing around the project site consistent with SMC 18.24.140 A.
3. The proposal shall include one (1) off street parking space for service/maintenance vehicles.
4. The proponent shall comply with any requirements set forth by the Public Works Department as deemed necessary to satisfy the requirements of Title 12 SMC and Title 13 SMC.

Any documents, ordinance, statute, law or reference to case law, or other article referenced herein shall be incorporated by reference into this record.