

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
David Goldsmith, County Administrator

FROM: Community Development; Natural Resources; Prosecuting Attorney

DATE: Tuesday, February 17, 2004

SUBJECT: Proposal for growth management compliance for the Brinnon Subarea Plan and associated policies and regulations

STATEMENT OF ISSUE:

The Board has set a public hearing for Monday, February 23, 11:00 AM for consideration of an ordinance adopting amendments to the Comprehensive Plan, Brinnon Subarea Plan, and Unified Development Code (UDC) in an effort to achieve growth management compliance under Amended Final Decision and Order (AFDO) No. 03-2-007, issued on November 3, 2003 by the Western Washington Growth Management Hearings Board. A compliance deadline was established for February 2004 in the AFDO. The compliance effort is described in a draft Statement of Actions prepared by the Chief Civil Deputy Prosecuting Attorney for submission to the Hearings Board. The amendment package is supported by an Environmental Analysis prepared by County Natural Resources to supplement the environmental documents prepared for initial adoption of the Brinnon Subarea Plan and associated policies and regulations in December 2002.

ANALYSIS/STRATEGIC GOALS/PROS and CONS:

The Environmental Analysis addresses deficiencies in environmental review under the State Environmental Policy Act (SEPA), as identified in the AFDO. A new land use designation is proposed for the 21.6 acres north of Dosewallips Road that is currently zoned Light Industrial/Manufacturing. In terms of how the new designation would function, the Dosewallips Small-scale Business and Cottage Industry (SBCI) overlay district mirrors the Small-scale Recreation and Tourist (SRT) overlay district in the WaWa Point area, except that it is based on RCW 36.70A.070(5)(d)(iii) rather than(d)(ii). The "pros" are that the SBCI overlay concept should be compliant with the Growth Management Act (GMA), since the SRT overlay district was deemed so by the Hearings Board, and that the new overlay should provide ample opportunity for job-creating small-scale business and cottage industry in that area, supporting goals and policies in the Brinnon Subarea Plan. The "cons" are that the Subarea Plan called for a Light Industrial district, which was deemed non-compliant by the Hearings Board. This concept does not precisely match the desire of the community as expressed in the subarea planning process. There is also still the chance that some aspect of the new SBCI overlay, such as the specific development regulations, will be deemed non-compliant by the Hearings Board.

FISCAL IMPACT/COST-BENEFIT ANALYSIS:

In terms of staff resources, Natural Resources completed the additional SEPA work required by the Hearings Board. Community Development has prepared the proposed amendments and will be involved until completion of the process. If the appeal process continues, Community Development and other County departments will continue to expend resources and time. Legal services are being provided by the Prosecuting Attorney's office and an outside attorney.

The impact of the creations of a new SBCI overlay district is unknown, as that is a function of whether a future land use application is filed or not and what the nature of that application would be.

RECOMMENDATION:

Staff recommends that the Board consider these proposals in anticipation of the public hearing on February 23 and after listening to the public and agency comments, re-affirm adoption of the Brinnon Subarea Plan in light of the 2004 Environmental Analysis together with a 2004 Brinnon Subarea Plan Epilogue and associated Comprehensive Plan and UDC amendments such that the Brinnon Subarea Plan is fully compliant with the GMA.

REVIEWED BY:

David Goldsmith, County Administrator

Date