

2003 COMPREHENSIVE PLAN AMENDMENT DOCKET

Department of Community Development Staff Report and SEPA Addendum for Site-Specific Applications

JEFFERSON COUNTY, WASHINGTON

Staff Recommendation and Environmental Analysis
with Regard to the Adoption
of Four Proposed Site-Specific Amendments
to the 1998 Jefferson County Comprehensive Plan

August 6, 2003

*INTEGRATED GROWTH MANAGEMENT ACT/
STATE ENVIRONMENTAL POLICY ACT DOCUMENT*

Environmental Review of a Non-Project Action:
Addendum to Existing Environmental Documents

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1 Environmental Summary and Fact Sheet

1.1 FACT SHEET

Title and Description of Proposed Action

Pursuant to the Washington State Growth Management Act (GMA), the Jefferson County Board of County Commissioners (BOCC) is considering adoption of eight (8) individual amendment proposals to the 1998 Jefferson County Comprehensive Plan. The eight proposed amendments, consisting of four (4) site-specific applications and four (4) suggested amendments, compose the 2003 Comprehensive Plan Amendment Docket, which is the “Final Docket” for this year’s annual amendment cycle. Some of the Comprehensive Plan amendment proposals are accompanied by associated Unified Development Code (UDC) amendments.

This document is a combined Staff Report and State Environmental Policy Act (SEPA) Addendum for the four site-specific amendment proposals. The objective is to analyze the proposed amendments individually and cumulatively with regard to Comprehensive Plan amendment criteria outlined in UDC Section 9 and potential environmental impacts as proscribed in SEPA. Adoption of Comprehensive Plan amendments is a non-project action under SEPA and is not intended to satisfy individual project action SEPA requirements (i.e., the review needed for a future land use or building permit application).

Following are brief descriptions of each of the four proposed site-specific amendments to the Comprehensive Plan land use map. Each case has a Master Land Use Application (MLA) for reference:

1. MLA03-182; Northwest School of Wooden Boatbuilding; parcel 901013016; amend the land use map to designate the entirety of the subject parcel as part of the Port Hadlock Rural Village Center (RVC, a rural commercial district); currently approx. half of the 5-acre parcel is RVC and half is Rural Residential (RR) one dwelling unit per 5 acres (1:5).
2. MLA03-189; ANE Forests of Puget Sound, Inc.; parcel 901364012; land use map re-designation for approx. 40 acres from RR 1:20 to RR 1:10 district.
3. MLA03-225; Donna Pall; parcel 821061001; re-designation for approx. 68 acres from Commercial Forest 1:80 to Rural Forest 1:40 land use district.
4. MLA03-231; Marilee, Gary and Kelly Phillips and Richard Jr. and Kristan Maki; parcels 702224003, 702224010, 702224011, 702224012, 702224023, 702224024, 702224025, 702224026; establishment of a Mineral Resource Land overlay district for approx. 37 acres in

underlying RR 1:5 and RR 1:20 districts.

Proponent	Jefferson County Board of County Commissioners (BOCC) on behalf of four applicants
Lead Agency	Jefferson County Department of Community Development (DCD) Long-Range Planning 621 Sheridan Street Port Townsend WA 98368 Responsible Official: Al Scalf, Director DCD (360) 379-4493 Contact Person: Josh D. Peters, Associate Planner DCD Long-Range Planning (360) 379-4466
Authors and Principal Contributors	Jefferson County Department of Community Development Long-Range Planning
Date of Staff Report & SEPA Addendum Issuance	August 6, 2003
Date Comments are Due	Close of Planning Commission public hearing, (begins at 6:30 PM), Wednesday, August 20, 2003
Expected Date of Future Staff Reports	DCD expects to release the 2003 Comprehensive Plan Amendment Docket DCD Staff Report and SEPA Addendum on Suggested Amendments on or around September 17. A two-week comment period and Planning Commission public hearing will follow issuance. DCD expects to transmit to the BOCC a final DCD Staff Recommendation together with the Planning Commission Recommendation for all eight proposals on the 2003 Comprehensive Plan Amendment Docket early to mid-November.
Tentative Adoption Date	A legislative decision from the BOCC on each of the eight Comprehensive Plan amendment proposals and associated UDC amendments under consideration is expected in late November or early December 2003. The meeting schedules and agendas for the Planning Commission and BOCC with regard to this Docket are available on a Jefferson County website dedicated to the 2003 Comprehensive Plan annual amendment cycle process. This website can be accessed from the "Jefferson County Comprehensive Plan" section of the Long-Range Planning website: http://www.co.jefferson.wa.us/commdevelopment/LRP.htm

Appeal Information

Issues relating to the adequacy of a SEPA Addendum and other procedural issues may not be appealed under the administrative appeal provisions of UDC 8.10.12. Appeals of GMA actions (i.e., a legislative decision by the BOCC) are heard first by a Growth Management Hearings Board.

Location of Background Material and Documents Incorporated by Reference

Background material and documents used to support development of the Addendum are available for inspection from 9:00 AM to 4:30 PM, Monday through Friday, at the Jefferson County Department of Community Development, 621 Sheridan Street, Port Townsend WA 98368, (360) 379-4450.

Relation to Other Documents

A series of documents have been prepared by or on behalf of Jefferson County to evaluate the impacts of the Jefferson County Comprehensive Plan and development regulations—the Unified Development Code (UDC)—inclusive of amendments. These documents, listed in part 3 of this document, “Supporting Record, Analyses, and Materials,” provide substantial background information and offer previous environmental description and analysis. They are hereby incorporated by reference. The reader is encouraged to utilize existing documents in conjunction with this document for more comprehensive perspective and understanding.

In this document, description of and references to the content of the proposals have been provided to the greatest extent possible, but are not inclusive of all relevant information from the Comprehensive Plan amendment applications. For optimum understanding of the discussion presented here, the Comprehensive Plan amendment applications themselves should be consulted as companion information to this document.

Cost to the Public

Copies of the 2003 Comprehensive Plan Amendment Docket DCD Integrated Staff Report and SEPA Addendum, or select pages, are available at cost from the Jefferson County Department of Community Development (DCD). The text and selected appendices are also available for download on the DCD website dedicated to the 2003 annual amendment cycle, which can be accessed from the “Jefferson County Comprehensive Plan” section of the Long-Range Planning website:

<http://www.co.jefferson.wa.us/commdevelopment/LRP.htm>.
Copies of this document are available for inspection at DCD and the Jefferson County Public Library at Port Hadlock.

1.2 ENVIRONMENTAL SUMMARY

1.2.1 Introduction and Process

Jefferson County adopted a comprehensive plan pursuant to the Growth Management Act (GMA) on August 28, 1998. The Jefferson County Comprehensive Plan is a policy document that guides growth and future land use decisions in Jefferson County. In each successive year, the County has conducted a Comprehensive Plan amendment cycle as provided by the GMA. The process for amending the Comprehensive Plan is outlined in Section 9 of the Unified Development Code (UDC). The 2003 "Preliminary Docket" included eight (8) proposed amendments and associated UDC amendments. The four (4) site-specific amendments (formal applications submitted in conjunction with a fee) automatically qualified for the "Final Docket." The Jefferson County Planning Commission heard testimony on the four (4) suggested amendments (introduced either by private citizens or by County government) on the Preliminary Docket and formulated a recommendation to the Board of County Commissioners (BOCC) regarding the composition of the Final Docket. The BOCC then established the Final Docket, accepting each of the four suggested amendments and establishing as eight the total number of amendment proposals on the Final Docket.

This document is an integrated Staff Report and State Environmental Policy Act (SEPA) Addendum. The objective is to analyze the proposed amendments individually and cumulatively with regard to Comprehensive Plan amendment criteria outlined in UDC Section 9 and potential environmental impacts as proscribed in SEPA. Adoption of Comprehensive Plan amendments is a non-project action under SEPA and the analysis presented in this document is not intended to satisfy individual project action SEPA requirements (i.e., the review needed for a future land use or building permit application). This is an integrated GMA/SEPA document that combines environmental analysis with a Staff Report offering recommended action on each proposed Comprehensive Plan amendment. Guidance for a GMA document integrated with a SEPA Addendum is found at Washington Administrative Code (WAC) 197-11-235. The analysis in this document supplements adopted environmental documents and those incorporated by reference.

1.2.1.1 Adoption of Existing Environmental Documents

The following existing environmental documents have been adopted through legal notice published on August 6, 2003 (Appendix Item 1):

- Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
- Draft and Final Supplemental EIS (DSEIS/FSEIS) and addenda for the Comprehensive Plan 1999 Amendments, also known as Tasks III and IV of the Tri-Area / Glen Cove Special Study. The DSEIS and FSEIS are dated June 30, 1999 and August 18, 1999, respectively, and examined the potential environmental impacts of adopting one of the identified planning alternatives for the Tri-Area of Chimacum-Port Hadlock-Irondale and the Glen Cove mixed use area.
- DCD Integrated Staff Report and DSEIS/FSEIS for the 2002 Comprehensive Plan Amendment Docket. The DEIS and FSEIS are dated August 21, 2002 and November 25, 2002 respectively. Amidst other information, the adopted documents provide background and analysis on the classification, designation, and regulation of mineral resource lands.

1.2.1.2 Incorporation of Documents by Reference

The eight Comprehensive Plan amendment applications themselves, including all supplemental information submitted with or associated with the applications, all supporting record, analyses, and materials listed in part 3 of this document, and all other materials or documents referenced in the text within are hereby incorporated by reference, pursuant to SEPA rules at WAC 197-11-600 and 635.

The documents listed in part 3 of this document, “Supporting Record, Analyses, and Materials,” provide substantial background information and offer previous environmental description and analysis. The reader is encouraged to utilize existing documents in conjunction with this document for more comprehensive perspective and understanding.

Moreover, throughout this document description of and references to the content of the proposals have been provided to the greatest extent possible, but are not inclusive of all relevant information from the Comprehensive Plan amendment applications. For optimum understanding of the discussion presented here, the Comprehensive Plan amendment applications themselves, including the associated SEPA Environmental Checklists, should be consulted as companion information to this document.

1.2.1.3 Level of Environmental Analysis

This document provides qualitative and quantitative analysis of environmental impacts as appropriate to the general nature of the 2003 Comprehensive Plan Amendment Docket proposals. The adoption of comprehensive plan amendments is classified under SEPA as a non-project (i.e., programmatic) action. A non-project action, such as decisions on policies, plans or programs, is defined as an action that is broader than a single site-specific project. Environmental analysis for a non-project proposal does not require site-specific analyses; instead, a document such as an Environmental Impact Statement (EIS) or a SEPA Addendum discusses impacts and alternatives appropriate to the scope of the non-project proposal and to the level of planning for the proposal (WAC 197-11-442). The analysis in this document is not intended to satisfy individual project action SEPA requirements (i.e., the review needed for a future land use or building permit application).

SEPA encourages the use of phased environmental review to focus on issues that are ready for decision, and to exclude from consideration issues already decided or not yet ready for decision-making [WAC 197-11-060(5)]. Phased review is appropriate when the sequence of a proposal is from a programmatic document, such as an integrated GMA/SEPA document addressing comprehensive plan amendments, to other documents that are narrower in scope, such as for a site-specific, project-level analysis (i.e., a “project action” under SEPA).

Jefferson County is employing the phased review concept in its environmental review of growth management planning actions. The analysis in this Staff Report and SEPA Addendum will be used to review the potential environmental impacts of the proposed amendments to the Jefferson County Comprehensive Plan (and associated proposed amendments to the Unified Development Code). Additional environmental review of development proposals will occur as specific projects are proposed (e.g., land use and building permit applications). This will result in an additional incremental level of review when subsequent implementing actions require a more detailed evaluation and as additional information becomes available. Future project action environmental review for development applications that are not categorically exempt from SEPA could occur in the form of supplemental EISs, SEPA addendums, or threshold Determinations(s) of Non-Significance (DNSs).

1.2.1.4 Process and Public Involvement

Following is a description of the anticipated review and public involvement process for the 2003 Comprehensive Plan Amendment Docket and associated Staff Report and SEPA Addendum.

This 2003 Comprehensive Plan Amendment Docket DCD Staff Report and SEPA Addendum is available to agencies and interested parties pursuant to GMA and SEPA rules. Comments on the merits of the proposals shall be accepted as outlined below under "Public Comment Period."

1.2.1.4.1 Planning Commission Public Hearings

The Jefferson County Planning Commission is scheduled to hold two public hearings to take testimony on the proposed Comprehensive Plan and associated UDC amendments. The first public hearing on **Wednesday, August 20, 2003**, 6:30 PM at the WSU Community Learning Center, pertains to the **four site-specific applications**.

The second public hearing is *tentatively scheduled* for Wednesday, October 1, 6:30 PM at the WSU Community Learning Center, and pertains to the **four suggested amendments**. DCD expects to release a Staff Report and SEPA Addendum on the suggested amendments on or around September 17.

This combined Staff Report and SEPA Addendum is available at DCD and on the DCD web pages for public and agency use prior to the Planning Commission public hearing on the site-specific amendments.

The Staff Report and SEPA Addendum to-be-released on the suggested amendments will be available at least 10 days prior to a Planning Commission public hearing on the suggested amendments.

1.2.1.4.2 Public Comment Period

The Planning Commission will accept **oral comments** on the four site-specific proposals at the **August 20, 2003 public hearing** cited above. DCD and the Planning Commission will accept **written comments** on the four site-specific proposals **until the close of the August 20 public hearing**. Any comments submitted after August 20 will be forwarded to the Board of County Commissioners (BOCC) for consideration in their legislative decision. The BOCC may hold a public hearing before taking action on the final docket (formal notice would appear in the newspaper of record). Written comments on the proposals may be submitted to DCD at 621 Sheridan Street, Port Townsend WA 98368 or via email to planning@co.jefferson.wa.us.

A public comment period associated with the four suggested amendments that represent the other half of the 2003 Final Docket will be announced through legal notice (anticipated for mid-September 2003) at least 10 days prior to a Planning Commission public hearing on the suggested amendments (anticipated for October 1, 2003).

1.2.1.4.3 Availability of Documents

For more information or to inspect or request copies of the original applications for the proposed amendments, the adopted existing environmental documents or other related information, contact DCD Long-Range Planning at the mail or email addresses above, by phone at (360) 379-4450, or visit the 2003 Comprehensive Plan amendment cycle website, where as many relevant documents and maps as possible are available in Portable Document Format (PDF). The Universal Resource Locator (URL) for the website follows:

<http://www.co.jefferson.wa.us/commdevelopment/2003%20Comprehensive%20Plan%20Amendment%20Cycle.htm>

1.2.1.4.4 Planning Commission and Board of County Commissioners Deliberation

Following each of the public hearings on the Docket, the Planning Commission deliberates on the proposals, potentially over a series of meetings, and formulates a recommendation on each proposal to the Board of County Commissioners (BOCC). It is anticipated that the Planning Commission will deliberate on the proposed site-specific amendments during regularly scheduled meetings August 20, September 4, and September 17, or until such time that they formulate a recommendation for transmittal to the BOCC. The Planning Commission generally meets the first and third Wednesdays of any given month at the WSU Community Learning Center, Shold Business Park, 201 W Patison, Port Hadlock. The Planning Commission is expected to hold a public hearing on the four suggested amendments on the Final Docket on October 1 and deliberate and formulate a recommendation on the suggested amendments during regularly scheduled meetings October 1, October 15, and November 5. The Planning Commission may schedule additional meetings for deliberation on the 2003 Docket. Following the Planning Commission public hearing on the suggested amendments and subsequent recommendation, DCD will formerly transmit the Planning Commission recommendation to the BOCC for the whole of the 2003 Final Docket (site-specific as well as suggested amendments), in conjunction with the DCD final staff recommendation, based on continuing review, comments submitted during the public comment period, and the Planning Commission deliberation and recommendation.

In making a final legislative decision on the Docket, the BOCC considers the Planning Commission recommendation, the full case record of the Docket (all comments provided to the Planning Commission, the minutes of the Planning Commission meetings, and other background information), the DCD staff recommendation that accompanies the Planning Commission recommendation, legal advice from the Prosecuting Attorney's office, and any written or oral comments provided to the BOCC before or during a BOCC public hearing on the Docket (should one be held). If the BOCC elects to schedule one or more public hearings on the Docket following receipt of the Planning Commission recommendation, there would be another opportunity for agencies and the public to provide formal comments on the Docket.

A legislative decision from the BOCC on each of the eight Comprehensive Plan amendment proposals under consideration and any associated UDC amendments is expected in late November or early December 2003. The meeting schedules and agendas for the Planning Commission and BOCC with regard to the 2003 Docket are available on a Jefferson County website dedicated to the 2003 Comprehensive Plan annual amendment cycle process. This website can be accessed from the "Jefferson County Comprehensive Plan" section of the Long-Range Planning website: <http://www.co.jefferson.wa.us/commdevelopment/LRP.htm>.

1.2.2 Major Conclusions

The summary conclusions and/or highlights from the analysis in Part 2 of this Staff Report and SEPA Addendum are presented here for the reader's convenience. A reading of the analysis in Part 2 in addition to any supporting material referenced in the text is encouraged. Generally, information presented elsewhere is *not* reprinted here.

1.2.2.1 Summary Matrix of Impacts and Mitigation Measures

The complete description of the proposals, analysis of impacts, and recommendation for mitigation measures and conditions are within the individual staff reports for each of the proposed amendments and amendment category cumulative impacts synthesis found in part 2 of this document: "Concise Analysis of the Alternatives." Summary statements presented in the Summary Matrix are, in some cases, considerably abbreviated from the full discussion in part 2 and lack explanations of terminology. Readers are encouraged to review the more comprehensive discussion of issues of interest in part 2, and to consult the amendment applications themselves and supporting materials listed in part 3, to formulate the most accurate impression of impacts associated with the Proposed Action, Staff Recommendation, and No Action alternatives.

“Significant” as used in SEPA means a reasonable likelihood of more than a moderate adverse impact on environmental quality. Significance involves context and intensity and does not lend itself to a formula or quantifiable text. WAC 197-11-794.

#	APPLICATION NUMBER & DESCRIPTION	POTENTIAL ENVIRONMENTAL IMPACTS	PROPOSED MITIGATION / CONDITIONS
1	MLA03-182 Boat School RR to RVC for ½ of 5-acre split-zoned parcel	Not significant.	Boat School project requires Conditional Use Permit. Other commercial uses also governed under UDC.
2	MLA03-189 ANE Forests RR 1:20 to RR 1:10, 40 acres	Not significant.	Planned Rural Residential Development (PRRD) required with 75% open space maintained, including all of area west of SR 19. UDC regulations at time of Land Division application.
3	MLA03-225 Pall CF 1:80 to RF 1:40, 68 acres	Not significant.	Modification to proposal. At time of approved Land Division application, two parcels would be created, the smaller being Rural Residential 1:20 and the larger being Rural Forest 1:40.
4	MLA03-231 Phillips/Maki MRL overlay district for 37 acres in RR district	Not significant.	GMA criteria; application of UDC regulations to entire operation (existing and new area) through future permit review; including hours of operation, noise standards, and appropriate protection for wildlife habitat and aquifer recharge area; DNR reclamation plan; updated Ecology Sand and Gravel Permit.

1.2.2.2 Comparison of Current and Proposed Land Use District Designations

The following table displays the (approximate) current number of acres within each land use district (from the Comprehensive Plan, County Geographic Information System database, and other sources), and the proposed change in the number of acres under each district under the proposals as submitted and the staff recommendation. Please understand that these numbers are approximations for planning purposes only. They do not necessarily represent the actual numbers of acres on the ground. They are, however, the best approximation available at this time. The purpose of the table is to set a context for the legislative decision before the Board of County Commissioners for this year’s amendment cycle.

Comparison of Current and Proposed Land Use District Designations (approximate acreage)

<i>LAND USE DISTRICT</i>	<i>CURRENT ACREAGE</i>	<i>PROPOSED ACREAGE</i>	<i>STAFF RECOMMENDATION</i>
Rural Residential 1:20 (RR 1:20)	53,000	- 40	- 17
Rural Residential 1:10 (RR 1:10)	9,800	+ 40	+ 40
Rural Residential 1:5 (RR 1:5)	27,000	- 2.5	- 2.5
Rural Village Center (rural commercial)	192	+ 2.5	+ 2.5
Mineral Resource Land overlay district	1,290	+ 37	+ 37
Commercial Forest 1:80 (CF)	330,820	- 68	- 68
Rural Forest 1:40 (RF)	12,000	+ 68	+ 45
Net change to Forest Lands	N/A	0	- 23

1.2.2.3 Significant Unavoidable Adverse Impacts

Conclusions as to whether an impact would be considered significant, unavoidable, and adverse are found in the Summary Matrix above. Many of those conclusions contain assumptions about the ability to plan future development proposals in a way that would minimize impacts, or assumptions about how mitigation measures or existing regulations would be applied. Based upon use, regulation, and mitigation assumptions, none of the potential impacts of the future development scenarios evaluated in this document would meet all of the parameters (significant *and* unavoidable *and* adverse). The staff recommendation includes recommended mitigation measures that go beyond the regulatory framework currently in place. For more information on the relationship of plan and policymaking to future review of development permit applications, review the discussion on Effectiveness of Mitigation Measures below at section 1.2.4.2.

1.2.3 Significant Areas of Controversy and Uncertainty

Following is a table summarizing key environmental issues and options facing decision-makers:

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
1	MLA03-182 Boat School RR to RVC for ½ of 5-acre split-zoned parcel	Rural commercial districts, such as Rural Village Center (RVC), are “Limited Areas of More Intensive Rural Development” (LAMIRDs) under GMA with specific criteria for establishment. Involves review of built environment as of July 1, 1990 and analysis of “logical outer boundary” (LOB). Parcel split-zoned in 1998 Comprehensive Plan. In 2002, the Hadlock-Irondale area was designated an Urban Growth Area (UGA). Rural standards remain in effect while sewer and internal UGA district planning is underway.

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
2	MLA03-189 ANE Forests RR 1:20 to RR 1:10, 40 acres	Limited access available to State Route (SR) 19, according to State Department of Transportation. Portions of parcel west of SR 19 contain wetlands and riparian zone for Chimacum Creek. Portions of parcel east of 19 contain steep slopes. Parcels to north on east side of SR 19 are in RR 1:10 district, but other surrounding parcels have 1:20 density or less.
3	MLA03-225 Pall CF 1:80 to RF 1:40, 68 acres	Parcel appears to meet either Commercial Forest (CF) or Rural Forest (RF) criteria. RF district, however, will not allow for land division since RF density is 1:40 and parcel is not equal to or greater than 80 acres in size. GMA and Jefferson County Comprehensive Plan discourage re-designation of Forest Land.
4	MLA03-231 Phillips/Maki MRL overlay district for 37 acres in RR district	Operation and reclamation activities may affect the quiet use and enjoyment of adjoining properties. Neighbors have informed the County of noise impacts due to blasting and operations on early mornings and weekends. Potential impacts to US 101 from increased truck traffic. Protection of aquifer recharge area. Reclamation plan required. Steep slopes. Combination of existing use (established prior to creation of a mineral extraction/stormwater management permit through adoption of UDC) on limited area with proposed use on adjoining area.

1.2.4 Issues to Be Resolved

1.2.4.1 Environmental Choices to Be Made

The Comprehensive Plan states that, “a healthy environment is fundamental to the quality of life of its citizens” and further provides four essential components for environmental protection:

- Watershed and Fish Habitat Recovery Management Strategy
- Regulatory Strategy for Consolidated Environmental Review
- Critical Area Protection Strategy and
- Public Education and Involvement Strategy

Each choice taken by the County and its residents may impact environmental quality. The Comprehensive Plan’s goals and objectives are implemented through development regulations in the Unified Development Code (UDC). The UDC was developed such that protective measures are incorporated into permit decisions. (For more discussion on how this process functions, refer to 1.2.4.2 below.)

The four site-specific Comprehensive Plan amendment proposals, as well as the four suggested amendments, on this year’s Docket have the potential, if adopted, to affect the environment. For this reason, each proposal must be carefully analyzed for potential impacts and, if necessary, either denied or conditioned appropriately.

1.2.4.2 Effectiveness of Mitigation Measures

The legislative adoption of Comprehensive Plan amendments is a non-project action under the State Environmental Policy Act (SEPA). A project action would be a decision on a land use or building permit reviewed under the general policy framework offered by the Comprehensive Plan and its implementing regulations. SEPA review is required for project actions, unless those actions are categorically exempt from SEPA review when the proposal is compared to the list of exemption thresholds at WAC 197-11-800. Environmental review such as the analysis contained in this document is useful and essential at the non-project level in order to set up a regulatory framework that protects the environment. Mitigation for non-project actions in this sense is essentially the extent to which the established regulatory framework is effective when applied to future development proposals. Generally, mitigation measures would not be required for the programmatic action of adopting a Comprehensive Plan or development regulation amendment, but may be useful and appropriate to address probable significant adverse environmental impacts identified at the non-project level. It is often the case that project action environmental review is where specific mitigation measures can be applied to condition a proposal such that the approval and execution of the proposal does not present a significant adverse environmental impact. With regard to environmental review of this year's Comprehensive Plan annual amendment cycle docket, it is helpful to understand that Jefferson County has in place a regulatory framework that follows the guidance established in Washington State laws, such as SEPA, GMA, and the Shoreline Management Act (SMA).

Jefferson County adopted the Unified Development Code (UDC) in December 2000 (effective January 16, 2001) as the unified set of development regulations to implement the Comprehensive Plan adopted in August 1998. Until the adoption of the UDC, the Comprehensive Plan was implemented through a variety of separate ordinances, some in place prior to the adoption of the Comprehensive Plan. The Interim Controls Ordinance proscribed allowed uses in the land use districts of the Comprehensive Plan land use map and the Land Use Procedures Ordinances outlined the permit process and related administrative matters. The UDC replaced these and other previously existing ordinances.

Among the replaced ordinances was the Critical Areas Ordinance. Protective measures for what are now called "environmentally sensitive areas" are contained at UDC section 3.6.4, et al. Environmentally sensitive areas are protected through the application of overlay districts. Examples of such overlay districts include Critical Aquifer Recharge Areas (UDC 3.6.5), Frequently Flooded Areas (UDC 3.6.6), Geologically Hazardous Areas (UDC 3.6.7), Fish and Wildlife Habitat Areas (UDC 3.6.8), and Wetlands (3.6.9). The County maintains data from a variety of sources, including the State of the Washington and the US Federal government, in a Geographic Information Systems (GIS) database. The data are used to create maps depicting the environmentally sensitive areas overlay districts.

Development Review Division planners utilize available GIS information when reviewing land use and building permit applications and apply the protective measures accordingly. Oftentimes, an applicant is required to submit a Special Report, such as an Aquifer Recharge Area Report, Drainage and Erosion Control Plan, Geotechnical Report, Grading Plan, Habitat Management Plan, and Wetland Delineation Report. The contents of these Special Reports are governed by UDC section 3.6.10. Submitted Special Reports are used not only to condition land use and building permit approval, but whenever possible to augment existing data for the County GIS database on environmentally sensitive areas.

Sometimes the existing regulations are not strong enough to effectively protect the environment when examined in the context of a particular project. Depending on the particular aspects of a development proposal, mitigation measures above and beyond the protections provided by the established development regulations may be needed to avoid significant adverse environmental impacts. In these cases, jurisdictions may employ "SEPA substantive authority" to further condition approval of a development application. These mitigation measures are generally developed through project action SEPA review and established as permit conditions through an EIS or a threshold Mitigated Determination of Non-significance (MDNS).

Consideration of mitigation measures that correspond with adoption of any one of the proposed Comprehensive Plan amendments in this year's cycle is not as clear as placing a condition on a permit. The legislative decision to adopt a modified version of the original Comprehensive Plan amendment proposal can be considered a form of mitigation, for example. The Board of County Commissioners (BOCC) may be effectively mitigating the potential environmental impact of adopting a Comprehensive Plan amendment by adopting a modified proposal or even deciding not to adopt the proposal based on environmental considerations. For formal site-specific amendment applications, the BOCC could apply a mitigation measure that affects future use of the land in question. In any of these cases, mitigation as applied to a non-project action such as a Comprehensive Plan amendment is distinct from mitigation as applied to a land use or building permit approval. It is at the time of project action review that established protection measures for environmentally sensitive areas and other development standards are applied to proposals for on-the-ground development. Judging the effectiveness of mitigation measures in this context requires on-going vigilance.

1.2.4.3 Main Options to Be Preserved or Foreclosed by the Action

The four site-specific proposals under review in this amendment cycle are relatively minor in that they do not collectively represent a distinct change in direction from implementation of the 1998 adopted Comprehensive Plan. Some actions are corrective in that development densities and zoning designations have been clarified or informed by public processes during the years since adoption of the Comprehensive Plan. The urban growth area (UGA) analysis has been ongoing for over ten years, being one of the original requirements demanded by the Growth Management Act (GMA). Population projections for this County have not been attained. The economy is sagging. Cost of living is inflating.

The resource land debate is characteristic of issues raised during the early years of GMA compliance for this County. Ultimately, after legal challenge and mediation between petitioners Jefferson County classified and designated 330,000 acres of forest lands of long term commercial significance, which included a secondary right to conduct mining activities. Long-term viability of agricultural lands is becoming paramount in view of the sometimes-competing interests of farming and environmental protection. These become fundamental in view of the public interest to live in a rural setting of such high quality as that which is enjoyed in Jefferson County. The County will continue to designate lands in a matter that reduces pressures to convert land into sprawling low-density development.

2 Concise Analysis of the Alternatives

2.1 OVERVIEW

Pursuant to Section 9 of the Unified Development Code (UDC), Jefferson County is conducting an annual Comprehensive Plan amendment process. Consistent with the State Environmental Policy Act (“SEPA” at RCW 43.21C), the Growth Management Act (“GMA” at RCW 36.70A), the Jefferson County Comprehensive Plan, and UDC Section 9, this amendment process involves concurrent analysis of all proposals to review the potential for cumulative impacts.

In general, Comprehensive Plan amendment proposals in Jefferson County fall into one of two (2) categories:

Formal Site-Specific Amendments are proposals submitted by property owners requesting a change in either Comprehensive plan land use designation or density.

Suggested Amendments are generally limited to proposals that broadly apply to the goals, policies and implementation strategies of the Comprehensive Plan. In order to ensure cumulative impact review, suggested amendments that could potentially result in re-designation of groups of parcels are analyzed using the same criteria required for formal site-specific amendments (i.e., UDC 9.8.1.b and c).

This document addresses the four (4) site-specific Comprehensive Plan amendments on the Final Docket. The four (4) suggested amendments are to be addressed in a document released later this year. This document further divides the four proposed site-specific amendments into sub-categories.

2.1.1 Staff Reports, Cumulative Analysis, and Staff Recommendations

Part 2 of this document addresses specific criteria contained in Section 9 of the UDC and, in turn, evaluates the potential for adverse environmental and cumulative impacts. Each amendment proposal is described below, evaluated based on the required criteria, and a staff recommendation is made based on those criteria. Tables are for summary information only; consult the staff report for each proposal for greater comprehension.

2.1.2 Growth Management Indicators

Pursuant to UDC section 9.8.1.b, all recommendations regarding amendment to the Comprehensive Plan must include an inquiry into the seven (7) growth management indicators listed at UDC section 9.5.4.b. These growth management indicators address:

- Growth and development rates
- Ability to provide services
- Availability of urban land
- Community-wide attitudes towards land use
- Consistency with state law and local agreements

These indicators are not necessarily amendment-specific but rather are meant to provide a snapshot of Jefferson County’s status during this 2003 amendment cycle. This section will serve to promote consideration and inquiry into these seven growth management indicators and is intended to be a starting point for broader community consideration before the Planning Commission and the BOCC. While this review of the growth management indicators provides some basic analysis related to County demographics,

it is not intended to measure progress in achieving the goals of the Comprehensive Plan; that task is reserved for the State-mandated Comprehensive Plan update scheduled for completion in 2004.

Unified Development Code (UDC) Section 9.5.4.b – growth management indicators

Each of the growth management indicators is discussed as listed in Section 9.5.4.b of the UDC.

(1) Whether growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize.

Discussion: The Office of Management is the State agency responsible for compiling population projections under the Growth Management Act (GMA). The most recent OFM Population Determination for Jefferson County, based on a corrected Federal Census count, shows a year 2001 population of 26,299. The 1996 “base year” population estimate used in the Comprehensive Plan (see page 3-3) was identified as 25,756 residents. This represents an increase of 545 individuals over that five-year period between 1996 and 2001 or a 2% growth rate over the last five years. Should this trend continue over the next five years, Jefferson County would see a 2006 population of 26,824 – a number that falls below the 2006 projected population of 32,116 adopted by the City and the County based on the Watterson Report (see Jefferson County Resolution 17-96). OFM projects an intermediate series population of 28,308 for Jefferson County by the year 2005.

That being said, growth trends are difficult to predict. Washington and its counties have tended to exhibit growth spurts interrupted by periods of slower growth, stagnation, and even decline. For example, the “rural rebound” growth trend experienced by most western states in the early 1990s – at the time of GMA adoption – was the result of an exodus by nearly two million people leaving California during a severe regional economic recession. Rural and non-metropolitan growth in Washington, and Jefferson County, during the 1990s was far greater than anticipated but slowed as California’s economy recovered in the mid-1990s (“Washington State County Population Projections For Growth Management,” Office of Financial Management, March 2002).

YEAR	1910	1920	1930	1940	1950	1960	1970	1980	1990	2001
County Population	8300	6420	8346	8918	11618	9639	10661	15965	20406	26299
Port Townsend	4181	2847	3970	4683	6888	5074	5241	6067	7001	8430
Percent in Port Townsend	50%	44%	47%	53%	59%	53%	49%	38%	34%	32%

Jefferson County Population 1910-2001

Source: United States Census, Washington State Office of Financial Management

As reference to the table above indicates, an interesting trend for Jefferson County is an ongoing decrease in the percentage of residents living in the city of Port Townsend. Since 1950, the percentage of residents living in the city has dropped from 59% to 32%, with County residential units accounting for nearly 70% of the population base. It is not unreasonable to assume that this shift towards residence in unincorporated areas has resulted in an increased demand for services outside of Port Townsend.

(2) Whether the capacity of the county to provide adequate services has diminished or increased.

Discussion: The number of service providers in the County has not decreased and the County, with the exception of policy decisions made as a result of economic conditions, continues to be equipped to provide the same level of services available at the time of Comprehensive Plan adoption. Completion of capital facilities and provision of services analysis related to the 2002 designation of an Urban Growth Area (UGA) at the Tri Area could result in a situation whereby the level of service available in the County increases.

(3) Whether sufficient urban land is designated and zoned to meet projected demand and need.

Discussion: Based on the current population allocation contained in Joint County and City Resolution No. 17-96 and the fact that current and projected growth rates are less than anticipated in the Comprehensive Plan it is assumed that sufficient urban land is designated and zoned to meet projected demand and need. As an unincorporated area, Jefferson County is comprised of rural and natural resource lands – no urban population was allocated to the unincorporated area. Based on the City of Port Townsend “2002 Annual Comprehensive Plan Assessment” dated April 15, 2002, there appears to be adequate vacant land in all zoning categories to accommodate future anticipated urban growth.

(4) Whether any assumptions upon which the Comprehensive Plan is based are no longer found to be valid.

Discussion: Five years following the adoption of the Comprehensive Plan, the majority of assumptions made as part of the Plan continue to be valid. Amendments to GMA and other laws made by the State Legislature and precedent-setting decisions made by the Growth Management Hearings Boards influence local government implementation of GMA.

In the five years since Comprehensive Plan adoption, Jefferson County has completed a “Regional Economic Analysis and Forecast” (Richard Trottier: January 26, 1999) that suggests that the County has a deficit that exceeds 200 acres of commercially and industrially zoned land. This analysis, which was referenced and anticipated in the Comprehensive Plan, provides general direction for the County regarding the designation of rural commercial lands and/or Urban Growth Areas.

(5) Whether changes in countywide attitudes necessitate amendments to the goals of the Plan and the basic values embodied within the Comprehensive Plan Vision Statement.

Discussion: The most effective way to judge whether changes in countywide attitudes have occurred, aside from reference to local election results, is through statistically significant public opinion surveys. The last such survey in Jefferson County took place in 1991 through the “Jefferson 2000 Public Opinion Survey” conducted by Elway Research. Many of the opinions expressed through this survey are reflected in the policy assumptions that form the basis for the Comprehensive Plan. That said, the opinions expressed through the Jefferson 2000 survey were not intended to predict the future and an updated survey would be the most effective way to gauge whether changes in countywide attitudes have actually manifested.

(6) Whether changes in circumstances dictate a need for amendments.

Discussion: To some degree, circumstances have changed since Comprehensive Plan adoption in August of 1998. Taken from a broad perspective, these changing circumstances include: issues surrounding affordable housing, specific salmon species listings under the Endangered Species Act, County adoption of final development regulations which are consistent with the Comprehensive Plan and the Growth Management Act, Growth Management Hearings Boards clarifications through case law related to specific provisions of the GMA, the adoption of Unified Development Code amendments establishing a process for locating Major Industrial Development, and the completion of the Tri Area/Glen Cove Special

Study. Changes in circumstance such as these suggest that components of the Comprehensive Plan may need to be amended.

(7) Whether inconsistencies exist between the Comprehensive Plan and the Growth Management Act or the Comprehensive Plan and the Countywide Planning Policy for Jefferson County.

Discussion: While the Comprehensive Plan is consistent with both the Growth Management Act and the Countywide Planning Policy. Pursuant to the Growth Management Act, the County is in the process of conducting a review of the Comprehensive Plan and the UDC to ensure consistency between those documents and the Growth Management Act. Per the GMA, this review must be completed in 2004.

2.2 FINAL DOCKET

Following are brief descriptions of each of the eight (8) proposed amendments to the Comprehensive Plan. Each case has a Master Land Use Application (MLA) for reference. There are four (4) site-specific applications and four (4) suggested amendments. The site-specific applications are:

1. MLA03-182; Northwest School of Wooden Boatbuilding; parcel 901013016; amend the land use map to designate the entirety of the subject parcel as part of the Port Hadlock Rural Village Center (RVC, a rural commercial district); currently approx. half of the 5-acre parcel is RVC and half is Rural Residential (RR) one dwelling unit per 5 acres (1:5).
2. MLA03-189; ANE Forests of Puget Sound, Inc.; parcel 901364012; land use map re-designation for approx. 40 acres from RR 1:20 to RR 1:10 district.
3. MLA03-225; Donna Pall; parcel 821061001; re-designation for approx. 68 acres from Commercial Forest 1:80 to Rural Forest 1:40 land use district.
4. MLA03-231; Marilee, Gary and Kelly Phillips and Richard Jr. and Kristan Maki; parcels 702224003, 702224010, 702224011, 702224012, 702224023, 702224024, 702224025, 702224026; establishment of a Mineral Resource Land overlay district for approx. 37 acres in underlying RR 1:5 and RR 1:20 land use districts.

The suggested amendments are:

5. MLA03-209; Jefferson County; comprehensive Agricultural Lands planning, including designation of parcels as Agricultural Lands and refinement and completion of related goals, policies, and regulations.
6. MLA03-210; Jefferson County; goals and policies related to protecting groundwater against seawater intrusion; related to a GMA compliance process begun at the time of UDC adoption.
7. MLA03-232; Port of Port Townsend; Comprehensive Plan and UDC language addressing Essential Public Facilities designation and a noise overlay district for the Jefferson County International Airport.
8. MLA03-244; People for a Rural Quimper; proposal to remove reference in the Comprehensive Plan to a noise overlay district for the Airport.

The Board of County Commissioners (BOCC) in its legislative capacity may adopt each amendment as proposed, adopt with conditions, adopt a modified version, or deny adoption.

2.2.1 Staff Recommendation

Staff recommendations for each proposed amendment are explained under a heading for each individual proposal in part 2.3. The staff recommendations are presented to the Planning Commission for consideration. In transmitting the Planning Commission to the BOCC later this year, staff will have the opportunity to adjust these preliminary recommendations. The preliminary staff recommendations, including modifications and mitigation measures, are summarized in the following table:

2003 Comprehensive Plan Amendment Docket: Summary of Staff Recommendations

#	APPLICATION NUMBER	APPLICANT	GENERAL DESCRIPTION OF PROPOSAL	STAFF RECOMMENDATION
1	MLA03-182	Northwest School of Wooden Boat Building Assessor Parcel: 901013016 located in lower Port Hadlock	Comprehensive Plan Land Use Map re-designation for approximately 5 acres from a Rural Residential 1:5 Land Use District to Port Hadlock Rural Village Center (RVC) Commercial District	Adopt. Change the land use map such that the entire parcel in question is within the RVC. Amending the split-zone parcel is consistent with the Comprehensive Plan and with a pending proposal to establish a Lower Hadlock Heritage Campus for the School.
2	MLA03-189	ANE Forests of Puget Sound, Inc. Assessor Parcel: 901364012 located on Beaver Valley Road immediately north of Egg and I Road	Comprehensive Plan Land Use Map re-designation for approximately 40 acres from a Rural Residential 1:20 Land Use District to a Rural Residential 1:10 Land Use District	Adopt with conditions. Land division at 1:10 would occur only with a Planned Rural Residential Development (PRRD) application with 75% open space. Development east of SR 19. Open space west of SR 19.
3	MLA03-225	Donna Pall Assessor Parcel: 821061001 located on Swansonville Road in the Port Ludlow area	Comprehensive Plan Land Use Map re-designation for approximately 68 acres from a Commercial Forest 1:80 Land Use District to a Rural Forest 1:40 Land Use District	Adopt with modification. Approx. 23 acres would become RR 1:20 and approx. 45 acres would become RF 1:40 contingent upon a land division application under the UDC.
4	MLA03-231	Marilee, Gary and Kelly Phillips and Richard Jr. and Kristan Maki Assessor Parcels: 702224003, 702224010, 702224011, 702224012, 702224023, 702224024, 702224025, 702224026 located on Penny Creek	Comprehensive Plan Land Use Map re-designation for approximately 37 acres from a Rural Residential Land Use District to Mineral Resource Lands Overlay	Adopt with conditions related to mineral resource extraction operations.

	Road south of Quilcene		
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2.3 STAFF REPORTS: SITE-SPECIFIC AMENDMENTS

2.3.1 Requests for Change of Rural Residential Density (1)

Requests for changes in Rural Residential density are subject to criteria contained at Land Use Policy 3.3 (page 3-67) in the Comprehensive Plan. These criteria attribute one of three residential densities to all residential parcels in Jefferson County: one dwelling unit per five acres (1:5), one dwelling unit per ten acres (1:10), or one dwelling unit per twenty acres (1:20), subject to the following criteria:

POLICIES:

- LNP 3.3.1** A residential land use designation of one dwelling unit per 5 acres (RR 1:5) shall be assigned to those areas throughout the County with:
- an established pattern of the same or similar sized parcels (i.e., 5 acres) or smaller sized existing lots of record;
 - parcels of similar size (i.e., 5 acres) or pre-existing smaller parcels along the coastal areas;
 - parcels immediately adjacent to the boundaries of the Rural Village Centers; and
 - as an overlay to pre-existing developed “suburban” platted subdivisions.

- LNP 3.3.2** A rural residential land use designation of one dwelling unit per 10 acres (RR 1:10) shall be assigned to those areas throughout the County with:
- an established pattern of the same or similar sized parcels (i.e., 10 acres);
 - parcels along the coastal area of similar size;
 - areas serving as a “transition” adjacent to Urban Growth Areas; and,
 - critical area land parcels.

- LNP 3.3.3** A rural residential land use designation of one dwelling unit per 20 acres (RR 1:20) shall be assigned to those areas throughout the County with:
- an established pattern of the same or similar sized parcels (i.e., 20 acres) or larger;
 - parcels along the coastal area of similar size;
 - areas serving as a “transition” to Urban Growth Areas or the [Port Ludlow] Master Planned Resort;
 - critical land area parcels;
 - agriculture resource designated parcels;
 - publicly owned forest lands; and
 - lands adjacent to forest resource land.

The Unified Development Code (UDC) defines the term “buildable lot” and notes that a lot of two (2) acres in size or greater will typically be adequate to meet health standards related on-site wastewater disposal (i.e., septics) and individual water systems (i.e., well) [UDC page 2-12]. Since 1996, the maximum density that can be achieved through subdivision in Jefferson County is one dwelling unit per five acres. In January 2001, Jefferson County adopted the Unified Development Code which includes provisions for innovative and environmentally sound site design through residential “clustering.” These provisions are contained at UDC Section 3.6.13 (Planned Rural Residential Developments).

The proposal for residential density change will be reviewed consistent with these criteria. A general description, criteria review, and staff recommendation for the proposal is given below.

2.3.1.1 Reference Number: MLA03-189 (ANE Forests)

Applicant: ANE Forests of Puget Sound, Inc.

Assessor Parcel Number(s): 901364012

Location: Beaver Valley Road, immediately north of Egg and I Road

2.3.1.1.1 General Description and Site-Specific Environmental Information

The proposed amendment would re-designate 40 acres from Rural Residential 1:20 to Rural Residential 1:10. The practical result of this re-designation would be the potential to subdivide the 40-acre parcel into four (4) discrete parcels—two (2) additional parcels—allowing for the creation of one dwelling unit and accessory dwelling unit (ADU) per 10-acre parcel. The land use designation for the parcel would continue to be Rural Residential.

The site is located on either side of State Route 19 just north of the junction with Egg and I Road. The legal description is the Northeast quarter of the Southeast quarter (Government Lot 1) of Section 36, Township 29 North, Range 1 West. The site is flat on the west and gets steeper on the east side of Beaver Valley Road (SR 19). The steepest slope is approximately 30%. The east side of SR 19 is mapped as moderate and slight landslide hazard in the County environmentally sensitive area Geographic Information System (GIS) database. The west portion of the property is wet (peat) as it approaches the east fork of Chimacum Creek. The west edge of the property is mapped as wetlands in the GIS database. There are no mapped wildlife habitat areas from the Washington Department of Fish and Wildlife (WDFW) databases provided to Jefferson County. There is Type 5 intermittent stream (as determined by the Washington Department of Natural Resources—DNR) stream on the north edge of the property that becomes a Type 4 stream on the west side of SR 19.

The proponent states in the application that all residential development is planned for the east side of SR 19 and that only one road access point will be designed for all future residences.

Note: It was learned on August 6, the publication date for this document, that parcel number 901364012 was effectively divided on January 27, 2003 per standing policy addressing parcels split by roads that existed prior to 1969. The Assessor's database was updated on August 6 to reflect the change. The newly created parcels are the aforementioned parcel number, which is now 22.56 acres and located entirely on the east side of SR 19 and parcel number 901364013, which is 15.99 acres and located entirely on the west side of SR 19. In terms of providing analysis, this section deals with the subject area as if it were one 40-acre parcel, which is how the area was characterized in the MLA submitted by the proponent. DCD may alter the staff recommendation at a later date to accommodate the complication.

2.3.1.1.2 Cumulative Impact Analysis

Pursuant to UDC Section 9.8.1.b, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, are as follows:

Whether circumstances related to the proposed amendment substantially changed since the adoption of the Comprehensive Plan

Circumstances related to the proposed amendment and area in which it is located have not substantially changed since the adoption of the Comprehensive Plan. However, the interpretation and application of the

criteria related to residential density have been refined since Plan adoption to address issues related to appropriate residential density.

Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available

The assumptions upon which the Comprehensive Plan is based continue to be valid. However, since Plan adoption, the interpretation of the residential designation criteria contained at Comprehensive Plan Land Use Goal (LNP) 3.0 [page 3-67] have been refined to address issues related to residential density.

Whether the proposed amendment reflects current widely held values

This consideration will become evident through public hearing and testimony before the Planning Commission. At this point no specific public comment related to this proposal has been received.

In addition, pursuant to UDC section 9.8.1.c, the Planning Commission and Board of County Commissioners must make the following findings for formal site-specific amendment proposals. Those findings, and staff evaluation, are as follows:

The proposal meets concurrency requirements for transportation and other public services

Two additional potential residential development units (plus potential accessory dwelling units) does meet concurrency requirements and would not be likely to affect adopted level of service standards for public facilities and services. This issue would be further addressed at the time of formal land division application. Don Clotfelter, Washington State Department of Transportation (WSDOT) Olympic Region Area 3 Maintenance and Operations Superintendent, reports that a WSDOT decision on a petition for SR 19 access would likely not be affected by an addition of two residences. The proponent will be required to obtain approval from WSDOT for road access at the time of land division. In this case, it is probable that only one access point would be permitted by WSDOT, which reviews the access application under a set of specific criteria, including site distance and stormwater management. Each home is estimated to contribute 10 trips per day to the traffic count. Mr. Clotfelter added that an additional 16 proposed homes would raise concerns.

The proposal is consistent with the various elements of the Comprehensive Plan

Consistent with the criteria contained at Land Use Goal 3.0 in the Comprehensive Plan, the subject parcel and the area in which it is located is characterized by an established pattern of smaller sized existing lots of record and a greater residential density of one dwelling unit per 10 acres (1:10) located to the north of the subject parcel on the east side of SR 19. However, lesser or equal densities are found in other adjacent parcels surrounding the subject parcel through Rural Forest 1:40, RR 1:20, and Commercial Agricultura 1:20 designations. Based on this pattern, a designation of Rural Residential 1:10 is appropriate for the subject parcel, subject to conditions, as detailed below. Consistent with the Comprehensive Plan and the GMA, this action continues to provide for a variety of rural residential densities throughout the County.

The proposal will not result in probable significant adverse impacts to capital facilities

The creation of an additional five residential development units is not likely to result in significant adverse impacts to the County's transportation network, capital facilities, utilities, parks, or environmental features. These issues would be further addressed at the time of formal application for land division.

The parcel(s) is physically suitable for the requested designation regarding access, utilities, and compatibility with surrounding uses

Required review under the UDC Land Division provisions will ensure that access and provision of utilities can be located in an appropriate fashion on the subject parcel. The proposed designation is compatible with existing and planned surrounding land uses. Utilization of the UDC clustering provisions would allow for flexibility related to access, utility provision, and compatibility.

The proposal will not create a pressure to change the designation of other properties

Assigning a designation of Rural Residential (RR) 1:10 for the subject parcel has the potential to create a pressure to change the land use designation for surrounding properties, specifically for the RR 1:20 parcels to the west, but that is not a necessary result of this action.

The proposal does not materially affect land use and population growth projection assumptions

The proposed site-specific amendment does not materially affect the land use and population growth projections that are the basis of the Comprehensive Plan.

If within an urban growth area (UGA), the proposal does not materially affect the adequacy of facilities

Not applicable in this situation.

The proposal is consistent with the GMA and the County-Wide Planning Policy

The proposed amendment would be consistent with the Growth Management Act and the County-Wide Planning Policy for Jefferson County. Staff is unaware of any applicable inter-jurisdictional policies or agreements, or any other local, State or Federal laws with which the proposed amendment would be inconsistent.

Implementation Requirements

Approval of the proposed amendment would require a change to the Jefferson County Land Use Map.

2.3.1.1.3 Staff Recommendation

Based on reference to the Comprehensive Plan criteria contained at LNG 3.0 and review of the criteria contained at UDC Section 9, staff recommends approval of the proposed amendment subject to the condition that land division occur through the Planned Rural Residential Development process in the UDC (3.6.13), including the provision that 75% of the 40 acres be reserved in open space [UDC 3.6.13.4.a(2)] and that the entire portion of the subject parcel west of SR 19 be reserved as open space. This is consistent with the desires of the proponent as expressed in the application. Additionally, the west portion of the parcel contains wetlands and riparian area associated with Chimacum Creek. Residential development on the west side of the area would also require an additional road access point in an area of SR 19 with limited site distance.

2.3.2 Requests for Change from Rural Residential Designation to Rural Commercial

Requests for changes for a rural residential land use designation to a rural industrial or rural commercial designation are subject to Comprehensive Plan goals and policies contained at Land Use Goal (LNG) 5.0 on page 3-70.

GOAL:

LNG 5.0 **Establish and maintain the location and size of the County's Rural Crossroads to provide access to a limited range of non-residential uses.**

POLICIES:

LNP 5.1 All rural commercial lands shall be designated based on the provisions of the Growth Management Act (RCW 36.70A).

LNP 5.2 Establish logical outer boundaries based upon the Growth Management Act (RCW 36.70A).

LNP 5.3 Concentrate and contain the existing area of predominantly pre-July 1990 built environment through development regulations for infill development within the boundary.

LNP 5.4 Designate the following historic crossroads as interim Convenience Crossroads (CC) as shown on the Land Use Map: Nordland, Beaver Valley, and WaWa Point.

LNP 5.4.1 Designation is based on the criteria in LNP 5.1 and the following additional criteria:

- a. Consists of a single commercial property; and
- b. Provides local rural population and commuting/traveling public with basic consumer goods and services.

LNP 5.4.2 Limit uses and their scale within the designated boundary of each of the Convenience Crossroads to those involving basic consumer goods and services, including: convenience grocery/general store, gas/oil, espresso, video, café/deli.

LNP 5.4.3 The Nordland Convenience Crossroads designation and boundary may be modified through an amendment to the Comprehensive Plan based on a study developed under the Shoreline Management Master Program revision, consistent with LNP 14.7.

LNP 5.5 Designate the following historic crossroads as interim Neighborhood/Visitor Crossroads (NC) as shown on the Land Use Map: Chimacum, Discovery Bay, Four Corners, Gardiner, and Mats Mats.

LNP 5.5.1 Designation is based on the criteria of LNP 5.1 and the following additional criteria:

- a. Multiple commercial properties; and
- b. Includes limited specialty goods and professional services; and
- c. Serves the local rural population and the commuting/traveling public.

LNP 5.5.2 Limit uses and their scale within the designated boundaries of each of the designated Neighborhood/Visitor Crossroads to those involving basic consumer staples with a limited range of goods and services and/or serving the commuting/traveling public such as: convenience grocery/ general store, gas service station/w garage, espresso, farm and garden supply, video rental, restaurant, tavern, bar, antiques and collectibles, café, and limited specialty goods and professional services.

LNP 5.5.3 Encourage affordable housing through the allowance of limited multifamily housing opportunities such as multifamily residential units and manufactured/mobile home parks.

LNP 5.6 Designate the following crossroads as interim General Commercial Crossroads (GC) as shown on the Land Use Map: Ness' Corner, Irondale Corner, and SR 19/20 Intersection.

LNP 5.6.1 Designation is based on the criteria in LNP 5.1 and the following additional criteria:

- a. Location at a major highway intersection near high density population in the Tri-Area; and
- b. Existing commercial uses meet limited regional and multiple community levels of service.

LNP 5.6.2 Limit uses and the scale of those uses within each of the designated General Commercial crossroads to those involving an expanded range of commercial goods and services such as: mini-storage, hardware, groceries, bakery, antiques, tavern/bar, restaurant, RV repair and sales, building supply, farm and garden supply, motel, auto and vehicle repair with subordinate auto retail, appliance sales and repair, clothing and accessories, an expanded range of specialty goods and professional services, and limited public and social services.

LNP 5.6.3 Encourage affordable housing through the allowance of limited multifamily housing opportunities such as multifamily residential units and manufactured/mobile home parks.

LNP 5.7 Ensure visual compatibility and traditional design elements for Rural Crossroads commercial infill development with the surrounding rural area through the creation and implementation of community based design and development standards. Uses within Rural Crossroads shall be scaled and sized to protect the rural character of the natural neighborhood.

LNP 5.8 Revisit interim Rural area boundaries following the completion of the Glen Cove/Tri-Area Special Study and establish final boundaries through an amendment to the Comprehensive Plan, consistent with LNP 1.4.

- LNP 5.8.1** Boundaries for Rural Crossroads and Rural Village Centers shall be established consistent with RCW 36.70A.070(5) and other applicable provisions of the Growth Management Act.

Growth Management Act Criteria

In addition to these Comprehensive Plan criteria, specific provisions of the Growth Management Act guide the designation of “limited areas of more intensive rural development” (LAMIRD) outside of Urban Growth Areas. Pursuant to the GMA [see RCW 36.70A.070(5)(d)(iv)] Jefferson County must adopt measures to minimize and contain existing areas or uses within LAMIRDs and those areas shall not extend beyond the logical outer boundary (LOB) of LAMIRDs. While LAMIRDs must be delineated predominantly by the pre-July 1, 1990 built environment, they may also include undeveloped lands if limited in order to prevent further low-density sprawl. The GMA sets out four issues that must be addressed in establishing the LOB in addition to respecting the predominance of the pre-1990 built environment:

- The need to preserve the character of existing natural neighborhoods and communities;
- Physical boundaries such as bodies of water, streets and highways, and landforms and contours;
- The prevention of abnormally irregular boundaries; and
- The ability to provide public facilities and services in a manner that does not permit low-density sprawl.

The proposal for rural commercial land use designation will be reviewed consistent with these criteria. A general description, criteria review, and staff recommendation for the proposal is given below:

2.3.2.1 Reference Number: MLA03-182 (Wooden Boat School)

Applicant: Northwest School for Wooden Boat Building

Assessor Parcel Number(s): 901013016

Location: Port Hadlock waterfront

2.3.2.1.1 General Description and Site-Specific Environmental Information

The proposed amendment would designate the whole of the 5.36-acre subject parcel as part of the Port Hadlock Rural Village Center (RVC). Currently, the parcel is split-zoned, whereby about half of the parcel lies within the RVC and the other half is designated Rural Residential (RR) one dwelling unit per five acres (1:5). The site forms a bowl leading from Curtiss Street to the north and the Kivley Center commercial plaza to the southwest down to Lower Hadlock Road and is an abandoned gravel pit. There is a mobile home on the uppermost terrace of the property. Adjacent property uses include residential to the northwest and west, the Ajax Café restaurant to the northeast, and Kivley Center to the south and southwest.

The Northwest School of Wooden Boatbuilding (School) has begun the creation of a “Heritage Campus” on the Lower Hadlock waterfront through the purchase of buildings and shoreline property to the northeast of the subject property. The School has a purchase agreement on the subject property and plans to construct buildings and dormitories for use with the function of the School. For detailed descriptions of the School’s vision, refer to the Master Land Use Application (MLA) submitted April 8, 2003. The School has elected to pursue RVC designation for the subject parcel, despite on-going Urban Growth Area (UGA) planning for the Hadlock-Irondale area. Preliminary UGA internal land use districts include the whole of the subject parcel in a commercial district. In the meantime, according to the use table in the UDC, the whole parcel needs to be designated as RVC in order for the School to apply for land use and building permits to construct buildings associated with a college or technical school that is not State-owned. Even with RVC designation, the land use application would be a Conditional Use, requiring the proposal to meet the criteria at UDC Section 8.8 for approval by the County Hearing Examiner.

In terms of mapped environmentally sensitive areas, the County GIS database shows an intermittent (Type 5) stream that runs down the southwest side of the property, which is consistent with a stormwater easement held by the County Department of Public Works. There are no mapped wetlands on the property. There is correspondence between the WDFW wildlife databases and the property. Any concerns would be addressed through in the land use application by applying County and WDFW regulations and management recommendations. There are mapped Critical Aquifer Recharge Areas on the property. Concerns would be addressed at the application stage.

The MLA submitted on behalf of the School states that the School intends to create a public trail from Kivley Center, through the subject parcel, and out to a path along Lower Hadlock Road that eventually will lead to the waterfront and the School's waterfront facilities. Also, the School's preliminary plans include public parking along Lower Hadlock Road (in the portion of the subject parcel currently designated RVC) that would accommodate boat trailers.

2.3.2.1.2 Cumulative Impact Analysis

Pursuant to UDC section 9.8.1.b, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow. Additionally, staff incorporates as findings the contents of Exhibit E of the Master Use Application (MLA) submitted by the proponent, and in particular the information presented therein with regard to impacts to transportation and public services.

Whether circumstances related to the proposed amendment substantially changed since the adoption of the Comprehensive Plan

Circumstances related to the proposed amendment and area in which it is located have changed since the adoption of the Comprehensive Plan in that the Northwest School for Wooden Boatbuilding has taken steps toward moving the campus from the Glen Cove area to the Lower Hadlock waterfront. The School has entered into a purchase agreement for the subject property and intends to use the area for School buildings and dormitories. Also, Jefferson County continues to work towards establishment of an Urban Growth Area (UGA) in the Irondale-Port Hadlock area and the subject parcel lies within the outer UGA boundary adopted in 2002. The subject parcel has been proposed for commercial designation. Planning for internal UGA land use districts and sewer service districts is underway.

Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available

The assumptions upon which the Comprehensive Plan is based continue to be valid. Land use planning consistent with the adopted Comprehensive Plan continues to analyze this area in light of the 2002 Hadlock-Irondale UGA designation.

Whether the proposed amendment reflects current widely held values

This consideration will become evident through public hearing and testimony before the Planning Commission. At this point no specific public comment related to this proposal has been received.

In addition to the criteria above, pursuant to UDC section 9.8.1.c, the Planning Commission and Board of County Commissioners must make the following findings for formal site-specific amendment proposals. Those findings, and staff evaluation, are as follows:

The proposal meets concurrency requirements for transportation and other public services

It is not anticipated that a transition from rural residential to rural commercial for half of this parcel would result in substantial reduction in the ability to provide public services. See Exhibit E of the MLA.

The proposal is consistent with the various elements of the Comprehensive Plan

Designation of this parcel as commercial would not be consistent with the Comprehensive Plan. In retrospect, the parcel should not have been split-zoned. It forms a topographic break from the upland area on Curtiss Street, which runs through the northwest part of the parcel. Curtiss Street was platted on January 20, 1887 in the plat of Port Hadlock and has been on the official County road log at least since 1985, clearly before the July 1, 1990 LAMIRD review date. Also, the parcel forms a distinct Logical Outer Boundary. A land use district of Rural Residential for the upper benches of the property does not make as much planning sense as inclusion of the full parcel in the Hadlock Rural Village Center (RVC). RVC designation would allow the School to apply for a Conditional Use Permit for a technical school. The Conditional Use process will allow a Hearing Examiner to evaluate a proposal along with public testimony in an open record hearing against the goals and policies of the Comprehensive Plan and the regulations of the UDC. Although this parcel is proposed for UGA commercial designation, the School's purchase agreement and work plan require a shorter timeline than what the UGA planning process will provide. Designating the other half of the subject parcel will not affect sewer planning in Hadlock core.

The proposal will not result in probable significant adverse impacts to capital facilities

It is not likely that RVC designation for the whole of this parcel would result in significant adverse impacts to the County's transportation network, capital facilities, utilities, parks, or environmental features. See Exhibit E of the MLA.

The parcel(s) is physically suitable for the requested designation regarding access, utilities, and compatibility with surrounding uses

The topography of the parcel creates a distinct bowl that would be better served by a consistent land use designation. Compatibility with surrounding uses is supported by the geographic isolation of the parcel. See Exhibit E of the MLA.

The proposal will not create a pressure to change the designation of other properties

Assigning a designation of RVC for the whole of the subject parcel should not create a pressure to change the land use designation for surrounding properties. The land use in the Curtiss Street area is already rural residential, while the land use at Kivley Center is already commercial. Lower Hadlock Road and a portion of the Lower Hadlock waterfront is already designated RVC. See Exhibit E of the MLA.

The proposal does not materially affect land use and population growth projection assumptions

The proposed site-specific amendment does not materially affect the land use and population growth projections that are the basis of the Comprehensive Plan. See Exhibit E of the MLA.

If within an urban growth area (UGA), the proposal does not materially affect the adequacy of facilities

The proposal does not materially affect the adequacy of facilities. See Exhibit E of the MLA.

The proposal is consistent with the GMA and the County-Wide Planning Policy

The proposed amendment for rural commercial designation would be consistent with the Growth Management Act per the Logical Outer Boundary (LOB) criterion and other general GMA criteria for LAMIRD designation, rural character, and rural economic opportunities. Staff is unaware of any applicable inter-jurisdictional policies or agreements, or any other local, State or Federal laws with which the proposed amendment would be inconsistent.

Implementation Requirements

Approval of the proposed amendment would require a change to the Jefferson County Land Use Map.

2.3.2.1.3 Staff Recommendation

Based on reference to the criteria discussed above and contained in the UDC, staff recommends approval of the proposed amendment for rural commercial designation (Hadlock Rural Village Center) for the whole of the subject parcel.

2.3.3 Requests for Mineral Resource Lands Overlay District Designation

Requests for designation of a Mineral Resource Lands (MRL) overlay are subject to criteria contained at UDC 3.6.3 and governed more broadly by goals and policies in the Natural Resource Conservation Element of the Jefferson County Comprehensive Plan, which were developed to fulfill the requirements of the Growth Management Act (GMA) and associated Washington Administrative Code (WAC). The UDC criteria are reprinted here. For more detailed information on mineral resource land designation in Washington state under GMA and in Jefferson County pursuant to the Comprehensive Plan, consult two of the adopted SEPA documents: the 2002 Comprehensive Plan Amendment Docket DCD Staff Report & DSEIS and FSEIS.

UDC Section 4.24 is entitled Mineral Extraction, Mining, Quarrying and Reclamation and contains regulations that govern these types of activities. In the prelude of this section, it states, "...Any proposed mineral extraction which would create disturbed areas in excess of ten (10) gross acres shall require an MRL designation in accordance with Section 3.6.3 of this UDC." The applicants who have chosen to apply for the MRL overlay designation are presumably doing so in order to submit an application at a later date for mineral extraction or a related activity governed under UDC 4.24 that would create a disturbed area greater than 10 acres.

Following is the complete verbatim text of UDC 3.6.3, which outlines the criteria for MRL designation:

Mineral Resource Lands District (MRL).

Designation Procedures. A Mineral Resource Land (MRL) Overlay District may be applied based upon the following criteria, only upon acceptance by the County of a complete application from a property owner and upon approval of a redesignation in accordance with Section 9 of this Code and processed as a comprehensive plan amendment. MRLs of long-term commercial significance are those lands from which the commercial extraction of minerals (sand, gravel, rock, and other valuable aggregate or metallic substances) can be anticipated within 20 years and which are characterized by all of the following:

- a. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional;
- b. The parcel is a minimum of ten (10) acres in size;
- c. The subject property is surrounded by parcels no smaller than five (5) acres in size on 100% of its perimeter;
- d. The current or future land use designation will not exceed a residential density of one dwelling unit per five acres;
- e. Are not within any Shoreline designation or Rural Village Center or within one-half mile of any established or potential Urban Growth Area or Rural Village Center boundary, as shown on the Official Maps of the Comprehensive Plan; and
- f. Are not within a regulated wetland or fish and wildlife habitat area pursuant to Section 3.6.8 and 3.6.9 of this Code.

Allowable and Prohibited Uses. Allowable and prohibited uses within Mineral Resource Lands Overlay Districts are specified in Table 3-1 for the underlying designation. All uses must comply with any applicable performance standards in Section 4 and development standards in Section 6 of this UDC, unless otherwise specified in this Code.

Nuisance and Disclosure Provisions.

- a. **Nuisance.** The following shall not be considered a nuisance: Mineral resource extraction and processing activities, operations (except between 7:00 p.m. and 7:00 a.m. and on weekends), facilities or appurtenances thereof, conducted or maintained for commercial mineral resource

extraction and processing purposes on land designated as Mineral Resource Land (MRL), regardless of past or future changes in the surrounding area land use or land use designation.

- b. **Disclosure.** The Disclosure statement in Section 3.6.3.b(2), *below*, shall be used under the following circumstances and in the following manner:
- (1) Approval of any land division, land use, building, or development of lands adjacent to or within five hundred (500) feet of lands designated as Mineral Resource Land (MRL) shall be conditioned on the execution by the applicant of a statement of acknowledgment containing the disclosure statement on forms provided by the Department of Community Development. However, if a disclosure conforming to the provisions of this section has been provided for a prior permit, subsequent disclosures shall not be required.
 - (2) The required disclosure statement is as follows:
“If your real property is within five hundred (500) feet of real property within an area designated as Mineral Resource Land (MRL), you may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, tree removal, odors, fumes, dust, smoke, the operation of machinery, and the storage and disposal of aggregate products. One or more of the inconveniences described may occur as a result of extraction and processing operations which are in conformance with existing laws and regulations. Jefferson County has determined that the use of certain real properties for mineral resource extraction and processing activities is necessary to ensure resource availability in the County. The County will not consider to be a nuisance those inconveniences or discomforts arising from extraction and processing operations, if such operations are consistent with commonly accepted best management practices and comply with local, state, and federal laws.”

The proposals for MRL overlay designation in this year’s Docket will be reviewed consistent with the preceding criteria. A general description, criteria review, and staff recommendation is given below.

2.3.3.1 Reference Number: MLA03-231 (Phillips/Maki)

Applicant: Marilee, Gary and Kelly Phillips and Richard Jr. and Kristan Maki

Assessor Parcel Number(s): 702224003, 702224010, 702224011, 702224012,
702224023, 702224024, 702224025, 702224026

Location: Penny Creek Road south of Quilcene

2.3.3.1.1 General Description and Site-Specific Environmental Information

The proposed amendment would establish a Mineral Resource Land (MRL) overlay district over 36.79 acres with underlying Rural Residential 1:5 and 1:20 land use districts. An MRL overlay provides for a range of resource extraction and processing uses. The underlying land use designation for the parcels would continue to be Rural Residential.

The site is located just south of Quilcene on Penny Creek Road near the intersection with US Highway 101. Mari and Gary Phillips are owners and operators of the existing 19.34-acre Penny Creek Quarry, consisting of two parcels—702224002 and 702224006. The existing Quarry, in operation for over 50 years, was designated as a Mineral Resource Lands overlay district in 1997 (case no. ZON96-0042), prior to the adoption of the UDC, under the then-effective 1995 Mineral Lands Ordinance. The Phillips, along with their children, also own 36.79 acres of land immediately adjacent to the north and east of the existing MRL overlay area. Included in this contiguous ownership is a 3.75-acre parcel once operated as a surface mine by Jefferson County. Based on the basalt formation visible at the existing quarry as well as at the old County quarry, on mapped geology of the area, and data from well logs in the vicinity, the vast majority of the subject 36.79 acres is believed to contain commercial quantities of highly valuable mineral resources. An Economic and

Geologic Report with specific information on the potential existence of mineral resources at the site accompanies the Master Land Use Application (MLA). Approval of the MRL overlay is required before the operators can submit a land use application to expand the existing Penny Creek Quarry operation.

The Phillips' ownership lies at the base of steep pitching topography that slopes east to a narrow valley where the Big Quilcene River flows easterly to Quilcene Bay. The Big Quilcene River is located approximately 1,000 feet south of the subject property and active mine. Highway 101 and Penny Creek Road are located between the River and the existing mine site and subject property. Penny Creek is located over 1,300 feet south of the proposed mining boundary. No streams or critical habitat are located within or immediately adjacent to the existing mine or proposed MRL overlay property. The site and surrounding area consist of evergreen and deciduous forest stands of various ages. DNR property to the north was clear-cut within the last two years. The subject 36.79 acres are undeveloped and have recently been partially logged under a Forest Practices Application (FPA) with the Washington Department of Natural Resources (DNR). Adding the MRL overlay to this additional property will increase the total MRL coverage to 56 acres. Included in that coverage is the 3.75-acre parcel that was once a County-owned quarry and which is considered a legal, nonconforming use (i.e., has "grandfather" status).

The DNR reports that a reclamation plan is needed for the current Penny Creek Quarry operation and that since a reclamation plan has not been submitted and approved, the current operation is not in compliance with the surface mining laws of Washington State. DNR also reports that a reclamation plan that encompasses the entire projected mining site would be more effective and therefore is copasetic with waiting for this legislative process involving the potential designation of additional MRL overlay acreage to unfold.

Mineral Resource Lands of long-term commercial significance are those lands from which the commercial extraction of minerals (sand, gravel, rock and other valuable aggregate or metallic substances) can be anticipated within 20 years and which are characterized by six criteria. The designation criteria from UDC are presented below followed by a comment regarding consistency with those criteria.

UDC 3.6.3 a. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional.

The subject approximately 37 acres have a substantial volume of high quality mineral resources in commercially viable quantities according to the submitted geologic and economic report. DNR has not commented on the submitted report or on the geology of the subject area, but reports generally that, "...Crescent Formation (basalt) does not pervasively produce rock with high durability and high strength characteristics. The paucity of durable and strong rock is primarily due to the Crescent's submarine origins and associated mineral alteration. The Crescent basalt may contain anomalous rock bodies with higher strength and durability characteristics, but such prospects must be drilled and analyzed for favorable engineering and economic characteristics. More commonly Crescent Basalt has been used as a lower grade, abundant, and accessible rock source for timber harvest road base, riprap, and jetty rock" (email from Chris Johnson, August 1, 2003).

UDC 3.6.3 b. The parcel is a minimum of ten (10) acres in size.

The area requested for the zoning overlay consists of 37.79 acres (Parcels 702224023, 702224024, 702224025, 70222426, 70222403, 702224011, 702224012, and 702224010) in Section 22, T27N, R2W, WM, the Phillips own adjacent to the existing operation. Parcel 702224010 was until recently a surface mine owned and operated by Jefferson County and is considered a legal, nonconforming use with rights to continue mining. The position of DCD is that a Boundary Line Adjustments (BLA) process would be required prior to review of a mineral resource extraction/stormwater management application whereby each parcel within the MRL overlay would be at least ten acres in size. The proponent would propose a pattern of parcels within the MRL overlay boundary, so long as internal land use district boundaries are maintained. The BLA

requirement is a contingency intended for fulfillment after the BOCC renders a decision on the subject application and before the County reviews an application for mineral extraction/stormwater management and DNR approves a reclamation plan.

UDC 3.6.3 c. The subject property is surrounded by parcels no smaller than five (5) acres in size on 100% of its perimeter.

To the south of the subject property is the existing Quarry, which consists of a 9.34-acre parcel and a 10-acre parcel. To the west and northwest is Parcel 702221001 (229.97 acres) owned by the State of Washington. The State also owns the quarter section (160 acres), Parcel 702221002, to the north of the subject property. Highway 101 abuts the property on the east.

UDC 3.6.3 d. The current or future land use designations will not exceed a residential density of one dwelling unit per five acres.

The Comprehensive Plan land use map designates the subject property as RR 1:20 and RR 1:5. The BLA requirement will ensure that no resulting Rural Residential parcel be less than 10 acres in size.

UDC 3.6.3. e. Are not within any shoreline designation or Rural Village Center or within one-half mile of any established or potential Urban Growth Area or Rural Village Center boundary, as shown on the Official Maps of the Comprehensive Plan.

Quilcene, the nearest Rural Village Center to the subject property, is more than one mile east along Highway 101. The closest designated UGA in Jefferson County is in the Hadlock-Irondale area, a considerable distance from the subject site. Because the site is outside of the floodplain and more than 200 feet distant from the Big Quilcene River, it is outside of shoreline jurisdiction, as established in the County Shoreline Master Program.

UDC 3.6.3. f. Are not within a regulated wetland or fish and wildlife habitat area pursuant to Section[s] 3.6.8 and 3.6.9 of this Code.

The subject property has been partially mined and a portion has been recently logged (FPA #2605231, issued April 2, 2003). According to the proponent, there were no comments from any of the State or Federal resource agencies to the DNR during the review of the application for that FPA. Previous logging activities have resulted in the site being partially covered with multiple age stands of timber ranging from 5-8 to approximately 40 years. Approximately 40 acres of State land north of the subject property has been clear-cut within the last two years (Timber Sale: Four Penny, Agreement No. 30-071007). According to the proponent, there were no resource agency comments on that timber sale.

Correspondence from the Washington Department of Fish and Wildlife (WDFW) and a copy of the WDFW Priority Habitat and Species Map for the project vicinity indicate the presence of several fish and wildlife species in the vicinity of the subject property. The proposed expansion of the MRL overlay to the subject property and subsequent mining is not anticipated to adversely affect any of the identified species. The proponent submitted a Fish and Wildlife Habitat Impacts report with the MLA for this proposal. Any mineral extraction project action proposal would be subject to County regulations and State resource agency review and would be conditioned appropriately.

Below is staff's application of **Table 4-3** from pages 4-35 and 4-36 of the Comprehensive Plan to this specific proposal. The text appearing in bold type in each row represents staff's categorization. For some categories, the characteristics of the proposal are such that text in more than one column is selected. Comments are included afterwards for some selections.

Table 4-3 (from Comprehensive Plan page 4-35 and 4-36)

Matrix for Assessing Lands for Designation as Mineral Resource Lands

	NOT SUITABLE FOR DESIGNATION	CONSIDER FOR DESIGNATION	DESIGNATION DESIRABLE	DESIGNATION HIGHLY DESIRABLE	DESIGNATION CRITICAL
QUALITY OF DEPOSIT	Low grade deposit.	Variable but located near use area or processing plant.	Deposit made economical to mine by upgrading material.	Grade meets the requirements for road construction or can be upgraded.	Concrete quality.
SIZE OF DEPOSIT	Small deposit.	Small deposit (less than 2,000 tons).	Medium-size deposit.	Large deposit (7.5 million tons).	Very large deposit (10 million tons).
ACCESS DISTANCE FROM MARKET	More than 20 miles from use area.	Distance from use area is minimized due to access to interstate.	Less than 10 miles of the use area; alternative access route available.	Large deposit presently beyond economical hauling distance to present use areas. Near highways: access can be provided.	Within 5 miles of uses area. Adjacent to highway with access for trucks.
COMPATIBLE WITH NEARBY AREAS	Adjacent land use presently incompatible with mining (appreciable residential development within range of excessive noise, dust, blasting, vibrations, etc.).	Scattered development within outer range of impacts of mining; owners may not object to mining.	Adjacent land suitable for development and within commuting distance of use area.	Imminent incompatible development on adjacent lands.	No incompatible land uses existing or likely in the foreseeable future (adjacent land in national forest, operator's ownership, agricultural land use.)
IMPACT OF NOISE	Noise level in adjacent presently developed areas would clearly exceed standards if mining occurred.	[Between left and right column.]	Noise level in adjacent undeveloped areas would exceed standards for likely use, but use of these areas can be easily delayed or economical mitigation can be provided by barriers.		Noise at adjacent residential areas less than 50 dB(A) due to distance or topographical barrier, berm can be constructed easily.
IMPACT OF BLASTING	Too close to existing subdivision.		[Between left and right column.]		Blasting not required; permanent open space between quarry and other uses; topographical barrier between

					quarry and other land uses; only occasional light blasting; blasting compatible with adjacent uses.
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	NOT SUITABLE FOR DESIGNATION	CONSIDER FOR DESIGNATION	DESIGNATION DESIRABLE	DESIGNATION HIGHLY DESIRABLE	DESIGNATION CRITICAL
IMPACT OF TRUCK TRAFFIC	Only access is local road through residential area.	Slightly longer alternative route exists.	Alternative truck route can be built at reasonable expense; alternative transportation (conveyor, etc., can be used past residential streets).	[Between left and right column.]	Adjacent to freeway with access to site.
VISUAL IMPACT	Mining would destroy or create.	Mining activity cannot be screened and would permanently alter landscape.	Some activity visible from residential areas, but no permanent deterioration of landscape.	Mining activity can be easily screened by berms and/or vegetation.	Activity screened by topography or vegetation, or appreciably reduced by distance.
SURFACE & GROUND WATER IMPACTS	Potential adverse impacts to water resources on site	Water resources on site and can be avoided.	Limited water resources on site and can be mitigated.		No water resources on site.
WETLANDS IMPACT	High quality wetlands throughout the site	High quality wetlands only on a portion of site and can be avoided.	Lower quality wetlands on site and can be mitigated.	Wetlands can be avoided on site.	No or minimal wetlands on site and of low quality.
SLOPES	Site located in active unstable slope area.	Potential or historical unstable slopes.	Unstable slopes on site can be avoided.	Minimal slopes throughout the site.	Level grade mining site with minimal slopes.
BIOLOGICAL IMPACT	Rare and threatened/ endangered plants or animals on site.	Site includes priority wildlife habitat that would be permanently removed by mining.	Species of Special Concern habitat located on site.	Minor or temporary loss of fish and wildlife habitat.	No significant biological resources; rehabilitation of site would replace or create habitat.
IMPACT OF FLOODING	Mining would cause erosion of adjacent property; could be prevented only at great expense.		Mining would create erosion hazard for roads, bridges, and utility lines; however, these structures could be strengthened at reasonable costs.		Mining would create flood control channel and would not damage adjacent land.

Notes on Categories

Quality of Deposit: Meets WSDOT specifications for degradation.

Size of Deposit: MRL overlay area capable of producing 8-14 million tons of marketable product (Geologic and Economic Report prepared by Ecological Land Services, Inc.).

Access Distance from Market: Good access to Highway 101; access to South Jefferson and North Mason County markets; market distance varies.

Compatible with Nearby Areas: Moderately compatible; neighbors report noise issues related to blasting and hours of operation.

Impact of Noise: Neighbors report noise issue related to blasting and hours of operation.

Impact of Blasting: Stephen Cain, Supervisor with the Mine Safety and Health Administration (MSHA), US Department of Labor, informed the County that an investigator “found no violations of the Mine Safety and Health Regulations (ref: 30CFR)” during an investigation at Penny Creek Quarry (email August 1, 2003). MSHA regulations deal with the safety and health of miners rather than the sound level of blasting in relation to the surrounding community. A mining company that incorporates blasting must follow Federal safety rules with regard to loading of explosives, handling of explosives, security of blast site, and the blast to ensure that any fly rock does not leave the blast site area and endanger persons. Additionally, MSHA regulates the storage of explosives on the mine site. According to Mr. Cain, A copy of the inspection report is available through the Freedom of Information Act by contacting Marianne Boyer at (707) 447-9844.

Impact of Truck Traffic: The 1998 Comprehensive Plan reviewed impacts and level of service for State highways and County roads as described in Chapter 10 or the Transportation Element. For roadways, level of service (LOS) typically relates to congestion, measured by speed and vehicle density. Six levels of service were defined and adopted through the Comprehensive Plan, as recommended by the Transportation Advisory Board. These levels of service are consistent with the Peninsula Regional Transportation Planning Organization and the Washington State Department of Transportation. Rural roads outside of urban growth areas were given an LOS rating of C, meaning stable flows and selection of speed is affected by interaction with others in the traffic stream. Rural corridors carrying an urban level of traffic were given an LOS D, meaning stable flows and speed and freedom to maneuver may be restricted.

As the intensity of the operation is not anticipated to increase, no increase in truck traffic is anticipated. Traffic impacts will be analyzed in more detail at the time of mineral resource extraction permit application review.

Visual Impact: Moderate. Cleared area visible from Highway 101 and surrounding properties.

Surface & Ground Water Impacts: The Big Quilcene River is located approximately 1,000 feet south of the subject property and active mine. Penny Creek is located over 1,300 feet south of the proposed mining boundary. No streams or critical habitat are located within or immediately adjacent to the existing mine or proposed MRL overlay property. Scott Morrison, Sand and Gravel Permit Manager at the Southwest Region offices of the Washington Department of Ecology (Ecology) reports that Penny Creek Quarry operates under a current Sand and Gravel General Permit that addresses water quality and stormwater management issues. The permit number is WAG-50-1403. Mr. Morrison inspected the site last October and provided guidance for proper handling of petroleum products. The Sand and Gravel General Permit would be updated with a mineral resource extraction proposal in a new MRL overlay area.

Susceptible Aquifer Recharge Area in Penny Creek Road area according to County GIS database; applicable UDC protective measures to be incorporated as permit conditions.

Wetlands Impact: There are no mapped wetlands on the site, according to the County GIS database and the Fish and Wildlife Habitat Impacts report submitted on behalf of the applicant by Ecological Land Services, Inc.

Slopes: Steep slopes; Moderate Landslide Hazard and Erosion Hazard on subject site according to County GIS database. Applicable UDC conditions would be applied at permit stage.

Biological Impact: Fish and Wildlife Habitat Impacts report submitted with MLA contains information on presence and potential impacts from mining for the following wildlife species: Northern Spotted Owl, Bald Eagle, Marbled Murrelet, Osprey, Wood Duck, Harlequin Duck, Chinook Salmon, Coho Salmon, Chum Salmon, Pink Salmon, Searun Cutthroat Trout, Resident Cutthroat Trout, Steelhead, Rainbow Trout, and Channel Catfish. References include WDFW "Habitat and Species Report in the Vicinity of T27R02W Section 12," March 13, 2003 and WDFW "Management Recommendations for Washington's Priority Habitat and Species," 1991. Mineral resource extraction permits would be appropriately conditioned.

Impact of Flooding: No off-site stormwater; discharge on-site only, per Ecology Sand and Gravel General Permit.

Conclusion

Fair source of material. Existing quarry with economic potential to expand. Environmentally sensitive areas protected through regulations and permits. Neighbors concerns should be addressed through clear permit conditions.

2.3.3.1.2 Cumulative Impact Analysis

Pursuant to UDC section 9.8.1.b, the Planning Commission and Board of County Commissioners shall develop findings and conclusions which consider specific criteria. Those criteria, and staff evaluations, follow. Additionally, the contents of Exhibit E of the Master Use Application (MLA) submitted by the proponent are informative and should be referenced by the interested reader. Some of the information in Exhibit E is incorporated below:

Whether circumstances related to the proposed amendment substantially changed since the adoption of the Comprehensive Plan

The Comprehensive Plan anticipated possible designation of Mineral Land sites based on site-specific geologic conditions. In 1997, at the time of MRL overly designation for the existing operation, the applicants' ownership was limited to the 19.34 acres west, and an additional 1.62 acres east, of Penny Creek Road. Since then the Phillips family has acquired an additional 35.17 acres north of the current MRL area. The total common, contiguous family ownership is now approximately 56.13 acres. Thus, the change in circumstances is the shift in ownership of over 35 acres of land containing large volumes of commercially valuable mineral resources to owners and operators of a historic and viable surface mine operation on contiguous property. Because of the consolidation of land ownership, the potential has increased for a coordinated and unified mining plan for the entire ownership that will be both economically viable and at the same time environmentally sensitive. The previously discrete ownership presented a major obstacle to reaching that goal.

Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available

The assumptions upon which the Comprehensive Plan is based continue to be valid.

Whether the proposed amendment reflects current widely held values

This consideration will become evident through public hearing and testimony before the Planning Commission. At this point no specific public comment related to this proposal has been received.

In addition, pursuant to UDC section 9.8.1.c, the Planning Commission and Board of County Commissioners must make the following findings for formal site-specific amendment proposals. Those findings, and staff evaluation, are as follows:

The proposal meets concurrency requirements for transportation and other public services

According to the proponent, the proposed quarry expansion that would follow approval of the MRL overlay would continue operations at the present level of intensity. Because the mineral resources would not be extracted at an accelerated rate and crushing and processing would remain constant, there would be no increase in haul truck traffic from the site or need for other public services. This issue would be further addressed at the time of formal application for land use.

The proposal is consistent with the various elements of the Comprehensive Plan

Identification and protection of mineral of long-term commercial significance is consistent with the Comprehensive Plan. For a full comparison with Comprehensive Plan goals and policies, refer to Exhibit E of the MRL.

The proposal will not result in probable significant adverse impacts to capital facilities

Designation of this parcel as Mineral Lands Overlay is not likely to result in significant adverse impacts to the County's transportation network, capital facilities, utilities, parks, or environmental features.

The parcel(s) is physically suitable for the requested designation regarding access, utilities, and compatibility with surrounding uses

Required review under the Unified Development Code provisions will ensure that access and provision of utilities can be located in an appropriate fashion on the subject parcel. Currently, although the existing Quarry is within an MRL overlay approved in 1997, the operation does not possess a permit from the County. The reason is that the County initiated a mineral resource extraction/stormwater management permit upon adoption of the UDC in December 2000. If an MRL overlay were established adjacent to the current operation, the mineral resource extraction would require a County land use permit. The permit would set clear conditions based on this analysis and the UDC. Those conditions would be useful in facilitating understanding and compatibility between the operators and adjacent rural residential landowners.

The proposal will not create a pressure to change the designation of other properties

Assigning a designation of Mineral Lands Overlay for the subject parcel has the potential to create a pressure to change the land use designation for surrounding properties but that is not a necessary result of this action. This MRL overlay request represents the extent of land ownership in the area of the Phillips and Maki families at this time. Planned uses to the north and west bordering the subject property are for continued forestry.

The proposal does not materially affect land use and population growth projection assumptions

The proposed site-specific amendment does not materially affect the land use and population growth projections that are the basis of the Comprehensive Plan.

If within an urban growth area (UGA), the proposal does not materially affect the adequacy of facilities

Not applicable in this situation.

The proposal is consistent with the GMA and the County-Wide Planning Policy

Upon review of the submitted geologic and economic report verifying the commercial availability of minerals, staff concludes that the proposed amendment would be consistent with the Growth Management Act and the County-Wide Planning Policy for Jefferson County. Staff is unaware of any applicable inter-jurisdictional policies or agreements, or any other local, state or federal laws with which the proposed amendment would be inconsistent.

Implementation Requirements

Approval of the proposed amendment would require a change to the Jefferson County Land Use Map.

2.3.3.1.3 Staff Recommendation

Staff recommends approval of the proposed amendment, subject to the following conditions:

1. A Boundary Line Adjustment (BLA) is required under Sections 7 and 8 of the UDC prior to review of mineral resource extraction/stormwater management permit applications for the new MRL overlay district. The result of the BLA process is that each and every parcel in the new MRL overlay shall be at least ten (10) acres in size and that no individual parcel shall be within more than one land use district (i.e., RR 1:5 or RR 1:20).
2. Submittal of a proposed reclamation plan to DNR that encompasses the entire operation, including the current Quarry site, shall be concurrent with submittal of mineral resource extraction land use permit applications to the County.
3. Mineral extraction shall not occur in the new MRL overlay district without a reclamation plan approved by DNR or an updated Sand and Gravel General Permit, if deemed necessary by Ecology.
4. Upon issuance of County mineral resource extraction/stormwater management permits for the new MRL overlay district, should that occur, UDC conditions for Mineral Extraction, Mining, Quarry and Reclamation, found at Section 4.24, shall apply to the whole of the Penny Creek Quarry operation, including the existing operation site and the area previously under County ownership, to protect the general health, safety and welfare of the public. The conditions address, among other issues, hours of operation and noise (UDC 4.24.6) and performance standards and Best Management Practices (BMPs) for mining and quarrying within designated Susceptible Aquifer Recharge Areas (UDC 4.24.8 and 6.17). Permit application review may result in additional conditions.

The result of MRL overlay designation would be an additional 36.79 acres to the existing 19.34 acres under a 1997 MRL overlay designation. The total MRL overlay district for the area would be approximately 56 acres (56.13 acres).

2.3.4 Request for Change in Forest Land Designation

The following is excerpted from the NATURAL RESOURCE LANDS chapter of the 1998 Comprehensive Plan, as amended.

GOAL:

NRG 1.0 Encourage the conservation of resource lands and the long-term sustainable use of natural resource-based economic activities throughout Jefferson County.

POLICIES:

NRP 1.1 Designate lands where the preferred and principal land uses are resource-based economic activities as Natural Resource lands.

NRP 1.2 Require land use activities adjacent to resource lands to be sited and designed so as to minimize conflicts with resource based economic activities.

NRP 1.3 Provide up-to-date and accurate information to the public concerning the location of resource lands and the nature of land uses and activities to be expected within such areas.

FOREST LANDS

GOAL:

NRG 3.0 Conserve and protect Forest Resource Lands for long-term economic use.

POLICIES:

NRP 3.1 Adopt a final Forest Lands Ordinance that includes criteria from the Growth Management Act and the Interim Forest Lands Ordinance for classifying and designating Forest Lands for long-term commercial significance based on the quality of the forest environment, the size of the parcel, the tax status, current use, and distance from populated areas.

NRP 3.2 Encourage the continued diversity of forestry by designating classes of long-term commercially significant forest land that allow the continued existence of a range of approaches to forest management.

NRP 3.3 Parcels designated as Forest Land in common ownership separated by a public right-of-way shall be considered as a single parcel.

GOAL:

NRG 4.0 Minimize potential conflicts between forest management activities and land use activities within or adjacent to designated forest lands.

POLICIES:

- NRP 4.1** Prohibit the subdivision of designated Forest Lands for residential purposes except for lands that have been designated as Forest Transition Overlay. Allow one dwelling unit on each legal lot of record in accordance with State law.
- NRP 4.2** Adopt a final Forest Lands Ordinance that includes criteria from the Growth Management Act and the interim ordinance for conditional uses in Forest Lands.
- NRP 4.3** Minimize conflicts with Forest Land activities by developing site and design requirements for land use activities adjacent to designated forest land.
- NRP 4.4** Minimize dangers from natural disasters such as fire, through siting and design criteria for structures on designated Forest Lands.
- NRP 4.5** Minimize conflict between primary and secondary forest production facilities and related developments and forest management activities through siting and design requirements.
- NRP 4.6** Prohibit the extension of service areas of utility local improvement districts, fire districts, or sewer, water, or public utility districts into designated Forest Lands except for lands that have been designated as Forest Transition Overlay.

GOAL:

- NRG 5.0** Encourage the continuation of forestry on lands which are not designated as commercial forest resource lands.

POLICIES:

- NRP 5.1** Evaluate proposals for conversion of forest land through a public process to assess the long-term economic impact of decreasing the amount of land available for sustainable forest production and harvest.
- NRP 5.2** Review forest land conversion applications based on an assessment of the cumulative impact on the environment.
- NRP 5.3** Regulate the development of forest lands which are converted to other uses in compliance with the Jefferson County Comprehensive Plan, the County-wide Planning Policy, the Growth Management Act, and the State Forest Practices Rules.

Proposals to modify Forest Land designations should be viewed in the context of the Comprehensive Plan goals and policies excerpted above. Specific information on MLA03-225 is found below, including the staff recommendation.

2.3.4.1 Reference Number: MLA03-225 (Pall)

Applicant: Donna Pall

Assessor Parcel Number(s): 821061001

Location: Swansonville Road near intersection with Beaver Valley Road

2.3.4.1.1 General Description and Site-Specific Environmental Information

The proposal as submitted by the applicant is to amend the land use designation for a parcel that is approximately 68 acres in size from Commercial Forest (CF) one dwelling unit per 80 acres (1:80) to Rural Forest (RF) 1:40. For discussion purposes, the 68 acres can be described in two parts: the east half of Government Lot II (where the Pall residence is situated) and the whole of Government Lot I. The Gov. Lot II portion is approximately half (say, 23 acres) that of the Gov. Lot I portion (say, 45 acres). Swansonville Road runs through the southwest corner of the Gov. Lot II portion of the property. There is a developed access for the Pall residence on Swansonville Road and a partially developed potential access point for the Gov. Lot II portion to the east. Aside from the Pall residence, two shelters, and the dirt road network serving those structures, the property is almost entirely forested, according to Ms. Pall and the aerial photograph included as Exhibit C3. Ms. Pall does not actively practice forestry on the parcel; there is no existing commercial forestry operation that would be impacted by a land use district amendment. The applicant notes that to her knowledge the property was zoned rural residential at time of purchase. She was unaware of the impact of adoption of the 1998 Comprehensive Plan on her property.

The intention of the landowner is to be able to use a portion of the 68-acre property to construct a single-family residence for her brother, who is currently in military service overseas, and his family. Ms. Pall has stated that the Accessory Dwelling Unit (ADU) limitation of 1,250 square feet is too restrictive for her brother, his wife and two children. As the property is not 160 acres in size, under UDC Section 7 Land Division there is no possibility to subdivide the parcel into two parcels under the current CF 1:80 designation. Likewise, even if the parcel were to be designated as RF 1:40, since the parcel is not 80 acres in size, there would remain no possibility to subdivide the property.

Staff discussed this with Ms. Pall over the telephone and presented her with an alternative that would presumably meet her needs. After listening to the explanation, Ms. Pall agreed that her desires would be met by the staff proposal. Staff asserts that the goals and policies of the Comprehensive Plan would be served by a modification to the land use designation for the subject parcel, contingent upon a Land Division application under UDC Section 7. The staff proposal is that, should the BOCC take action to implement the staff recommendation, the re-designation for the subject area would occur officially through and only through approval of a Land Division application. The result would be two distinct parcels, whereby the Gov. Lot II portion (1/2 of a full Gov. Lot) would be Rural Residential 1:20 and the Gov. Lot I portion (a full Gov. Lot) would remain as Forest Land, but would be designated RF 1:40 rather than CF 1:80.

2.3.4.1.2 Cumulative Impact Analysis

Pursuant to UDC Section 9.8.1.b, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, are as follows:

Whether circumstances related to the proposed amendment substantially changed since the adoption of the Comprehensive Plan

Circumstances related to the proposed amendment and area in which it is located have not substantially changed since the adoption of the Comprehensive Plan. However, the interpretation and application of the criteria related to residential density have been refined since Plan adoption to address issues related to appropriate residential density.

Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available

The assumptions upon which the Comprehensive Plan is based continue to be valid. However, since Plan adoption, the interpretation of the residential designation criteria contained at Comprehensive Plan Land Use Goal (LNP) 3.0 [page 3-67] have been refined to address issues related to residential density.

Whether the proposed amendment reflects current widely held values

This consideration will become evident through public hearing and testimony before the Planning Commission. At this point no specific public comment related to this proposal has been received.

In addition, pursuant to UDC section 9.8.1.c, the Planning Commission and Board of County Commissioners must make the following findings for formal site-specific amendment proposals. Those findings, and staff evaluation, are as follows:

The proposal meets concurrency requirements for transportation and other public services

The proposal meets these standards.

The proposal is consistent with the various elements of the Comprehensive Plan

Applicable Comprehensive Plan goals and policies are presented above. Clearly the Comprehensive Plan discourages the re-designation of Forest Lands to some other land use district. In this case, according to the staff recommendation, about 23 acres would be re-designated RR 1:20. Staff believes that in this case, and in the suggested limited manner, the re-designation would be fair, appropriate, and consistent. The landowner does not practice commercial forestry on the property and does not intend to clear any more land than necessary for the construction of an additional single-family residence. The majority of the 68 acres will remain forested, helping to maintain an effective buffer between rural residential land use to the west, southwest, and south of the property and commercial forestry to the north, east, and southeast. The parcels directly to the west, southwest, and south of the Gov. Lot II portion of the subject parcel are designated Rural Residential 1:20. The parcels to the north of the Gov. Lot I portion (about 45 acres), which would be designated RF under the staff recommendation scenario, are designated RF. The parcels to the northeast, east, and south are designated CF. For all intents and purposes, the only on-the-ground impact of this zoning decision would be that the second single-family residential structure on the 68 acres in question would be larger than 1,250 square feet, the size limitation for an ADU. There would be little if any impact on Forest Lands and their use in Jefferson County.

The proposal will not result in probable significant adverse impacts to capital facilities

The creation of an additional residential development unit is not likely to result in significant adverse impacts to the County's transportation network, capital facilities, utilities, parks, or environmental features. These issues would be further addressed at the time of formal application for land division.

The parcel(s) is physically suitable for the requested designation regarding access, utilities, and compatibility with surrounding uses

Required review under the UDC Land Division provisions will ensure that access and provision of utilities can be located in an appropriate fashion on the subject parcel. The proposed designation is compatible with existing and planned surrounding land uses. Utilization of the UDC clustering provisions would allow for flexibility related to access, utility provision, and compatibility.

The proposal will not create a pressure to change the designation of other properties

As stated earlier, re-designation of Forest Lands is discouraged in the Comprehensive Plan. This is a unique set of circumstances, the addressing of which should not create a precedent. In this case, there is RR 1:20 land use districts directly to the west, southwest, and south of the subject property.

The proposal does not materially affect land use and population growth projection assumptions

The proposed site-specific amendment does not materially affect the land use and population growth projections that are the basis of the Comprehensive Plan.

If within an urban growth area (UGA), the proposal does not materially affect the adequacy of facilities

Not applicable in this situation.

The proposal is consistent with the GMA and the County-Wide Planning Policy

Staff believes that the limited action represented in the staff recommendation would be consistent with the Growth Management Act and the County-Wide Planning Policy for Jefferson County. Staff is unaware of

any applicable inter-jurisdictional policies or agreements, or any other local, State or Federal laws with which the proposed amendment would be inconsistent.

Implementation Requirements

Approval of the proposed amendment would require a change to the Jefferson County Land Use Map, made official at the time of an approved Land Division application under UDC Section 7.

2.3.4.1.3 Staff Recommendation

Staff recommends a modification to the land use designation for the subject parcel, contingent upon a Land Division application under UDC Section 7. The staff proposal is that, should the BOCC take action to implement the staff recommendation, the re-designation for the subject area would occur officially through and only through approval of a Land Division application. The result would be two distinct parcels, whereby the Gov. Lot II portion (1/2 of a full Gov. Lot, approximately 23 acres) would be Rural Residential 1:20 and the Gov. Lot I portion (a full Gov. Lot, approximately 45 acres) would remain as Forest Land, but would be designated RF 1:40 rather than CF 1:80.

3 Supporting Record, Analyses, and Materials

The table below lists existing environmental documents and other documents and information utilized for the development of this 2003 Comprehensive Plan Amendment Docket DCD Staff Report and SEPA Addendum. This report supplements information presented in prior environmental documents prepared for adoption of the Comprehensive Plan, other legislative actions, and other County decisions and activities.

DATE	DOCUMENT	DOCUMENT EVALUATED
September 27, 1978	Draft Environmental Impact Statement (DEIS)	Proposed Comprehensive Plan (pre-GMA)
January 2, 1979	Final EIS (FEIS)	Proposed Comprehensive Plan
December 21, 1992	County-Wide Planning Policies (Res. No. 40-99)	
February 14, 1994	DEIS	Draft Implementing Ordinance for 1979 Comprehensive Plan
March 1, 1995	Existing Conditions	Alternatives for establishing GMA Comprehensive Plan
February 24, 1997	DEIS	Comprehensive Plan - February 24, 1997 draft
May 27, 1998	FEIS	Proposed Comprehensive Plan
August 3, 1998	Staff Responses to Questions	Proposed Comprehensive Plan
January 26, 1999	Land Use Inventory Report	Part of Special Study
January 26, 1999	Regional Economic Analysis and Forecast	Part of Special Study
June 30, 1999	Draft Supplemental EIS (DSEIS)	Comprehensive Plan 1999 Amendments (Task III of Tri-Area/Glen Cove Special Study)
August 18, 1999	Final Supplemental EIS (FSEIS) with addenda	Comprehensive Plan 1999 Amendments (Task IV of Tri-Area/Glen Cove Special Study)
June 11, 2001	Special Study Final Decision Document	
November 2001	Tri-Area UGA Capital Facilities Special Study	
November 28, 2001	Tri Area & Glen Cove Special Study Implementation Plan	
August 21, 2002	Integrated Staff Report & DSEIS	2003 Comprehensive Plan Amendment Docket
November 25, 2002	Integrated FSEIS	2003 Amendment Docket
December 2002	Final decisions, findings, ordinances, and conditions	2003 Amendment Docket
May 1, 2003	Applications and supporting materials for 8 Comprehensive Plan amendment proposals	
On-going	Websites for State Departments of Ecology, Natural Resources, and Fish and Wildlife	E.g., SEPA, wildlife research and species of concern, salmon recovery, Summer Chum Conservation Initiative, Olympic National Forest, Forest Plan Monitoring Report

4 Distribution List

Copies mailed or delivered to:

Jefferson County:

Planning Commission members (8 persons)

Board of County Commissioners

Prosecuting Attorney's Office

Department of Public Works

Department of Health & Human Services
Natural Resources Division

Jefferson County Library at Port Hadlock

State Agencies:

Office of Community Development: Growth
Management Program

Department of Ecology SEPA Unit

Notification of availability emailed or mailed to:

Jefferson County:

All other County departments not listed above

Local Agencies & Organizations:

City of Port Townsend

Jefferson County Public Utility District #1

Port of Port Townsend

Jefferson County Conservation District

Washington Environmental Council

Olympic Environmental Council

Wild Olympic Salmon

North Olympic Salmon Coalition

People for a Livable Community

Point-No-Point Treaty Council

Port Gamble S' Klallam Tribe

Jamestown S' Klallam Tribe

Skokomish Tribe

Hoh Tribe

Port Townsend & Jefferson County Leader

Peninsula Daily News

Forks Forum

Vigilance

Notification of availability emailed or mailed to:

State Agencies:

Department of Natural Resources (Anne Sharar &
SEPA Review)

Department of Transportation (Bill Wiebe & SEPA
Review)

Department of Health (Peter Beaton)

Department of Social & Health Services
(Elizabeth McNagly)

Department of Corrections (Linda Glasier)

Department of Fish & Wildlife (Millard Deusen, Jeff
Davis, & SEPA Review)

Department of Ecology (GMA Review)

Puget Sound Action Team
(Harriet Beale and John Cambalik)

Parks & Recreation Commission (Rex Bill Koss)

Interagency Committee for Outdoor Recreation
(Lorinda Anderson)

**Comprehensive Plan amendment applicants and/or
representatives**

Other Interested Parties:

5 Appendices

- Item 1: Integrated GMA/SEPA document (August 6, 2003)
- Item 2: Instructions and Links for Accessing Site Maps on the County Website

5.1 APPENDIX ITEM 1: INTEGRATED GMA/SEPA DOCUMENT (AUGUST 6, 2003)



JEFFERSON COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street • Port Townsend • Washington 98368
360/379-4450 • 360/379-4451 Fax
<http://www.co.jefferson.wa.us/commdevelopment/>

**NOTICE OF INTENT TO AMEND COMPREHENSIVE PLAN LAND USE MAP
AND
NOTICE OF ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS
AND AVAILABILITY OF SEPA ADDENDUM
AND
NOTICE OF PUBLIC HEARING BEFORE THE JEFFERSON COUNTY PLANNING
COMMISSION ON 2003 COMPREHENSIVE PLAN AMENDMENT DOCKET
SITE-SPECIFIC APPLICATIONS**

Pursuant to the Washington State Growth Management Act (GMA) and State Environmental Policy Act (SEPA), Jefferson County is issuing an integrated GMA/SEPA document per WAC 197-11-210 through 197-11-235 in relation to the four (4) proposed site-specific amendments to the Jefferson County Comprehensive Plan that constitute half of the Final Docket of the 2003 annual Comprehensive Plan amendment cycle. Jefferson County has determined that it is the appropriate SEPA lead agency for the proposal. Adoption of any Comprehensive Plan amendment on the 2003 docket would be a non-project action under SEPA, Chapter 43.21C RCW.

Following are brief descriptions of each of the proposed site-specific amendments to the Comprehensive Plan land use map. Each case has a Master Land Use Application (MLA) for reference. On the 2003 final docket there are four (4) site-specific applications and four (4) suggested amendments (for which legal notice will appear at a later date). The site-specific applications are:

1. MLA03-182; Northwest School of Wooden Boatbuilding; parcel 901013016; amend the land use map to designate the entirety of the subject parcel as part of the Port Hadlock Rural Village Center (RVC, a rural commercial district); currently approx. half of the 5-acre parcel is RVC and half is Rural Residential (RR) one dwelling unit per 5 acres (1:5).
2. MLA03-189; ANE Forests of Puget Sound, Inc.; parcel 901364012; land use map re-designation for approx. 40 acres from RR 1:20 to RR 1:10 district.
3. MLA03-225; Donna Pall; parcel 821061001; re-designation for approx. 68 acres from Commercial Forest 1:80 to Rural Forest 1:40 land use district.
4. MLA03-231; Marilee, Gary and Kelly Phillips and Richard Jr. and Kristan Maki; parcels 702224003, 702224010, 702224011, 702224012, 702224023, 702224024, 702224025, 702224026; establishment of a Mineral Resource Land overlay district for approx. 37 acres in underlying RR 1:5 and RR 1:20 land use districts.

GMA Notice: This document serves as the 60-day notice of intent to amend the Jefferson County Comprehensive Plan and is being circulated per WAC 365-195-620 to State agencies on the list provided by

the Washington State Office of Community Development of agency representatives responsible for reviewing proposed amendments to comprehensive plans.

Adoption of Existing Environmental Documents and Notice of Availability of SEPA Addendum: The document also serves as a notice of adoption of existing environmental documents and notice of availability of a formal SEPA document, an Addendum, pursuant to SEPA rules (Chapter 197-11 WAC). After review of the docket and existing environmental documents, the SEPA Responsible Official at the Department of Community Development (DCD) has determined that existing environmental documents, augmented by the integrated SEPA Addendum, provide adequate environmental review to satisfy the requirements of WAC 197-11-600 with regard to consideration of the site-specific amendment proposals on the 2003 Docket. A Staff Report offering recommended action on each proposed site-specific Comprehensive Plan amendment has been integrated with a SEPA Addendum per WAC 197-11-235. In accordance with WAC 197-11-630, there is no new SEPA-specific public comment period in conjunction with this adoption notice. However, DCD and the Planning Commission are accepting general comments on the merits of the proposed site-specific amendment applications as detailed below.

The following existing environmental documents are being adopted:

- Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
- Draft and Final Supplemental EIS (DSEIS/FSEIS) and addenda for the Comprehensive Plan 1999 Amendments, also known as Tasks III and IV of the Tri-Area / Glen Cove Special Study. The DSEIS and FSEIS are dated June 30, 1999 and August 18, 1999, respectively, and examined the potential environmental impacts of adopting one of the identified planning alternatives for the Tri-Area of Chimacum-Port Hadlock-Irondale and the Glen Cove mixed use area.
- Integrated Staff Report and DSEIS/FSEIS for the 2002 Comprehensive Plan Amendment Docket, dated August 21 and November 25, 2002, respectively. Among other information, the adopted documents provide background and analysis on the classification, designation, and regulation of mineral resource lands.

Other documents have been incorporated by reference in the combined Staff Report and SEPA Addendum.

Planning Commission Public Hearing: NOTICE IS HEREBY GIVEN that the Jefferson County Planning Commission will a public hearing to take comment on the four proposed Comprehensive Plan **site-specific amendments**. Oral and/or written comment will be accepted as detailed below. The public hearing will occur on **Wednesday, August 20, 2003** beginning at **6:30 PM** at the **WSU Community Learning Center**, Shold Business Park, 201 W Patison, Port Hadlock. In September, the Planning Commission will hold a public hearing on the four suggested amendments that complete the 2003 Docket. An integrated Staff Report and SEPA Addendum will be released and a legal notice will appear at least 10 days prior to the hearing.

Public Comment Period: The Planning Commission and DCD will accept written comments on the merits of the **four site-specific amendment proposals** until the conclusion of the public hearing before the Planning Commission on **August 20** (detailed above). Oral comment may be made at the Planning Commission public hearing. Any comments on the site-specific applications submitted after August 20 will be forwarded to the Board of County Commissioners (BOCC) for consideration in their legislative decision. The BOCC may hold a public hearing before taking action on the final docket (formal notice would appear in the newspaper of record). Written comments on the proposals may be submitted to DCD at 621 Sheridan Street, Port Townsend WA 98368 or via email to planning@co.jefferson.wa.us.

Availability of Documents: For more information or to inspect or request copies of the original applications for the proposed amendments, the Integrated Staff Report and SEPA Addendum, the adopted existing environmental documents or other related information, contact DCD Long-Range Planning at the mail or email addresses above, by phone at (360) 379-4450, or visit the 2003 Comprehensive Plan amendment cycle website, where documents and notices are posted in PDF:

<http://www.co.jefferson.wa.us/commdevelopment/2003%20Comprehensive%20Plan%20Amendment%20Cycle.htm>

