

ESSENTIAL PUBLIC FACILITIES

PURPOSE: This section contains guidelines and policies which outline a process and define a set of criteria to be used to identify sites for development of facilities classified as essential public facilities, and for establishing an appeal mechanism. The suggested process stresses avoiding duplication in approval processes, considers the long-term as well as short-term costs of alternative siting criteria, provides for effective public review of major facilities and emphasizes reasonable compatibility with neighboring uses.

RELATIONSHIPS WITH OTHER ELEMENTS OF THE PLAN

Because of the provisions in GMA for siting essential public facilities, other elements of the Comprehensive Plan analyze the potential impacts associated with the siting or expansion of essential public facilities.

Element	Discussion
1. Land Use/Rural	Because of their potential size or nature, essential public facilities (EPFs) can have a substantial impact on land use and affect the overall rural character of Jefferson County. Design characteristics can be used to ensure that the EPF is compatible with its surroundings.
2. Environment	The potential size of some essential public facilities may warrant significant environmental mitigation to protect critical areas, aquifer recharge areas, or other environmentally sensitive areas.

ESSENTIAL PUBLIC FACILITIES - ISSUE BACKGROUND

Essential Public Facilities include those facilities considered difficult to site because of potential adverse impacts related to size, bulk, hazardous characteristics, noise, or public health and safety. The CWPP stipulates that the County and its UGAs must identify appropriate land for essential public facilities that meets the needs of the community such as local waste handling and treatment facilities, landfills, drop-box sites and sewage treatment facilities, airports, state educational facilities, essential state public facilities, regional transportation and utility facilities, state and local correctional facilities, and in-patient facilities (including substance abuse facilities, mental health facilities and group homes). These facilities are difficult to site, serve regional or state requirements, or are part of a County-wide service system.

The Revised Code of Washington (WAC) provides clarification as to what constitutes an essential public facility:

“In the identification of essential public facilities, the broadest view should be taken of what constitutes an essential public facility, involving the full range of services to the public provided by government, funded substantially by government, contracted for by government, or provided by public entities subject to public service obligations.”

The Office of Financial Management (OFM) shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The Office of Financial Management may at any time add facilities to the list.

In addition to the list maintained by OFM, Jefferson County may identify other additional public facilities that are essential to providing services to residents and without which development cannot occur.

ESSENTIAL PUBLIC FACILITIES AND PUBLIC PURPOSE LANDS

Confusion often arises as to the distinction between lands identified for public purposes and those identified for essential public facilities. Essential public facilities can be thought of as a subset of public purpose lands. The table below illustrates this distinction.

**Table 9-1
Distinguishing Public Purpose Lands from Essential Public Facilities**

Public Purpose Lands	Essential Public Facilities
<p><i>FOCUS:</i> Lands needed to accommodate public facilities. Lands needed to provide the full range of services to the public provided by government, substantially funded by government, contracted for by government, or provided by private entities to public service obligations.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Utility Corridors • Transportation Corridors • Sewage Treatment Facilities • Storm water Management Facilities • Recreation Facilities • Schools • Other Public Uses 	<p><i>FOCUS:</i> Facilities needed to provide public services and functions that are typically difficult to site. Those public facilities that are usually unwanted by neighborhoods, have unusual site requirements, or other features that complicate the siting process.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Airports • Large-scale Transportation Facilities • State Educational Facilities • Correctional Facilities • Solid Waste Handling Facilities & Landfills • Inpatient Facilities (Substance Abuse Facilities, Mental Health Facilities & Group Homes).

Many of the facilities identified in the table above as being “public facilities” located on public purpose lands are dealt with in other sections of this plan. The facilities in the column on the right of the table are typical essential public facilities and are addressed in this section.

GMA GOALS

By their very nature or size, some essential public facilities may be unpopular with local residents, who may object to certain types of essential public facilities, such as correctional facilities or airports, locating in close proximity to their homes. GMA addresses this “NIMBY” attitude and contains provisions to ensure that jurisdictions avoid exclusionary zoning practices that prevent the siting of essential public facilities. RCW 36.70A.200 states:

“No local comprehensive plan or development regulation may preclude the siting of essential public facilities.”

COUNTY-WIDE PLANNING POLICY

Adopted CWPPs require the County and UGAs to develop a cooperative and structured process, including public involvement at an early stage, to consider the siting of public facilities of a regional, state-wide, or federal nature. Solid waste disposal, correctional, transportation, education, or human service facilities, or any other locally unpopular land uses are examples of those facilities. Any new facilities or major expansions of existing facilities must conform to these locally defined siting procedures described in the strategies section.

County-wide Planning Policy #4 outlines the County’s approach to the siting of essential public facilities:

- The County and incorporated UGAs will jointly develop specific siting criteria for siting essential public facilities. The proposed criteria will be considered in the drafting of comprehensive plan policy addressing this issue. Elements of siting criteria should include, but not be limited to the following:
 - proximity to major transportation routes and essential infrastructure.
 - land use compatibility with surrounding area.
 - potential environmental impacts.
 - effects on resource and critical areas.
 - proximity to UGA.
 - public costs and benefits including operation and maintenance.
 - current capacity and location of equivalent facilities.
 - the existence, within the community, of reasonable alternatives to the proposed activity.
- Comprehensive plans and development regulations will not preclude the siting of essential public facilities; however, standards may be generated to insure that reasonable compatibility with other land uses can be achieved.
- Essential public facilities sited outside of Urban Growth Areas should be self-supporting and not require the extension, construction, or maintenance of urban services and facilities unless no practicable alternative exists. Criteria will be established that address the provision of services when siting an essential public facility. Essential public facilities shall not be located in resource lands or critical areas if incompatible.

GOALS AND POLICIES

GOAL:

EPG 1.0 **The County, in cooperation with its UGAs, will utilize the following siting criteria as the basis for siting new essential public facilities or for the expansion of existing essential public facilities:**

- 1. Proximity to major transportation routes and essential infrastructure;**
- 2. Land use compatibility with surrounding areas;**
- 3. Potential environmental impacts;**
- 4. Effects on resource and critical areas;**
- 5. Proximity to UGAs**
- 6. Public costs and benefits including operation and maintenance;**
- 7. Current capacity and location of equivalent facilities; and,**
- 8. The existence, within the community, of reasonable alternatives to the proposed activity.**
- 9. Other criteria as determined relevant to the specific essential public facility**

POLICIES:

EPP 1.1 Establish an interjurisdictional approach to siting essential public facilities.

EPP 1.2 Identify and designate essential public facilities of state-wide, county-wide and local significance and incorporate into the County Comprehensive Plan and Map and the County-wide Planning Policy.

EPP 1.3 Ensure that the Comprehensive Plan and implementing regulations do not preclude the siting of essential public facilities.

EPP 1.4 Adopt development regulations that ensure that siting of essential public facilities is consistent with the elements of the Comprehensive Plans of both the County and City of Port Townsend, as well as, the siting criteria jointly established by the County and its UGAs.

EPP 1.5 Adopt development regulations for essential public facilities in conjunction with the City of Port Townsend, which consider the following factors:

- A. Specific facility requirements including, but not limited to, acreage requirements, transportation needs, availability of alternative sites, and infrastructure and services required by the facility.
 1. Minimum acreage
 2. Accessibility
 3. Transportation needs and services
 4. Supporting public facility and public service needs and availability thereof
 5. Health and safety
 6. Site design
 7. Zoning of the site

8. Availability of alternative sites
9. Community-wide distribution of facilities
10. Capacity and location of equivalent facilities
11. State and federal siting requirements

B. Impacts of the facility including, but not limited to, compatibility with adjacent land uses, environmental impacts and transportation.

1. Land use compatibility
2. Existing land use and development in adjacent and surrounding areas
3. Existing zoning of surrounding areas
4. Existing Comprehensive Plan designation for surrounding areas
5. Present and proposed population density of surrounding area
6. Environmental impacts and opportunities to mitigate environmental impacts
7. Effect on agricultural, forest or mineral lands, critical areas and historic, archaeological, and cultural sites
8. Effect on areas outside of Jefferson County
9. Effect on the likelihood of associated development
10. Effect on public costs including operating and maintenance
11. Proximity to Urban Growth Areas
12. Proximity to major transportation routes and essential infrastructure
13. Current capacity and location of equivalent facilities
14. Public costs and benefits including operation and maintenance
15. The existence, within the community, of reasonable alternatives to proposed activity

C. Impacts of the facility siting on Urban Growth Area designations and policies including, but not limited to, proximity to existing UGAs, compatibility with existing UGAs and their associated development and the urban characteristics of the proposed facility.

1. Urban nature of facility
2. Existing urban growth near facility site
3. Compatibility or urban growth with the facility
4. Compatibility of facility siting with respect to Urban Growth Area boundaries

EPP 1.6 Adopt development regulations for essential public facilities which specify:

- a. The time required for construction
- b. Property acquisition
- c. Control of on-site and off-site impacts during construction
- d. Expediting and streamlining necessary government approvals and permits if all other elements of the County policies have been met.
- e. The quasi-public or public nature of the facility, balancing the need for the facility against the external impacts generated by its siting and the availability of alternative sites with lesser impacts

EPP 1.7 Adopt development regulations for essential public facilities which include standards and criteria related to:

- a. Facility operations
- b. Health and safety
- c. Nuisance effects
- d. Maintenance of standards congruent with applicable governmental regulations, particularly as they may change and become more stringent over time.

EPP 1.8 Ensure that new essential public facilities or the expansion of existing essential public facilities sited outside of Urban Growth Areas are self supporting and do not require the extension or construction of urban services and facilities unless no practicable alternative exists.

EPP 1.9 Ensure that Jefferson County's policies and regulations on essential public facility siting are coordinated with and advance other planning goals.

EPP 1.10 Ensure that where possible, essential public facility sites are used jointly for public benefit.

EPP 1.11 Ensure that affected agencies and citizens, adjacent jurisdictions, and other interested parties are given adequate notice and opportunity for meaningful participation in decisions on siting essential public facilities.

EPP 1.12 Establish a review body with specified procedures established to hear appeals of site selection for essential public facilities.

EPP 1.13 Combine public hearings for permits required by federal and/or state law for essential public facilities with any public hearing required by County development regulations whenever feasible.

EPP 1.14 Any state essential public facility included on the list maintained by the Office of Financial Management (OFM) and proposed for siting within Jefferson County shall be subject to the same siting process as identified in both the County Comprehensive Plan and development regulations.

EDP 1.15 Develop standards to allow reclamation of waste disposal sites to other land uses.

EDP 1.16 Consider investigating whether the County can be waste disposal self sufficient for the next twenty (20) years.

GOAL:

EPG 2.0 **Ensure the continued viability of the Jefferson County International Airport as a transportation hub.**

POLICIES:

EPP 2.1 During the Port's preparation of a sub-area plan for the JCIA and appropriate surrounding properties, limit new development proposals at the JCIA site to only those uses which are clearly identified as aviation support facilities or aviation related development in conformance with the airport's designation as an essential public facility.

EPP 2.1.1 Aviation Support Facilities are those uses which directly support the operation of the Jefferson County Airport:

EPP 2.1.2 Aviation Related Development are those uses which are reliant upon the airport for their business:

EPP 2.2 Cooperate with the Port of Port Townsend to develop a sub-area plan to guide future development at the Jefferson County International Airport. This sub-area plan may evaluate non-aviation uses and activities that are compatible with the airport facility and surrounding area. The sub-area plan should address the following siting issues for all new uses and activities proposed for siting at the Jefferson County International Airport and all plans for facilities expansion:

- a. Compatibility with airport operations as an essential public facility;
- b. Provision of infrastructure consistent with the requirements of the GMA;
- c. Land use compatibility with surrounding area;
- d. Potential environmental impacts;
- e. Availability of alternative sites;
- f. Public health and safety;
- g. Sub-area plan amendment process for possible future acquisition of adjacent properties

GOAL:

EPG 3.0 **Ensure continuation of the airport as a safe and efficient essential public facility.**

POLICIES:

EPP 3.1 Develop an “Airport Overlay Zone” for Jefferson County International Airport (JCIA) which:

- Discourages the siting of new, incompatible land uses adjacent to the airport;
- Establishes a noise overlay zone;
- Identifies and regulates land uses within a “runway protection zone;”
- Identifies and regulates land uses within an “airport approach zone;” and,
- Regulates obstacles in accordance with Federal Aviation Regulations (FAR) 77 until the “Airport Overlay Zone” is established for the JCIA.

EPP 3.2 Contingent upon the results of the “Glen Cove/Tri-Area Special Study,” review and, if necessary, amend the JCIA section of the Essential Public Facilities element.

~~**EPP 3.3** — The County, in cooperation with the Port of Port Townsend, will develop and adopt a Noise Overlay Zone Ordinance.~~

EPP 3.4 Limit and regulate all uses within the Jefferson County International Airport Runway Protection Zone, except for facilities and structures determined necessary to ensure the safe operation of aircraft.

- EPP 3.5** Prohibit any new use which involves release of airborne substances, such as steam, dust, and smoke which interfere with aircraft operations within the Airport Approach or Runway Protection Zones.
- EPP 3.6** Prohibit any new uses which emit light, direct or indirect (reflections), which may interfere with a pilot's vision within the Airport Approach or Runway Protection Zones.
- EPP 3.7** Facilities which emit electrical currents shall be installed in a manner that does not interfere with communication systems or navigational equipment.
- EPP 3.8** Prohibit any new uses that attract concentrations of birds or waterfowl (i.e., mixed solid waste landfill disposal facilities, waste transfer facilities, feeding stations, and the growth of certain vegetation) in the Airport Approach or Runway Protection Zones.
- EPP 3.9** Encourage the Port of Port Townsend to continue its efforts to mitigate noise conflicts at Jefferson County International Airport.
- EPP 3.10** Encourage the commitment between Jefferson County and the Port of Port Townsend to coordinate individual planning documents to preclude the occurrence of future noise conflict areas. Coordinate with the Port of Port Townsend to explore options in flight patterns to mitigate noise events, as long as options preserve safe aeronautical regulations and procedures.

STRATEGIES

A. ESSENTIAL PUBLIC FACILITIES STRATEGY

Jefferson County's process for siting Essential Public Facilities consisting of the following components and the criteria contained in EPG 1.0, shall be utilized to make siting decisions regarding Essential Public Facilities.

Action Items

1. The County's essential public facility site selection process shall consist of the following elements

The County Commission shall:

- Establish an Essential Public Facilities Advisory Committee (EPFAC)
- Define EPFAC responsibilities and operating framework
- Determine EPFAC composition
- Appoint EPFAC members
- Identify budget parameters
- Establish process time-line
- Negotiate and adopt agreement with agency or entity requiring siting
- Coordinate and support the EPFAC process
- Review EPFAC recommendations
- Submit recommendations to requesting agency/entity.

The requesting agency/entity should:

- Negotiate and adopt an agreement with the County Commission
- Solicit nominations for potential sites
- Provide data support as appropriate and requested
- Submit site nominations for analysis
- Conduct initial SEPA review
- Receive recommendations and begin follow-up process as appropriate

The EPFAC should:

- Conduct organizational and educational meetings in a public format
- Quantify facility needs
- Identify siting issues
- Analyze and rank sites
- Conduct public information meetings
- Prepare recommendations
- Present recommendations to County Commission
- Coordinate all matters relating to the siting of EPFs, including interjurisdictional matters

The EPFAC shall use the siting criteria contained in the CWPP and supplement these as deemed necessary. The committee shall also be guided in its decision by asking the following questions during each decision-making process.

- Is the facility in the best interests of the citizens of Jefferson County?
- In what regard is such a facility “essential” and is it truly public?
- Which criteria should be applied to best locate such a facility?

All meetings of the EPFAC shall be advertised to ensure timely public notice and to provide sufficient opportunity for all affected parties to comment on the proposed siting decision.

(Corresponding Goal: 1.0)

2. Appeals to the decision(s) of the EPFAC shall be processed as a “Type C” decision, in accordance with Jefferson County’s “Procedural Reform Ordinance.” (Corresponding Goal: 1.0)
3. Adopt development regulations and establish a process to site essential public facilities on the list maintained by the State Office of Financial Management. All requests by the State to site essential public facilities of statewide significance shall be submitted with written findings of fact outlining the need for siting the facility in Jefferson County and an outline of the process used by the State to make its site selection decision. The findings shall include, but not be limited to, identifying all other jurisdictions considered for the facility and reasons for rejecting alternative sites. (Corresponding Goal: 1.0)
4. Advance planning goals regarding essential public facilities using the following strategies:
 - Reduce sprawl development
 - Promote economic development and employment opportunities
 - Protect the environment
 - Provide positive fiscal impact and on-going benefit to the host jurisdiction
 - Serve population groups needing affordable housing
 - Receive financial or other incentives from the State and/or local governments
 - Support fair distribution of essential public facilities throughout the County
 - Require State and Federal projects to be consistent with this policy.
 (Corresponding Goal: 1.0)

B. JEFFERSON COUNTY INTERNATIONAL AIRPORT STRATEGY

Action Items

1. Jefferson County shall work cooperatively with the Port of Port Townsend and aviation officials to develop and adopt an “Airport Overlay Zone” for Jefferson County International Airport. (Corresponding Goal: 3.0)
2. Based upon the results of the Glen Cove/Tri-Area Study, the County may re-evaluate land use designations within the “Airport Overlay Zone.” (Corresponding Goals: 2.0, 3.0)

