

2005 COMPREHENSIVE PLAN AMENDMENT DOCKET

Department of Community Development Staff Report and SEPA Addendum

JEFFERSON COUNTY, WASHINGTON

Preliminary Staff Recommendation
with Environmental Analysis
for the Adoption of Amendments
to the Jefferson County Comprehensive Plan

AUGUST 3, 2005

*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 10 individual amendment proposals to the 1998 Jefferson County Comprehensive Plan. Nine (9) site-specific amendment proposals and one (1) suggested amendment proposal comprise the 2005 Comprehensive Plan Amendment Docket, which is the “Final Docket” for this year’s annual amendment cycle.¹

This document is a combined Staff Report and State Environmental Policy Act (SEPA) Addendum for the 10 proposed amendments. The objective is to analyze the proposed amendments individually and cumulatively with regard to Comprehensive Plan amendment criteria outlined in UDC §9 and potential environmental impacts under 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 environmental review needed for future land use or building permit applications).

The following briefly describes each of the 10 proposed amendments to the Comprehensive Plan (note: each case has a Master Land Use Application (MLA) file number for ease of reference):

Site-Specific Amendments:

1. **MLA05-06** - McDiehl LLC; Port Ludlow; proposed upzone within the Port Ludlow Master Planned Resort (MPR) from MPR Residential to MPR Village Commercial Center; Agent: David Goldsmith;
2. **MLA05-38** - Hopkins/Barber Family Associates, LP; Quilcene; proposed upzone from Commercial Forest (CF) 1:80 to Rural Residential (RR) 1:20; Agent: Jim Lindsay;
3. **MLA05-39** - Nelson/Monroe; Quilcene; proposed upzone from RR 1:20 to RR 1:5;
4. **MLA05-51** - Kirkpatrick; Quilcene; proposed upzone from RR 1:20 to RR 1:5; Agent: Linda Skurdal;
5. **MLA05-53**; Widell; Port Townsend (adjacent to the Glen Cove Limited Area of More Intensive

¹ The 2005 Comprehensive Plan Amendment Docket was established by the Board of County Commissioners (BoCC) on April 18, 2005 following consideration of a Preliminary Docket containing 11 items.

- Rural Development (LAMIRD)); proposed upzone from RR 1:5 to Rural Light Industrial Commercial;
6. **MLA05-59** - Olympic Property Group (OPG); Shine; proposed upzone from RR 1:10 to RR 1:5;
 7. **MLA05-60** - OPG; Port Ludlow; proposed upzone from RR 1:20 to RR 1:5;
 8. **MLA05-61** - OPG; Shine; proposed upzone from CF 1:80 to RR 1:10 and RR 1:5; and
 9. **MLA05-70** - Pepper; Port Townsend (Four Corners/SR 20); proposed upzone from RR 1:10 to Rural Commercial (Neighborhood Crossroads); Agent: Kelly DeLaat-Maher.

Suggested Amendments:

10. **MLA05-66** - Comprehensive Plan housekeeping involving map anomalies and text and table corrections only, and not for the purpose of amending policy or narrative description.

Proponent	The Jefferson County Board of County Commissioners (BoCC) on behalf of the applicants for the nine site-specific amendment proposals and the Department of Community Development for Comprehensive Plan housekeeping under file number MLA05-66.
Lead Agency	<p>Jefferson County Department of Community Development (DCD) Long-Range Planning 621 Sheridan Street Port Townsend WA 98368</p> <p>SEPA Responsible Official: Stacie Hoskins, Development Services Manager DCD Development Review Division (360) 379-4493</p> <p>Contact Person: Josh D. Peters, AICP, Senior Planner DCD Long-Range Planning (360) 379-4466</p>
Authors and Principal Contributors	Jefferson County Department of Community Development Long-Range Planning
Date of Staff Report & SEPA Addendum Issuance	August 3, 2005
Date Comments are Due	Oral comments are welcome at the Planning Commission public hearing, 6:30 PM, Wednesday, August 17, 2005, at the WSU Community Learning Center in Hadlock. Written comments are accepted by DCD on behalf of the Planning Commission until 4:30 PM, Wednesday, August 24, 2005.

**Past Related Actions and
Future Anticipated Actions**

The Planning Commission will hold a public hearing at 6:30 PM, Wednesday, August 17, 2005, at the WSU Community Learning Center in Hadlock. By the end of September, DCD expects to transmit to the BoCC a final DCD Staff Recommendation together with the Planning Commission Recommendation for all proposals on the 2005 Comprehensive Plan Amendment Docket.

Tentative Adoption Date

A legislative decision from the BoCC on each of the 10 Comprehensive Plan amendment proposals under consideration is expected sometime prior to the end of the second week in December 2005. 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 2005 Comprehensive Plan annual amendment cycle process. This website can be accessed from the Jefferson County homepage:
<http://www.co.jefferson.wa.us>.

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 the Western Washington 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. Appointments are welcome.

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 (i.e., the Unified Development Code (UDC)), including amendments to both the Plan and UDC. These documents, listed in part 3 of this document, "Supporting Record, Analyses, and Materials," provide substantial background information and offer previous environmental descriptions and analyses. They are incorporated herein by this reference. The reader is encouraged to refer to these documents in conjunction with this document for a broader understanding of the issues and impacts analyzed.

In this document, descriptions of and references to the contents of the proposed amendments have been provided to the greatest extent possible, but do not include all information from the Comprehensive Plan amendment applications. For a more complete understanding of the discussion presented within this document, the Comprehensive Plan amendment applications themselves should be consulted.

Cost to the Public

Copies of the 2005 Comprehensive Plan Amendment Docket DCD Integrated Staff Report and SEPA Addendum, or selected pages thereof, 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 2005 annual amendment cycle, which can be accessed from the Jefferson County homepage: <http://www.co.jefferson.wa.us>. 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 and substantively updated the Plan on December 13, 2004. The Jefferson County Comprehensive Plan is a policy document that guides growth and future land use decisions in Jefferson County. In each successive year since initial adoption, the County has conducted a Comprehensive Plan amendment cycle as allowed under the GMA (see RCW 36.70A.130). The process for amending the Comprehensive Plan is outlined in §9 of the Unified Development Code (UDC) (i.e., the development regulations adopted in December 2000 to implement the Comprehensive Plan). The 2005 “Preliminary Docket” included eleven (11) proposed amendments. Consistent with UDC §9, the nine (9) 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 two (2) suggested amendments on the Preliminary Docket, as introduced by the Department of Community Development (DCD) on behalf of individual County Commissioners, 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 a limited version of the Comprehensive Plan “housekeeping” proposal and establishing as ten (10) 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 §9 and potential environmental impacts as required under SEPA. The adoption of amendments to the Comprehensive Plan 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 a recommended action on each proposed Comprehensive Plan amendment. Guidance for preparing integrated SEPA/GMA documents is found at Washington Administrative Code (WAC) 197-11-235. The analysis in this document supplements the existing adopted environmental documents incorporated herein by reference.

1.2.1.1 Adoption of Existing Environmental Documents

The following existing environmental documents have been adopted through legal notice published in the *Port Townsend & Jefferson County Leader* newspaper on August 3, 2005 (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, dated February 24, 1997 and May 27, 1998, respectively, examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
- The Integrated Staff Report and SEPA Addendum prepared for the 2004 Comprehensive Plan Amendment Docket by the Department of Community Development, issued on September 22, 2004. The analysis concerning Agricultural Lands of Local Importance is pertinent to an element of file number MLA05-66.

1.2.1.2 Incorporation of Documents by Reference

The ten 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, all Appendix Items to this report, and all other materials or documents referenced in the text within are incorporated herein by this reference, pursuant to 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 descriptions and analyses. The reader is encouraged to

use existing documents in conjunction with this document for a more comprehensive understanding of the issues and impacts analyzed.

Moreover, to the greatest extent possible this document includes descriptions of, and references to, the content of the ten individual proposals, but these descriptions do not include all the information from each Comprehensive Plan amendment application. For a more thorough understanding of the discussion presented here, the Comprehensive Plan amendment applications themselves should be consulted to supplement the information in this document.

1.2.1.3 Level of Environmental Analysis

This document provides both a qualitative and a quantitative analysis of environmental impacts as appropriate to the general nature of the 2005 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 permit review for a single site-specific project. Environmental analysis for a non-project proposal does not require the same level of site-specific analysis required in conjunction with a permit application; 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 site-specific, project-level analyses (i.e., “project actions” 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. 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 a supplemental EIS, SEPA addendum, or threshold Determination of Non-Significance (DNS).

1.2.1.4 Process and Public Involvement

Following is a description of the anticipated review and public involvement process for the 2005 Comprehensive Plan Amendment Docket and associated Staff Report and SEPA Addendum.

This 2005 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 Preliminary Public Outreach - Docketing Process

The public process for compiling the final docket has followed the public involvement requirements of the GMA and the specific procedures established in UDC §§ 9.5 through 9.8. DCD staff compiled the preliminary docket following the February 1, 2005 deadline for applications set forth in UDC §9.4.2. On March 2, 2005, and after timely and effective public notice, the Planning Commission held an open record public hearing to solicit comments

on the proposed amendment docket. On March 10, 2005, the Planning Commission and BoCC held a joint workshop to review the DCD preliminary docketing recommendations and to gather information regarding the items on the preliminary docket and the DCD report and recommendations. On March 30, 2005, Planning Commission transmitted its final docketing report and recommendations to the BoCC. On April 18, 2005, the BoCC adopted the final docket for review during the 2005 amendment process.

1.2.1.4.2 Review of Final Docket - Planning Commission Public Hearing - Public Comment Period

The Jefferson County Planning Commission is scheduled to hold at least one public hearing to take testimony on the proposed Comprehensive Plan amendments that comprise the 2005 Comprehensive Plan Amendment Docket (2005 Docket). A public hearing is scheduled for **Wednesday, August 17, 2005, 6:30 PM** at the **WSU Community Learning Center** in Port Hadlock, pertaining to all items on the 2005 Docket.

The issuance of this Staff Report and SEPA Addendum on Wednesday, August 3, 2005, initiates a public comment period that remains open through Wednesday, August 24, 2005. Oral comment may be provided to the Planning Commission at the August 17, 2005 public hearing previously referenced. Written comment may be submitted to the Planning Commission via DCD through 4:30 PM on August 24, 2005. Please submit written comments to DCD at 621 Sheridan Street, Port Townsend WA 98368 or via email to planning@co.jefferson.wa.us. Comments submitted prior to the close of the comment period will be forwarded to the Planning Commission for consideration during that advisory body's deliberations. Please note that the Planning Commission may elect at its discretion to schedule an additional date and time for oral comments, and/or extend the period in which written comments may be accepted.

Written public comments submitted after close of the Planning Commission comment period will be forwarded to the Board of County Commissioners (BoCC) for consideration in its legislative decision. The BoCC may hold a public hearing before taking final legislative action on the Final Docket (formal notice will appear in the newspaper of record, the *Port Townsend & Jefferson County Leader*, prior to the BoCC hearing).

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 2005 Comprehensive Plan amendment cycle webpage, where as many relevant documents and maps as possible are available in Portable Document Format (PDF). The 2005 Comprehensive Plan amendment cycle webpage can be accessed through the County homepage: <http://www.co.jefferson.wa.us>.

1.2.1.4.4 Planning Commission and Board of County Commissioners Deliberation

Following the public hearing(s) on the proposed Comprehensive Plan Amendments, the Planning Commission will deliberate on the proposals, potentially over a series of meetings, and formulate a recommendation on each proposal for consideration by the Board of County Commissioners (BoCC). It is anticipated that the Planning Commission will deliberate on the proposed suggested amendments during regularly scheduled meetings on September 7 and September 21, 2005, or until such time that it formulates 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. It is possible that the Planning Commission will hold one or more special meetings outside of the regular meeting schedule. The most likely dates for these meetings would be August 24 and/or August 31, 2005. Following the completion of the Planning Commission recommendation on the 2005 Docket, DCD will formally transmit the Planning Commission recommendation to the BoCC along with the DCD final staff recommendations, any comments submitted during the public comment period, and the record of the Planning Commission deliberations. It is anticipated that the Planning Commission and DCD recommendations will be presented to the BoCC in the month of October 2005.

In making a final legislative decision on the Docket, the BoCC considers the Planning Commission recommendations, 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 legal notice would appear in the *Port Townsend & Jefferson County Leader*, the publication of record, announcing any BoCC public hearings on the 2005 Docket.

A legislative decision from the BoCC on each of the Comprehensive Plan amendment proposals under consideration is expected prior to the end of the second week in December 2005. The meeting schedules and agendas for the Planning Commission and BoCC with regard to the 2005 Docket are available on a Jefferson County webpage dedicated to the 2005 Comprehensive Plan annual amendment cycle process. This webpage can be accessed from the Jefferson County homepage: <http://www.co.jefferson.wa.us>.

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, including Appendix Items, 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 found in part 2 of this document, “Concise Analysis of the Proposals,” or among the Appendix Items, as appropriate. 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 Appendix Items, the amendment applications themselves, and other supporting materials listed in part 3, in order to formulate the most accurate impression of impacts associated with the proposals and staff recommendations.

“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	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
1	MLA05-06 - McDiehl LLC; Port Ludlow MPR; upzone from Master Planned Resort (MPR) Residential to MPR Village Commercial Center.	None identified.	Adopt the proposal as proposed by the applicant.

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
2	<p>MLA05-38 - Hopkins /Barber Family Associates, LLP; Quilcene; upzone from Commercial Forest (CF) 1:80 to Rural Residential (RR) 1:20.</p>	<p>Yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to convert Commercial Forest Resource Lands to higher intensity rural use; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).</p>	<p>Recommendation - Deny the proposed rezone.</p> <p>Alternatively - Approve the rezone with modifications, including the following:</p> <ul style="list-style-type: none"> • Downzone parcel numbers 601224003 and 601228 (adjacent to subject) from RR 1:5 to RR 1:20; • Require future subdivision development to conform to the residential cluster provisions of the UDC; and • Commit to developing and adopting clearer policy guidance governing Commercial Forestry upzone proposals during the 2006 CP amendment cycle to prevent an erosion of the purpose and effect of the 1998 CP.
3	<p>MLA05-39 - Nelson/ Monroe; Quilcene; upzone from RR 1:20 to RR 1:5.</p>	<p>If left unmitigated, yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to upzone RR 1:20 areas to higher rural residential densities; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).</p>	<p>Recommendation - Deny the proposed rezone. The subject parcel is surrounded on more than 50% of its perimeter by parcels larger than 10 acres in size that are zoned for lower density rural, agricultural and forestry uses (i.e., RR 1:20; AP 1:20; and RF: 1:40). Thus, an "established pattern" of 5-acre or smaller parcels does not exist in the vicinity of the subject site (see LNP 3.3.1(a)). Because RR 1:20 zoning is currently applied to adjacent parcels, application of the RR 1:10 land use designation to "transition" between areas of varying densities would also appear inappropriate.</p>

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
4	<p>MLA05-51 - Kirkpatrick; Quilcene; upzone from RR 1:20 to RR 1:5.</p>	<p>If left unmitigated, yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to upzone RR 1:20 areas to higher rural residential densities; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).</p>	<p>Recommendation - Deny the proposed rezone. Though adjoining parcels to the north and east are generally 5 acres in size or smaller and zoned RR 1:5, at least 50% of the perimeter (i.e., the south and east) of the subject parcel is comprised of parcels of 40 acres or larger (i.e., an "established pattern" of 5 or 10-acre or smaller parcels does not exist in the vicinity of the subject site) (see LNPs 3.3.1(a) and 3.3.2(a)).</p> <p>Alternatively - Approve the rezone as modified by staff, with the following conditions:</p> <ul style="list-style-type: none"> • Rezone the parcel from RR 1:20 to RR 1:10 to provide a density transition between adjacent CF and RR 1:5 areas; • Require future subdivision development to conform to the residential cluster provisions of the UDC; and • Develop and adopt clearer policy guidance governing Rural Residential upzone proposals during the 2006 CP amendment cycle.
5	<p>MLA05-53 - Widell; Port Townsend (adjacent to Glen Cove); upzone from RR 1:5 to Rural Commercial within/adjacent to Glen Cove Limited Area of More Intensive Rural Development (LAMIRD).</p>	<p>None identified.</p>	<p>Deny the proposed rezone. Jefferson County's LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB. Though rational arguments have been advanced for this proposed rezone, staff recommends against revisiting this LAMIRD boundary.</p>

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
6	MLA05-59 - Olympic Property Group (OPG); Shine; upzone from RR 1:10 to RR 1:5.	None identified.	<p>Recommendation - Approve the proposed rezone. Though the parcel is some 40 acres in size, it is surrounded on three sides (east, south and west) by an established pattern of parcels of 5 acres or smaller which are designated RR 1:5. Consequently, approval of the rezone is appropriate and consistent with LNP 3.3.1(a). That said, the development and adoption of clearer policy guidance governing Rural Residential upzones during the 2006 CP amendment cycle would help to guide future decisions on proposals of this type, and help to prevent an erosion of the purpose and effect of the 1998 CP.</p>
7	MLA05-60 - OPG; Port Ludlow; upzone from RR 1:20 to RR 1:5.	<p>If left unmitigated, yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to upzone RR 1:20 areas to higher rural residential densities; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).</p>	<p>Recommendation - Deny the proposed rezone. LNP 3.3.1 and the topography of the proposed rezone area warrant continued application of the RR 1:20 designation. Six of the seven lots involved are bounded on 50% or more of their perimeters by large lots designated RR 1:20.</p> <p>Alternatively - Approve the proposed rezone with modifications, including the following:</p> <ul style="list-style-type: none"> • Rezone the most northerly lot from RR 1:20 to RR 1:5 recognizing that this one lot is bounded on more than 50% of its perimeter by smaller parcels designated RR 1:5, but is heavily constrained due to topography; • Require future subdivision development to conform to the residential cluster provisions of the UDC; and • Commit to developing and adopting clearer policy guidance governing Rural Residential upzone proposals to prevent an erosion of the 1998 CP.

#	APPLICATION NUMBER & DESCRIPTION	PROBABLE SIGNIFICANT ENVIRONMENTAL IMPACTS?	SUMMARY RECOMMENDATION/ PROPOSED MITIGATION/ CONDITIONS
8	MLA05-61 - OPG; Shine; upzone CF 1:80 to RR 1:10 and RR 1:5.	Yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to convert Commercial Forest Resource Lands to higher intensity rural use; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).	Deny the proposed rezone. Alternatively, partially approve the proposed rezone request, with modifications, including the following: <ul style="list-style-type: none"> • Rezone those portions of the subject site lying within the Bywater Bay Water Service Area from CF 1:80 to RR 1:20; • Require future subdivision development to conform to the residential cluster provisions of the UDC; and • Commit to developing and adopting clearer policy guidance governing Commercial Forest and Rural Residential upzone proposals as noted above.
9	MLA05-70 - Pepper; Port Townsend (Four Corners); upzone from RR 1:10 to Rural Commercial (Neighborhood Crossroads).	Yes. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to upzone rural commercial areas in a manner contrary to the requirements of the GMA (RCW 36.70.070(d) and (e) and the adopted policies of Jefferson County; this would likely have the effect of eroding the overall purpose and effect of the 1998 Comprehensive Plan (CP).	Deny the proposed rezone. Upzoning the parcel is inconsistent with the criteria for LAMIRDs, set forth at RCW 36.70A.070(5)(d). Jefferson County's current LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB.
10	MLA05-66 ; Comprehensive Plan housekeeping involving map anomalies and text and table corrections.	None identified.	Approve the amendments as proposed by staff.

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. The reader should understand that these numbers are approximations for planning purposes only, and all figures have been rounded. 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.

All acreage figures are in gross acres, including road rights-of-way and some water features. The net developable acreage would be lower.

Comparison of Current and Proposed Land Use District Designations			
Land Use Designation/Zoning District	Current Gross Acreage (2004 Plan)	Potential Future Gross Acreage Under Applicant Proposals	Potential Future Gross Acreage Under Staff Recommendation (including MLA 05-66 Corrections)
Rural Residential			
RR 1:5	29,168	29,568 (+ 400 approx.)	29,227 (+59 approx., including +19 under MLA05-66)
RR 1:10	9,886	9,914 (+28 approx.)	9,945 (-50 approx., including -10 under MLA05-66)
RR 1:20	51,475	51,280 (-195 approx.)	51,466 (-9 under MLA05-66)
Incorporated UGA			
Port Townsend UGA	4,466	No change	No change
LAMIRDS			
Rural Village Centers (Hadlock, Brinnon, Quilcene)	242	No change	No change
General Crossroads	96	No change	No change
Convenience Crossroads	10	No change	No change
Neighborhood Crossroads	122	132 (+11)	122 (no change)
Unincorporated UGA			
UGA - Commercial	262	No change	262 (+0.09 MLA05-66)
UGA - Visitor Oriented Commercial	14	No change	No change
UGA - Light Industrial	25	No change	No change
UGA - High Density Residential 14-24	50	No change	No change
UGA - Medium Density Residential 7-14	66	No change	No change
UGA - Low Density Residential 4-6	802	No change	No change
UGA - Public	72	No change	No change

Comparison of Current and Proposed Land Use District Designations, continued			
Land Use Designation/Zoning District	Current Gross Acreage (2004 Plan)	Potential Future Gross Acreage Under Applicant Proposals	Potential Future Gross Acreage Under Staff Recommendation (including MLA 05-66 Corrections)
Master Planned Resort			
MPR - Village Commercial Center	43	44 (+1)	44 (+1)
MPR - Resort Complex 10:1	57	No change	No change
MPR - Multiple Family 10:1	75	No change	No change
MPR - Single Family 4:1	1,431	No change	No change
MPR - Single Family Tracts 1:2.5	114	No change	No change
MPR - Recreation Area	259	No change	No change
MPR - Open Space Reserve	356	No change	No change
Parks & National Forest			
Parks, Preserves, Recreation - Not MPR	2,859	No change	2,860 (+1 approx., under MLA05-66)
Olympic National Forest	57,299	No change	No change
Olympic National Park	139,463	No change	140,449 (+986 approx., under MLA05-66)
Forestlands			
Rural Forest	8,645	No change	No change
Commercial Forest	310,327	310,078 (-249 approx.)	310,627 (+300 approx., under MLA05-66)
Inholding Forest	7,228	No change	No change
Resource Based Industrial Zone	152	No change	No change
Agricultural			
Commercial Agriculture	4,296	No change	No change
Agricultural Lands of Local Significance	3,220	No change	3,239 (+19 approx., under MLA05-66)
Industrial			
Heavy Industry (Mill)	278	No change	No change
Light Industrial (Glen Cove)	72	78 (+6)	72 (no change)
Light Industrial/ Manufacturing (Quilcene, Eastview)	56	No change	No change
Light Industrial/ Commercial (Glen Cove)	90	No change	No change

Comparison of Current and Proposed Land Use District Designations, continued			
Land Use Designation/Zoning District	Current Gross Acreage (2004 Plan)	Potential Future Gross Acreage Under Applicant Proposals	Potential Future Gross Acreage Under Staff Recommendation (including MLA 05-66 Corrections)
Essential Public Facilities			
Airport EPF	289	No change	No change
Military Reservation	3,452	No change	3,460 (+8 approx., under MLA05-66)
Waste Management EPF	241	No change	No change

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 §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	MLA05-06 ; McDiehl LLC; Port Ludlow; Master Planned Resort (MPR) Residential to MPR Village Commercial Center.	The subject parcel is currently separated from Osprey Ridge Drive by a sliver of land designated as part of the "protected area" or "reserve area" of the adjoining plat. Access to the parcel appears to be via Oak Bay Road only. With 89 vehicle trips per day anticipated with a 2,500 s.f. commercial building, obtaining access on two sides of the subject parcel would be advantageous for both commercial access and fire safety.

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
2	MLA05-38; Hopkins/Barber Family Associates, LP; Quilcene; Commercial Forest (CF) 1:80 to Rural Residential (RR) 1:20.	The subject parcel encompasses soil types, geology, topography and environmentally sensitive areas similar to many other parcels designated CF 1:80 in Jefferson County. The Department of Natural Resources has indicated that the parcel is well suited to commercial forestry use; moreover the majority of the parcel has been in timber tax classification since the 1970s, indicating its suitability for timber production. Redesignation and rezoning of the property to RR 1:20 could create a precedent with far reaching implications, including over time, incremental erosion of the Comprehensive Plan's overall forest land designation approach. Both the GMA and the Jefferson County Comprehensive Plan discourage redesignation of forestland.
3	MLA05-39; Nelson/Monroe; Quilcene; RR 1:20 to RR 1:5.	What constitutes "an established pattern of same or similar sized parcels" (LNPs 3.3.1 through 3.3.3) is unclear. A reasonable interpretation of these policies would suggest that in instances where 50% or more of the perimeter of a parcel abuts areas both designated and divided into parcels of equal or lower density, that the existing zoning should be retained. Application of this interpretation indicates that an established pattern of 5-acre parcels does not exist in this instance.
4	MLA05-51; Kirkpatrick; Quilcene; RR 1:20 to RR 1:5.	The above discussion relative to MLA05-39 also applies here. Fifty percent (50%) of the boundary of this 20-acre parcel abuts designations and actual densities of RR 1:20 and CF 1:80. Moreover, upzoning lands immediately abutting commercial forestland designations would appear to be inconsistent with LNP 3.3.3(g), and increase the potential for conflicts between rural residential uses and forestry uses, as well as increasing the pressure to convert forestlands to rural residential uses in future.
5	MLA05-53; Widell; Port Townsend (adjacent to Glen Cove); RR 1:5 to Rural Commercial.	As noted previously, Jefferson County's LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB. The proposal raises the question whether LAMIRD boundaries, once designated, appealed, and upheld, may properly be reconsidered in light of information not available or undiscovered at the time of initial LAMIRD zoning, absent manifest errors in application of the designation criteria.
6	MLA05-59; Property Group (OPG); Shine; RR 1:10 to RR 1:5.	As is the case with the other proposed rural residential upzones, this proposal raises an issue of interpretation of adopted County policy (i.e., LNP 3.3.1(a)). Specifically, under what circumstances is it appropriate to redesignate and rezone lower density rural residential parcels for higher density rural residential use? In this instance, because the parcel is bounded on approximately 75% of its perimeter by an established pattern of parcels of 5 acres or smaller which are designated RR 1:5, approval is recommended. However, clearer policies should be developed to guide decisions on rezones of this nature in the future; doing so would assist in ensuring rational decision-making that does not erode the purpose and effect of the Comprehensive Plan's rural residential land use scheme.

#	APPLICATION NUMBER & DESCRIPTION	AREAS OF CONTROVERSY AND UNCERTAINTY
7	MLA05-60 ; OPG; Port Ludlow; RR 1:20 to RR 1:5.	Areas along both the eastern, northwestern, and western perimeters of the subject site are constrained due to steep slopes - this is particularly the case along the western and northwestern perimeter of the site. The site is comprised of seven separate Assessor's parcel tags; only one of the seven, the northernmost, has more than 50% of its perimeter bounded by parcels and zoning of higher density. Lower parcel densities and designations bound all remaining parcels within the subject site on more than 50% of their perimeters. This proposal, as is the case with the other proposed rural residential upzones, raises the issue: under what circumstances is it appropriate to redesignate and rezone lower density rural residential parcels for higher density rural residential use?
8	MLA05-61 ; OPG; Shine; CF 1:80 to RR 1:10 and RR 1:5.	The sequence of procedural events surrounding the establishment of both the initial CF 1:80 zoning, as well as the water service area boundary, remains somewhat unclear (please refer to the analysis of the proposal, below). That said, CF 1:80 zoning was clearly applied to the subject site under interim forest land regulations that pre-date both the establishment of the water service area boundary and the Comprehensive Plan. It should be noted that less than 1/2 of the subject site lies within the Bywater Bay Water Service Area, indicating that, regardless of the timing and sequence of zoning and water service area boundary designation, the parcel has been appropriately zoned CF 1:80. Both the GMA and the Jefferson County Comprehensive Plan discourage the redesignation of forest lands.
9	MLA05-70 ; Pepper; Port Townsend (Four Corners); RR 1:10 to Rural Commercial (Neighborhood Crossroads).	Jefferson Transit recently selected the subject site as the location for its new principal operations and maintenance facility and transfer station. Transit is presently in the midst of the appraisal process, a necessary precedent to purchase/acquisition negotiations with Ms. Pepper. The present RR 1:5 zoning of the property would appear to permit Transit's desired use and development of the property via a conditional use permit process. The parcel has previously been the subject of site-specific rezone proposals identical to the current proposal that have been denied as inconsistent with the LAMIRD boundary criteria of the GMA and Comprehensive Plan.
10	MLA05-66 ; Comprehensive Plan housekeeping involving map anomalies and text and table corrections.	None identified.

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. Comprehensive Plan 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 Comprehensive Plan amendment proposals on this year’s Docket may have the potential, if adopted, to affect the environment. For this reason, each proposal must be carefully analyzed for potential impacts, both as an individual proposal and with respect to cumulative impacts when associated with the other proposals on the 2005 Docket, and if necessary, denied, conditioned, or modified 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 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 should be understood that Jefferson County has in place a regulatory framework that follows the guidance established in Washington State laws, such as SEPA, the Growth Management Act (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 prescribed allowed uses within the various districts set forth upon the Comprehensive Plan land use map, and the Land Use Procedures Ordinances outlined the development permit review 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 §3.6.4, et seq. 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 to assist in identifying these areas 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 approximate location and extent of environmentally sensitive areas overlay districts.

Development Review Division planners use available GIS information when reviewing land use and building permit applications and apply the protective measures accordingly. Frequently 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, or Wetland Delineation Report. The contents of these Special Reports are governed by UDC §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 insufficient 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 their “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 attention.

1.2.4.3 Main Options to Be Preserved or Foreclosed by the Action

The nine (9) site-specific proposals and one (1) proposal to undertake housekeeping revisions 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 adopted 1998 Comprehensive Plan. That said, some of the proposals, if approved, pose far-reaching policy implications that could, over time, create pressure to significantly change the County's rural and forest land designations.

In deciding when it is appropriate to upzone lower density rural residential parcels to higher density rural residential designations, or when it is appropriate to upzone commercial forest land to rural residential designations, the County will establish precedents with far-reaching implications that will be used to judge the appropriateness of similar rezone proposals in years hence. In consequence, determinations that appear to have little direct environmental impact when viewed in isolation in 2005 may have significant indirect and cumulative environmental impacts if employed as justification for a substantial number of similar rezones in future Comprehensive Plan amendment cycles. Choosing not to approve certain rezone proposals that would increase pressures to convert commercial forest land and/or rural lands to higher intensity land use designations will likely reduce present and future environmental impacts, prevent sprawl, and preserve future planning options

Regardless of the alternative selected, growth and development under the County's adopted Comprehensive Plan will result in some adverse impacts which are impossible to avoid. The County's adopted Plan is designed to accommodate the Washington State Office of Financial Management (OFM) population projections for the year 2024. Under any of the action alternatives reviewed in this document, continued growth and development under the adopted Plan is likely to result in increased urbanization of certain areas of the County, cumulative impacts to fish and wildlife habitat, increased demands upon transportation facilities and transit, and increased demand for public infrastructure and facilities. The County will continue to plan for distribution of growth that will result in the lowest levels of environmental impacts, focus on infill, and balance capital investments.

2 Concise Analysis of the Proposals

2.1 OVERVIEW

Pursuant to §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 §9, this amendment process involves concurrent analysis of all proposals to identify 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 narrative, goals, policies and implementation strategies of the Comprehensive Plan. In order to ensure adequate review of potential environmental impacts, any suggested amendments that could result in a need to re-designate groups of parcels are analyzed using the same criteria employed for formal site-specific amendments (i.e., UDC 9.8.1.b and c).

This document addresses the nine (9) site-specific amendments and the one (1) suggested amendment on the Final Docket. This document further divides the amendments into sub-categories.

2.1.1 Staff Reports, Cumulative Analysis, and Staff Recommendations

Part 2 of this document addresses specific criteria contained in §9 of the UDC and, in turn, evaluates the potential for significant adverse environmental impacts, including 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; please refer to the staff report for each proposal for greater detail.

2.1.2 Growth Management Indicators

Pursuant to UDC §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 §9.5.4.b. These growth management indicators address the following:

- Growth and development rates;
- Ability to provide services;
- Availability of urban land;
- Community-wide attitudes towards land use; and
- 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 2005 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 2011.

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

Each of the growth management indicators is discussed as listed in §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 Financial Management (OFM) is the State agency responsible for compiling population projections under the Growth Management Act (GMA). The April 1, 2005 OFM Population Estimate for Jefferson County for the Allocation of Selected State Revenues, shows a 2005 population of 27,600. The 1996 “base year” population estimate used in the 1998 Comprehensive Plan (see page 3-3) was identified as 25,754 residents. The 1998 Comprehensive Plan predicted a population of 28,482 in 2000, 2,529 less than the 2000 census.

The County has passed Resolution #55-03 which adopted the intermediate population projection from OFM for 2000-2024. The population projection predicts a population of 40,139 in 2024, an annual growth rate of 1.78%. The early 1990s were a time of rapid growth in Jefferson County, and the population projections that were reflective of the unusual amount of growth at that time. The growth rate of 1.78% is more in line with the historical growth rate of approximately 2%.

That being said, growth trends are difficult to predict. Washington state 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	2005
County Population	8300	6420	8346	8918	11618	9639	10661	15965	20406	27600
Port Townsend	4181	2847	3970	4683	6888	5074	5241	6067	7001	8745
Percent in Port Townsend	50%	44%	47%	53%	59%	53%	49%	38%	34%	32%

Jefferson County Population 1910-2005

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.

Resolution #55-03 allocates 36% of the growth over the 20-year planning period to the City of Port Townsend, 17% each to Port Ludlow MPR and Irondale/Hadlock UGA, and 30% to the rural areas of Jefferson County.

(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 levels of service available at the time of Comprehensive Plan adoption. The County is in the process of adopting GMA

compliant plans to provide the Irondale/Hadlock Urban Growth Area (UGA) with urban services, specifically sanitary sewer service and stormwater management.

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

Discussion: As a part of the planning process for the unincorporated Port Hadlock UGA, an analysis of vacant lands within the proposed UGA and a buildout analysis were completed. These studies evaluated the ability to accommodate the allocated population. The Port Hadlock UGA (partially invalidated by the Western Washington Growth Management Hearings Board (see WWGMHB Case No. 04-2-0022, Irondale Community Action Neighbors and Nancy Dorgan v. Jefferson, Final Decision and Order (May 31, 2005)) was sized to accommodate 118% of the growth allocated by resolution #55-03.

With a theoretical carrying capacity of over 30,000, the City of Port Townsend UGA also appears to be adequately sized to accommodate anticipated future urban growth.

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

Discussion: Since the adoption of the Comprehensive Plan in 1998, 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.

(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, the completion of the Tri-Area/Glen Cove Special Study, designation of Glen Cove Light Industrial/Commercial area, and the designation, and then appeal and partial invalidation, of Irondale/Hadlock as a UGA. Many of these changes in circumstances were addressed during the 2004 Update to the Comprehensive Plan.

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

Discussion: The Comprehensive Plan is consistent with both the Growth Management Act and the Countywide Planning Policy. In 2004, Jefferson County, pursuant to the Growth Management Act, conducted a review of the Comprehensive Plan and the UDC to ensure consistency between those documents and the Growth Management Act. This review was completed in 2004.

2.2 FINAL DOCKET

Following are brief descriptions of each of the ten (10) proposed amendments to the Comprehensive Plan. Each case has a Master Land Use Application (MLA) file number for reference.

Site-Specific Amendments:

1. **MLA05-06**; McDiehl LLC; Port Ludlow; Master Planned Resort (MPR) Residential to MPR Village Commercial Center; Agent: David Goldsmith
2. **MLA05-38**; Hopkins/Barber Family Associates, LP; Quilcene; Commercial Forest (CF) 1:80 to Rural Residential (RR) 1:20; Agent: Jim Lindsay
3. **MLA05-39**; Nelson/Monroe; Quilcene; RR 1:20 to RR 1:5
4. **MLA05-51**; Kirkpatrick; Quilcene; RR 1:20 to RR 1:5; Agent: Linda Skurdal
5. **MLA05-53**; Widell; Port Townsend (adjacent to Glen Cove); RR 1:5 to Rural Commercial
6. **MLA05-59**; Property Group (OPG); Shine; RR 1:10 to RR 1:5
7. **MLA05-60**; OPG; Port Ludlow; RR 1:20 to RR 1:5
8. **MLA05-61**; OPG; Shine; CF 1:80 to RR 1:10 and RR 1:5
9. **MLA05-70**; Pepper; Port Townsend (Four Corners); RR 1:10 to Rural Commercial (Neighborhood Crossroads); Agent: Kelly DeLaat-Maher

Suggested Amendments:

10. **MLA05-66**; Comprehensive Plan housekeeping involving map anomalies and text and table corrections only, and not for the purpose of amending policy or narrative description.

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.

The ten proposed amendments to the Comprehensive Plan constitute, for the purposes of the integrated Staff Report and SEPA Addendum, five (5) individual proposed action components (i.e., rural residential rezones; forest land rezones; rural industrial/commercial rezones; MPR commercial rezones; and Plan housekeeping amendments). The environmental review-based alternatives to each proposed action component are as follows:

- No Action - Continue application of the Comprehensive Plan without any or all of the proposed amendments; or
- Adopt with mitigating conditions (e.g., as recommended by staff).

2.2.1 Staff Recommendation Summary

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:

2005 Comprehensive Plan Amendment Docket: Summary of Staff Recommendations

#	APPLICATION NUMBER	APPLICANT/PARCEL NUMBER	GENERAL DESCRIPTION OF PROPOSAL	STAFF RECOMMENDATION
1	MLA05-06	McDiehl LLC Assessor's Parcel Number (APN) 821117005	Rezone a 0.89-acre site located at the northeast corner of the intersection of Osprey Ridge and Oak Bay roads in Port Ludlow from MPR Residential to MPR Village Commercial Center.	Approve the proposed redesignation/rezone.
2	MLA05-38	Hopkins/Barber Family Associates, LP APN 601224001	Rezone an approximately 90-acre site on the Coyle Peninsula from Commercial Forest (CF) 1:80 to Rural Residential (RR) 1:20.	Deny the proposed redesignation/rezone: the subject site is as productive as any forest land in east Jefferson County; no persuasive argument has been presented that the property was incorrectly designated as CF 1:80.
3	MLA05-39	Elizabeth K. Nelson & Claudia Monroe APN 801213014	Rezone an approximately 16.47-acre parcel in the Dabob Valley near Quilcene from RR 1:20 to RR 1:5 to permit division into two parcels and development of an additional building site.	Deny the proposed redesignation/rezone: The subject parcel is surrounded on more than 50% of its perimeter by larger parcels; an "established pattern" of 5-acre or smaller parcels does not exist in the vicinity of the subject site (see LNP 3.3.1(a)).

#	APPLICATION NUMBER	APPLICANT/PARCEL NUMBER	GENERAL DESCRIPTION OF PROPOSAL	STAFF RECOMMENDATION
4	MLA05-51	Steven G. Kirkpatrick & Linda J. Skurdal APN 601031007	Rezone an approximately 20-acre parcel on the west side of the Coyle Peninsula from RR 1:20 to RR 1:5.	Deny the proposed redesignation/rezone: at least 50% of the perimeter (i.e., the south and east) of the subject parcel is comprised of parcels of 40 acres or larger (i.e., an "established pattern" of 5 or 10-acre or smaller parcels does not exist in the vicinity of the subject site) (see LNPs 3.3.1(a) and 3.3.2(a)).
5	MLA05-53	Kevin Widell APN 001212001	Rezone an approximately 6.10-acre site on the west side of SR 19 adjacent to the Glen Cove LAMIRD from RR 1:5 to Light Industrial/Commercial.	Deny the proposed redesignation/rezone: Jefferson County's LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB. Though rational arguments have been advanced for this proposed rezone, staff recommends against revisiting the LAMIRD boundary designation.
6	MLA05-59	Olympic Property Group (OPG) APN 821343005	Rezone an approximately 40-acre parcel near Shine on the north side of SR 104 from RR 1:20 to RR 1:5.	Approve the proposed redesignation/rezone: The parcel is surrounded on three sides by an established pattern of parcels of 5 acres or smaller which are designated RR 1:5. Consequently, approval of the rezone is appropriate and consistent with LNP 3.3.1(a).

#	APPLICATION NUMBER	APPLICANT/PARCEL NUMBER	GENERAL DESCRIPTION OF PROPOSAL	STAFF RECOMMENDATION
7	MLA05-60	<p>Olympic Property Group (OPG)</p> <p>APN 821152001 – divided into seven (7) individual parcels as follows: Gov Lot 1(less ptn platted & ptn Tax 2-5); Gov Lot 2(less ptn Tax 2 &3); Gov Lot 4(W30AC); Gov Lot 5(W22.32AC); Gov Lot 6(W22.32AC); SE NW; and W1/2 SW.</p>	<p>Rezone an approximately 251-acre area just east of Port Ludlow, which is divided into seven separate parcels, from RR 1:20 to RR 1:5.</p>	<p>Deny the proposed redesignation/rezone: LNP 3.3.1 and the topography of the parcel warrant continued application of the RR 1:20 designation. Six of the seven lots involved are bounded on 50% or more of their perimeters by large lots designated RR 1:20.</p>
8	MLA05-61	<p>Olympic Property Group (OPG)</p> <p>APN 821332001 APN 821331005 APN 821331001</p>	<p>Rezone three (3) parcels comprising approximately 158 acres near Shine on the north side of SR 104 from CF 1:80 to a combination of RR 1:10 and RR 1:5 (i.e., approximately 79 acres in each designation).</p>	<p>Deny the proposed redesignation/rezone: The subject site is productive forest land. Moreover, less than 50% of the parcels involved lie within the limits of the Bywater Bay Water Service Area, which appears also to post-date the original CF 1:80 zoning applied to the parcel under both the IFRL Ordinance and the IGSO; no persuasive arguments have been presented to suggest that the property was incorrectly designated as CF 1:80.</p>
9	MLA05-70	<p>Pamela Pepper</p> <p>APN 001332009</p>	<p>Rezone an 11-acre parcel at the northeast intersection of Four Corners Road and SR 20 from RR 1:10 to Rural Commercial (Neighborhood Crossroads).</p>	<p>Deny the proposed rezone. Upzoning the parcel is inconsistent with the criteria for LAMIRDs, set forth at RCW 36.70A.070(5)(d). Current LAMIRD boundaries are the result of exhaustive review and deliberation.</p>

#	APPLICATION NUMBER	APPLICANT/PARCEL NUMBER	GENERAL DESCRIPTION OF PROPOSAL	STAFF RECOMMENDATION
10	MLA05-66	Jefferson County	Comprehensive Plan housekeeping involving map anomalies and text and table corrections.	Approve the amendments as proposed by staff.

2.3 STAFF REPORTS: SITE-SPECIFIC AMENDMENTS

The nine site-specific amendment proposals are grouped together below according to category:

- Requests for Change of Rural Residential Density (e.g., RR 1:20 to RR 1:5)
- Requests for Change from Forest Lands Designation to Rural Residential (e.g., CF 1:80 to RR 1:10)
- Requests for Change from Rural Residential Designation to Rural Commercial (e.g., RR 1:5 to RVC)
- Requests for Change from Master Planned Resort (MPR) Residential to MPR Commercial (e.g., MPR SF to MPR Village Commercial)

2.3.1 Requests for Change of Rural Residential Density (4)

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:

- a. an established pattern of the same or similar sized parcels (i.e., 5 acres) or smaller sized existing lots of record;
- b. parcels of similar size (i.e., 5 acres) or pre-existing smaller parcels along the coastal areas;
- c. parcels immediately adjacent to the boundaries of the Rural Village Centers; and
- d. 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:

- a. an established pattern of the same or similar sized parcels (i.e., 10 acres);
- b. parcels along the coastal area of similar size;
- c. areas serving as a “transition” adjacent to Urban Growth Areas; and,
- d. 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:

- a. an established pattern of the same or similar sized parcels (i.e., 20 acres) or larger;
- b. parcels along the coastal area of similar size;

- c. areas serving as a “transition” to Urban Growth Areas or the [Port Ludlow] Master Planned Resort;
- d. critical land area parcels;
- e. agriculture resource designated parcels;
- f. publicly owned forest lands; and
- g. lands adjacent to forest resource land.

The Unified Development Code 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. septic) 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 §3.6.13 (Planned Rural Residential Developments).

The three proposals for residential density changes will be reviewed consistent with these criteria. A general description, criteria review, and staff recommendation for each proposal is provided below.

2.3.1.1 Reference Number: MLA05-39 (Nelson/Monroe)

Applicant: Nelson/Monroe

Assessor Parcel Number(s): 801213014

Location: Quilcene/Dabob Road

2.3.1.1.1 General Description and Environmental Information

The proposed amendment would re-designate one 16.47-acre parcel from Rural Residential one dwelling unit per twenty acres (RR 1:20) to Rural Residential one dwelling unit per five acres (RR 1:5). The request would potentially allow the applicants to create two additional parcels. The parcel currently contains a mobile home, barn, shop and garage. All structures are clustered in the southwest corner of the parcel. Access to serve the parcel is off of Dabob Road. The lot gradually slopes from the southwest to the eastern portion of the parcel. The southwest portion of the parcel contains the structures and is not heavily vegetated. The remainder of the parcel is heavily vegetated with a mix of deciduous and evergreen trees. Some clearing would be required to establish the additional home-site(s).

2.3.1.1.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b, the Planning Commission and Board of County Commissioners must develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-39: Nelson/Monroe	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan. The Dabob Valley is characterized by parcels of land larger than 20 acres and resource lands for both forestry and agriculture.

Cumulative Impact Analysis - MLA05-39: Nelson/Monroe, continued	
UDC Criterion	Staff Evaluation
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	<p>The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid.</p> <p>There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.</p>
Whether the proposed amendment reflects current widely held values of the residents of Jefferson County residents	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposed amendment is not consistent with Land Use Policy 3.3 and Natural Resource Policy 10.9 in the Jefferson County Comprehensive Plan.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject parcel is suitable for residential use. Access to the property would likely cross a stream that is shown on the critical area map.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is likely that the approval of this amendment would create pressure to change the land use designation of other similarly situated parcels, resulting in an overall erosion of the original purpose and effect of the 1998 Plan land use designations.
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.

Cumulative Impact Analysis - MLA05-39: Nelson/Monroe, continued	
UDC Criterion	Staff Evaluation
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is not consistent with the GMA Goal 2 to reduce inappropriate conversion of undeveloped land and Goal 8 to protect natural resource industries from incompatible uses.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of an additional dwelling unit, it is not likely that this proposal would result in a significant increase in water withdrawal or discharge.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

All subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map shows the presence of a Type IV stream and associated wetland. Any future development will be required to meet the minimum buffer requirements.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment is inconsistent with the zoning criteria established in the Comprehensive Plan. The parcel was originally designated Rural Residential 1:20, most likely because of the adjacent Forest Resource lands. There is a pattern of lots smaller than 5 acres to the north of the parcel, there are 9 lots smaller than 5 acres that total approximately 21 acres.

2.3.1.1.3 Staff Recommendation

Staff recommends denial of the proposal. Although there are smaller lots present in the vicinity of the subject parcel, their presence at the time of adoption seems to indicate that the parcel was zoned RR 1:20 because of the proximity of agricultural and forest resource lands. Additionally, the subject parcel is surrounded on more than 50% of its perimeter by parcels larger than 10 acres in size that are zoned for lower density rural, agricultural and forestry uses (i.e., RR 1:20; AP 1:20; and RF: 1:40). Thus, an "established pattern" of 5-acre or smaller parcels does not exist in the vicinity of the subject site (see LNP 3.3.1(a)).

2.3.1.2 Reference Number: MLA05-51 (Kirkpatrick)

Reference Number: MLA05-51

Applicant: Steven Kirkpatrick and Linda Skurdal

Assessor Parcel Number(s): 601031007

Location: Coyle-Toandos

2.3.1.2.1 General Description and Environmental Information

The subject property is located on the eastern shore facing west on Dabob Bay off of Coyle Road. The property is approximately 20 acres bordered on the west and north by rural residential lots that are approximately five acres in size and are zoned RR 1:5. The parcel to the east is a rural residential parcel zoned RR 1:20 that is approximately 40 acres. The parcel to the south is 80 acres of zoned commercial forest (CF 1:80).

The area is typified by steep slopes and is designated a slight to moderate landslide hazard, the vast majority of the parcel, including where the proposed home-sites are located, is designated a moderate landslide hazard. There is also a seasonal stream that runs through a portion of the parcel.

Deer Creek Road provides access to properties along the shoreline from Coyle Road and runs through the middle of the property.

2.3.1.2.2 Cumulative Impact Analysis

Pursuant to UDC §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.

Cumulative Impact Analysis - MLA05-51: Kirkpatrick	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan. The vicinity of the subject site remains characterized by a mix of RR 1:5, RR 1:20, RF 1:40 and CF 1:80. Approximately 50% of the perimeter of the parcel abuts the RR 1:5 land use designation and parcels of 5 acres or less in size; 50% of the perimeter also abuts CF 1:80 and RR 1:20.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.
Whether the proposed amendment reflects current widely held values of the residents of Jefferson County residents	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposed amendment is not consistent with Land Use Policy 3.3 in the Jefferson County Comprehensive Plan.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject parcel is suitable for residential use.

Cumulative Impact Analysis - MLA05-51: Kirkpatrick, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is likely that the approval of this amendment would create pressure to change the land use designation of other similarly situated parcels, resulting in an overall erosion of the original purpose and effect of the 1998 Plan rural land use designations.
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is not consistent with the GMA Goal 2 to reduce inappropriate conversion of undeveloped land and Goal 8 to protect natural resource industries from incompatible uses.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of three (3) additional dwelling units, it is not likely that this proposal would result in a significant increase in water withdrawal or discharge.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources. All subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map shows the presence of a Type IV stream and associated wetland. Any future development will be required to meet the minimum buffer requirements. Slight to Moderate landslide hazards are found throughout the entire parcel, most of the parcel is shown as Moderate landslide hazard.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment is inconsistent with the zoning criteria established in the Comprehensive Plan. The parcel was originally designated Rural Residential 1:20, most likely because of the adjacent Forest Resource lands and the 40-acre parcel zoned RR 1:20 to the east. There is a pattern of 5-acre and small lots smaller to the west and north of the parcel.

2.3.1.2.3 Staff Recommendation

Staff recommends denial of the proposal. Although there are smaller lots present to the west and north of the subject parcel, their presence at the time of adoption seems to indicate that the subject parcel was zoned RR 1:20 because of the proximity of forest resource lands and the 40-acre rural residential parcel lying to the east. Because at least 50% of the perimeter of the subject parcel is comprised of parcels of 40 acres or larger, an "established pattern" of 5 or 10-acre or smaller parcels does not exist in the vicinity of the subject site (see LNPs 3.3.1(a) and 3.3.2(a)).

2.3.1.3 Reference Number: MLA05-59 (Olympic Property Group)

Applicant: Olympic Property Group (OPG)

Assessor Parcel Number(s): 821343005

Location: Shine

2.3.1.3.1 General Description and Environmental Information

The subject property is located approximately one mile west of the Hood Canal Bridge on the north side of State Route (SR) 104. The Parcel is approximately 40 acres in size and encircles a one-acre parcel that contains the PUD well. The parcel is designated forest land and is in the Timber (Open Space) Tax program.

2.3.1.3.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-59: Olympic Property Group	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the levels of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposed amendment is consistent with Land Use Goal 3.0 and Policy 3.3.1 for lands designated Rural Residential 1:5. The property is bordered on three sides by Rural Residential 1:5.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject parcel is suitable for residential use and would be served by public water.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	Because the proposal is consistent with LNP 3.3, and because 75% of the perimeter of the subject site borders upon areas zoned RR 1:5 with parcel sizes of 5 acres and smaller, it can be distinguished from other proposals for rural residential upzoning. Consequently, it is unlikely that the approval of this amendment will create pressure to change the land use designations of other low-density rural properties.

Cumulative Impact Analysis - MLA05-59: Olympic Property Group, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is consistent with the Growth Management Act and applicable local codes.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of six (6) additional dwelling units; because the proposal is located within the limits of a public water system operated by Jefferson County PUD #1, it is not likely that this proposal would result in a significant increase in water withdrawal or discharge.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map shows a seasonal stream and a Critical Aquifer Recharge Area and wellhead protection area.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment is consistent with the zoning criteria established in the Comprehensive Plan (see LNP 3.3). There is a pattern of 5-acre and smaller lots and zoning on 75% of the perimeter of the subject site.

2.3.1.3.3 Staff Recommendation

Staff recommends approval of the proposal. Although the parcel is some 40 acres in size, it is bordered on 75% of its perimeter with 5-acre lots and zoning that date back to the time of Comprehensive Plan adoption in 1998. The proposal is consistent with LNP 3.3; because surrounding parcel sizes and land use designations of higher density border a majority of the parcel perimeter, this proposed amendment is distinguished from other proposals for rural residential upzoning.

2.3.1.4 Reference Number: MLA05-60 (Olympic Property Group)

Applicant: Olympic Property Group (OPG)

Assessor Parcel Number(s): 821152001

Location: Port Ludlow

2.3.1.4.1 General Description and Environmental Information

Olympic Property Group has requested a designation of RR 1:5 from RR 1:20 for approximately 250.75 acres adjacent to the east of the Port Ludlow Master Planned Resort. The subject property has a single parcel number, but is comprised of seven lots. The parcel is enrolled in the Timber Tax program.

2.3.1.4.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-60: Olympic Property Group	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan.

Cumulative Impact Analysis - MLA05-60: Olympic Property Group, continued	
UDC Criterion	Staff Evaluation
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	<p>The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid.</p> <p>There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.</p>
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposed amendment is not consistent with Land Use Policy 3.3 and Natural Resource Goal 4.0 in the Jefferson County Comprehensive Plan.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject parcel is suitable for residential use, though the presence of steep slopes would require project level mitigation. Access to the property would be provided by an existing road.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is likely that the approval of this amendment would create pressure to change the land use designation of other similarly situated parcels, resulting in an overall erosion of the original purpose and effect of the 1998 Plan land use designations.

Cumulative Impact Analysis - MLA05-60: Olympic Property Group, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is not consistent with the GMA Goal 2 to reduce inappropriate conversion of undeveloped land and Goal 8 to protect natural resource industries from incompatible uses.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of up to thirty-seven (37) additional dwelling units; future development under the proposed higher density RR 1:5 designation and zoning is not likely to significantly increase discharges to water, emissions to air, releases of toxic or hazardous substances, or noise. Any future subdivision and development of the subject site would be mitigated through application of implementing regulations (e.g., critical areas; stormwater; etc.) and project level SEPA review.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map reveals steep and unstable slopes, particularly along the eastern and northern perimeter of the subject site. Additionally, County critical area maps indicate the presence of Bald Eagle breeding habitat and a Coastal Seawater Intrusion Protection Zone.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If approved, the proposal would quadruple permissible rural residential densities on the subject site from RR 1:20 to RR 1:5, including certain areas lying within the shoreline jurisdiction. To the extent that approval of the proposal may conflict with LNP 3.3 of the Comprehensive Plan, it may be said to allow or encourage land uses incompatible with the County's rural residential land use methodology.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

As noted in the response to Question #5, above, the proposed amendment is inconsistent with the zoning criteria established in the Comprehensive Plan (see LNP 3.3). Only one (1) of the seven (7) parcels included within the proposed rezone area abuts five (5) acre parcels and designations on more than 50% of its perimeter. Thus, the proposed rezone area is not within an area where an established pattern of 5-acre parcels and densities currently exist.

2.3.1.4.3 Staff Recommendation

Staff recommends denial of the proposed rezone. LNP 3.3.1 and the topography of the parcel warrant continued application of the RR 1:20 designation. Six of the seven lots involved are bounded on 50% or more of their perimeters by large lots designated RR 1:20. Approval of the proposal would be likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to upzone RR 1:20 areas to higher rural residential densities; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).

2.3.1.5 Cumulative Analysis of Requests for Change of Residential Density

The four proposals for change of rural residential density combined involve four discrete parcels amounting to approximately 327 acres. Approval of these four amendments, as proposed by the applicants, would have the practical result of creating the potential for forty-seven (47) additional rural dwelling units over baseline conditions (i.e., from 18 currently, to 65 if approved). All subsequent subdivision, including the ability to utilize clustering provisions, would be subject to review pursuant to the UDC at time of application. Based on this programmatic environmental review, no site-specific characteristics exist which would preclude the use of these sites for residential purposes. Additionally, the fact that the requests are located in geographically separated areas (Dabob Valley, Coyle Peninsula, Shine and Port Ludlow) minimizes the potential for negative cumulative environmental and capital facility impacts.

It should be noted that certain of the proposals appear likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to convert low density rural residential areas (e.g., RR 1:20) to higher intensity rural use (i.e., RR 1:5); this would appear likely make other similar upzones more likely in the future, eroding the overall purpose and effect of the rural residential land use scheme within the 1998 Comprehensive Plan (CP).

2.3.2 Requests for Change from Forest Lands Designation to Rural Residential (2)

Requests for changes from Forest Lands to Rural Residential density must be considered against the classification and designation criteria set forth within the Natural Resources Element of the Comprehensive Plan (see narrative at pages 4-1 through 4-5; and NRG 3.0 and NRPs 3.1 through 3.5 and NRG 4.0 and NRPs 4.1 through 4.8). Relevant excerpts from this Plan narrative and goal and policy language include the following:

Forest Lands

Classification and Designation of Forest Lands

Jefferson County's Forest Lands Designation and Conservation strategy was developed based on an analysis of local conditions and the following guidelines provided by the Washington Department of Community, Trade, and Economic Development (CTED):

**Table 4-1
Guidelines for Classification of Forest Resource Lands in Jefferson County**

Indicator	Comments
1. Availability of public services and facilities conducive to the conversion of forest lands.	Since lands within Urban Growth Areas (UGAs) are intended to be served by public facilities and services within a twenty-year period, forest lands of long-term commercial significance should be located outside of UGA boundaries.
2. Proximity of forest land to urban and suburban areas and rural settlements.	To protect forest lands of long-term commercial significance from encroachment by incompatible uses, they should be located outside the urban and suburban areas and rural settlements.
3. Size of the parcels.	Forest lands of long-term commercial significance should consist of predominantly large parcels.
4. Compatibility and intensity of neighboring land uses and settlement patterns with forest lands of long-term significance.	Forest lands of long-term commercial significance should be adjacent to large parcels to allow for adequate buffering and setbacks from potential incompatible uses and settlement patterns.
5. Property tax classification.	Forest lands of long-term commercial significance should be eligible for assessment as open space or forest land pursuant to RCW 84.33 or 84.34.
6. History of land development permits nearby.	Forest lands of long-term commercial significance should not be designated in areas under development pressure that are likely to convert to higher intensity land uses.

In order to conserve the forest resource land base in Jefferson County and maintain the forestry industry while recognizing the diversity of forest landowners, it was determined that Forest Lands would consist of three classes:

- Commercial Forest Lands (CF-80);
- Rural Forest Lands (RF-40); and
- Inholding Forest Lands (IF) for parcels entirely surrounded by Commercial or Rural Forest Lands unless the parcel is less than twenty (20) acres in size or if the a development application for the parcel is vested. The landowner must submit a written request to have the parcel removed from Forest Resource Inholding designation.

Any parcel that meets the following criteria will be classified as Forest Land and designated as Forest Land of Long-Term Commercial Significance:

- The land should consist primarily of Forest Land Grades one (1) through four (4) as mapped by the Department of Natural Resources.

- Minimum parcel size should be a minimum of nominally eighty (80) acres for Commercial Forest Lands forty (40) acres for Rural Forest Land, with parcels smaller than the minimum included when the acres of at least the minimum size are contiguously owned and the land is in a deferred forest or exempt tax status.
- The parcel should be part of a Forest Land Block at least three hundred twenty (320) acres in size that meets the designation criteria. The Forest Land Blocks will continue to exist even though individual parcels may be removed in the future because they no longer meet the established designation criteria. The Forest Land Block shall apply if the amount of designated Forest Land in the block falls below three hundred twenty (320) acres, but not if the acreage of the block falls to zero (0).
- No part of the parcel lies within one half (1/2) mile of an Urban Growth Area or within one half (1/2) mile of the three designated Rural Village Centers or within approximately one half (1/2) mile of the urbanized boundary of the Port Ludlow Master Planned Resort.
- The parcel is currently in a deferred forest tax status pursuant to RCW 84.33 or RCW 84.34 or classified or designated Timber Tax land, or State or Federal land outside the National Forest Service boundary; and
- A majority of the parcel should be located outside any community water system service area.

The Regulatory Framework for Forest Lands

Jefferson County is currently regulating forest lands under the 1997 Interim Forest Lands Ordinance, #01-0121-97. The interim ordinance was developed through a mediation process between the County, the Washington Department of Natural Resources, the Washington Environmental Council, and the Olympic Environmental Council to resolve issues raised in litigation. The Memorandum of Understanding of December, 1996 signed by the above parties included a provision requiring the County to readopt the interim ordinance as part of the comprehensive Plan and the implementing development regulations of the Comprehensive Plan. A discussion of the history of the Interim Forest Lands Ordinance is located in Appendix E of Background Information.

In order to comply with the requirements of the Growth Management Act, the interim ordinance will be reviewed for consistency with the Comprehensive Plan, prior to adoption as a permanent Forest Lands Ordinance. The purpose of the ordinance is to establish criteria for the classification, designation, conservation, and regulation of Forest Lands. The ordinance also includes permitted and conditional uses in designated Forest Lands.

Final development regulations will be adopted based on the Interim Forest Land Ordinance that recognize the diversity of forest land uses and allows compatible, non-forestry uses while protecting forest lands from conflicting uses. Criteria will be developed to assess the compatibility of non-forest uses on Forest Lands, which should include, but not be limited to:

- Creation of fire or safety hazards on adjacent Forest Lands;
- Removal of a significant portion of a parcel from productive forest use;
- Imposition of significant financial hardships to adjacent forest landowners; and,
- Potential for land use conflicts with adjacent forest landowners.

In order to protect the property rights of forest landowners and maintain the forestry industry, a Right to Practice Forestry provision in the interim ordinance will be adopted in the final ordinance. These protections apply to all designated forest land that complies with best forestry management practices as described in the ordinance.

The best opportunity to manage forest land uses occurs at the state and local permitting stages. Landowners must apply for a Forest Practices Permit when conducting forest practices that have the potential for adverse impacts on public resources as described in WAC 222-16-050. Landowners choosing to maintain their land in forestry uses must state their intent to do so on the Forest Practice Application.

Since the adoption of the Interim Forest Lands Ordinance in January, 1997, the County has heard from both timber owners and adjacent landowners regarding conflicts over forest lands activities adjacent to residential lots that were previously platted in sizes too small to provide an adequate buffer from effects of activities such as noise and the spraying of herbicides. In 2002, a *Forest Transition Overlay* district was established to address potential conflict

between forest resource lands and pre-platted high density residential parcels of one acre or less in size. However, this *Forest Transition Overlay* was limited in scope and does not preclude the necessity of convening a task force to explore potential incompatibility issues. These issues regarding limited and distinct areas raised in the public planning process will be addressed by reconvening the parties that negotiated the Interim Forest Lands Ordinance, including timber owners, environmental groups, landowners, and other interested parties to discuss measures to mitigate these effects. This public process is intended to result in recommendations that may include mitigative measures the timber owners can implement, as well as site-specific solutions. Any change in the Forest Lands Ordinance or Forest Lands designations would require full public review and should be based on agreement of the parties involved. Policy NRP 4.8 provides for convening the group of parties to initiate discussions.

All forest practices in Jefferson County must comply with the Washington State Forest Practices Act (RCW 76.09), administered by the Department of Natural Resources. Additionally, forest practices in designated Shoreline Environments must comply with the requirements of Jefferson County's Shoreline Management Master Program. These laws are designed to protect water quality, shorelines, fish and wildlife habitat and the public's opportunity to enjoy these resources. Regulations will also be developed and applied to incorporate the recommendations of agreed-upon watershed and salmon recovery plans related to land and resource management, which is further discussed in the Environment Element of the Comprehensive Plan.

Landowners choosing to convert their land to non-forest uses also must state their intent on the Forest Practices Application. As provided in the Forest Practices Act, these landowners must conduct their forest practices in accordance with applicable local government regulations, which may include, but are not limited to, the Critical Areas Ordinance and the State Environmental Policy Act.

Forest lands being converted to non-forest uses should be managed to guide the manner and extent of alteration and to minimize adverse environmental impacts. The 1997 State Legislature enacted Substitute Senate Bill 5714, requiring local governments to issue forest practice permits for harvest sites which will be converted to non-forestry purposes (Class IV – General). The bill also mandates that local governments develop a public process for lifting the six-year moratorium on conversion required when the landowner does not state an intent to convert or when a harvest project occurs without obtaining the appropriate Forest Practice application. This law expands the County's regulatory role in forest practices, and will require closer coordination with the State Department of Natural Resources. The County will revise the Interim Forest Lands Ordinance to address these new requirements and, where necessary, will establish standards which meet or exceed current Forest Practice requirements based on the goals and policies of this plan.

In addition, a County clearing and grading ordinance with more comprehensive standards than those that apply under the Forest Practices Act will be developed to protect surface and ground water quality and quantity, control storm water runoff, and minimize damage to fish and wildlife habitat. More information on the clearing and grading ordinance is provided in the Environment Element of the Comprehensive Plan.

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.
- NRP 3.4** Allow commercial forest management and harvest, mineral extraction, sand and gravel operations and those land uses which maintain, enhance, or have no impact on the long term management of designated commercial forest lands.
- NRP 3.5** Support and facilitate the improvement of state and local environmental regulations affecting the forest products industry in order to improve operational predictability, minimize regulatory costs to forest land owners, and encourage protection of the forest environment and surrounding watersheds.

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.
- NRP 4.7** Address community concerns and land use conflicts which may arise as a result of forest practices in cooperation with the Washington State Department of Natural Resources, forest landowners, and the general public.
- NRP 4.8** Facilitate a cooperative process bringing together timber company representatives, environmental groups, landowners, and other interested parties to address concerns related to incompatible land uses between parcels existing adjacent to forest lands at the time of adoption of Ordinance #01-0121-97, the interim Forest Lands Ordinance.

2.3.2.1 Reference Number: MLA05-38 (Hopkins/Barber Family Associates, LP)

Applicant: Hopkins/Barber Family Associates, LP

Applicant/Agent: James Lindsay

Assessor Parcel Number(s): 601224001

Location: Quilcene/ Toandos Peninsula

2.3.2.1.1 General Description and Site-Specific Environmental Information

The proposed amendment would re-designate one 90-acre parcel from Commercial Forest one dwelling unit per eighty acres to Rural Residential one dwelling unit per 20 acres. The proposed request would allow the parcel to be subdivided into four separate lots. If this request is approved, the applicant is proposing to consolidate this parcel with two adjacent parcels (601224003 & 601224008) located to the north. The parcels are five and ten acres respectively, and are designated Rural Residential one in dwelling unit per five acres. The proposed parcel is adjacent to the shoreline and contains varying topography from relatively flat to steep slopes ranging up to 50 percent. The property contains a mix of deciduous and evergreen trees. The parcel is currently vacant, with an access road. The property has been in the Timber Tax program since the 1970s, although an exact date when the property was enrolled in the program is not known. According to Forest Practices Application (FPA) 02-15306, dated March 6, 1995 and expiring April 1997, approximately 730,000 board feet (BF) of timber was harvested from 40 acres on-site, an average of 18,250 BF per acre. According to DNR, the average volume per acre falls within the average productivity of land on the Toandos Peninsula.

2.3.2.1.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-38: Hopkins/Barber	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. Although some new information concerning the purported unsuitability of the subject site for commercial forestry has been presented that was not considered in 1998, none of the information presented is likely to have altered the original decision to include the property within the CF 1:80 land use designation.
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.

Cumulative Impact Analysis - MLA05-38: Hopkins/Barber, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposal is not consistent with Natural Resource Goal 3.0 in the Comprehensive Plan.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The parcel is characterized by steep slopes ranging from 25% to 50% on approximately 35% of the property.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	Approval of the proposal would be likely to increase pressure to convert Commercial Forest Resource Lands to higher intensity rural use; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is not consistent with the GMA Goal 2 to reduce inappropriate conversion of undeveloped land and Goal 8 to encourage the protection of productive forest lands. The DNR reports that these lands are as productive as other forest lands on the Toandos Peninsula.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would potentially allow the development of four additional home-sites with the associated impervious surfaces and runoff.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not likely affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The subject parcel contains moderate to slight landslide hazards and a coastal Seawater Intrusion Protection Zone.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The property is within the Shoreline jurisdiction it is not clear whether or not any future development proposals would be incompatible with any existing plans.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment is inconsistent with the zoning criteria established in the Comprehensive Plan. The record clearly shows that the subject property has been a productive forest for several decades.

2.3.2.1.3 Staff Recommendation

Staff recommends denial of the proposal. The Comprehensive Plan and Growth Management Act are very clear that productive resource lands are to be protected from inappropriate conversion to other uses. The subject parcel encompasses soil types, geology, topography and environmentally sensitive areas similar to many other parcels designated CF 1:80 in Jefferson County. The Department of Natural Resources has indicated that the parcel is well suited to commercial forestry use, similar to other forest lands on the Toandos Peninsula; moreover the majority of the parcel has been in timber tax classification since the 1970s, indicating its suitability for timber production. Redesignation and rezoning of the property to RR 1:20 could create a precedent with far reaching implications, including over time, incremental erosion of the Comprehensive Plan's overall forest land designation approach.

2.3.2.2 Reference Number: MLA05-61 (Olympic Property Group)

Applicant: Olympic Property Group (OPG)

Assessor Parcel Number(s): 821332001; 821331005; and 821331001

Location: Shine

2.3.2.2.1 General Description and Site-Specific Environmental Information

The above-mentioned parcels are north of State Route 104 in Shine near Teal Lake Road. Parcel has portions within a wellhead protection area and critical aquifer recharge area as well as slight to moderate landslide hazards. The parcels in question total approximately 158 acres. The Bywater Bay Water Service area includes somewhat less than one-half of the three parcels in question.²

2.3.2.2.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-61: Olympic Property Group	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to area have not changed substantially since the adoption of the Comprehensive Plan. The CF 1:80 pre-dates adoption of the Comprehensive Plan. Although the parcels appeared to lie wholly within a “future water service area” depicted in earlier planning documents, the parcels actually lie only partially within the limits of the water service area approved by the Department of Health (see footnote below).
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles. Please also see the footnote below.
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.

² A discrepancy exists between the information submitted by the applicant, which depicts the entirety of the parcels proposed for rezone within the Bywater Bay Water Service Area, and the official map of the area as depicted in Figure 1.1 of Volume 2 of the Water System Plan for Public Utility District No. 1 of Jefferson County, February 2004. The PUD Water Service Plan was approved by the State Department of Health on February 18, 2005. The adopted and approved Bywater Bay Water Service Area includes within its limits a little more than approximately one-third of the proposed rezone area. Information submitted by the applicant was apparently drawn from a “future water service area” proposed in earlier planning documents, but not adopted.

Cumulative Impact Analysis - MLA05-61: Olympic Property Group, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The current zoning appears to be consistent with the Comprehensive Plan policies for designation of commercial forest land. Moreover, a majority of the parcels involved lie outside the limits of the Bywater Bay Water Service Area, which was formally created after the original CF 1:80 zoning was applied to the parcel under both the IFRL Ordinance and the IGSO; no persuasive arguments have been presented to suggest that the property was incorrectly designated as CF 1:80.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The parcels in question are suitable for use as residential land.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	Approval of the proposal would be likely to increase pressure to convert Commercial Forest Resource Lands to higher intensity rural use; this would likely erode the overall purpose and effect of the 1998 Comprehensive Plan (CP).
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposed amendment is not consistent with the Comprehensive Plan polices and designation criteria governing commercial forest lands and runs contrary to Plan and GMA provisions which disfavor conversion of productive commercial forest lands to higher intensity uses.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of twenty-two (22) additional dwelling units; because a portion of the subject site is located within the limits of a public water system operated by Jefferson County PUD #1, it would appear unlikely to that the proposal would result in a significant increase in water withdrawal or discharge.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map shows the presence of a seasonal streams and a Critical Aquifer Recharge Area for Wellhead Protection.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No portion of the site lies within the shoreline jurisdiction. To the extent that approval of the proposed rezone appears appropriately zoned as commercial forest land use the County's designation criteria and policies, rezoning the property to higher density rural residential use would appear to encourage use that is inconsistent with the County's adopted Plan, and encourage similar rezones that are inconsistent with County policy.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.³

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment appears to be inconsistent with Comprehensive Plan narrative, designation criteria and policies governing commercial forest lands (see Comprehensive Plan, Natural Resources

³ The Department of Health raises concerns about the availability of water resources for the Bywater Bay Water System during the 2004 review process of proposed PUD water service area amendments in a letter dated August 9, 2004.

Element, pp. 4-2 through 4-5 and NRGs 1.0 and 3.0 and the policies thereunder). The proposal would also appear to clearly conflict with the natural resource industry goal of the GMA (see RCW 36.70A.040(8)).

2.3.2.2.3 Staff Recommendation

Staff recommends denial of the proposed rezone. The subject site is productive forest land. Moreover, less than 50% of the area of each of the three parcels involved lies within the limits of the Bywater Bay Water Service Area, which also appears to post-date the original CF 1:80 zoning applied to the parcel under both the IFRL Ordinance and the IGSO; no persuasive arguments have been presented to suggest that the property was incorrectly designated as CF 1:80.

It should be noted that the Jefferson County Interim Forest Resource Lands Ordinance (#01-0121-97) initially designated and zoned the property CF 1:80 on July 5, 1994, applying forest land designation criteria nearly identical to those in the current Plan (i.e., including the water service area criterion). On August 8, 1995 the Jefferson County Water Utility Coordinating Committee (WUCC) and Jefferson County PUD No. 1 filed an interlocal agreement regarding the water service area boundary. In November of 1995, Pope Resources transferred their private water system to Jefferson County PUD #1. On February 14, 1996, the Interim Growth Strategies Ordinance (#05-0214-96) replaced the IFRL, but retained the CF 1:80 zoning for the subject site, again applying designation criteria nearly identical to those used under the IFRL, including the water service area criterion. On May 21, 1997, the owner/applicant petitioned Jefferson County to have the subject parcel removed from forest resource land designation. The Jefferson County Hearing Examiner recommended denial of the petition because, among other reasons, the CF 1:80 zoning predated the establishment of the water service area boundary. The BoCC adopted the Examiner's recommendation and denied the petition (see File No. ZON97-0015). On August 28, 1998, the Jefferson County Comprehensive Plan was adopted, again ratifying the CF 1:80 designation. The owner/applicant failed to appeal either the BoCC petition denial or the Comprehensive Plan designation of the property.

In March 2004, the PUD, through the WUCC, submitted a set of proposed water service area plans and maps to the Washington State Department of Health (DOH) for approval. Among the water service areas in question was the Bywater Bay Water Service Area. DOH returned an approval letter dated February 18, 2005, approving the boundary as depicted in Figure 1.1 of Volume 2 of the PUD Water Service Plan, February 2004. (Figure 1.1 is dated January 2004.) The approved boundary includes only some—less than 50%—of the area proposed for rezone

2.3.2.3 Cumulative Analysis of Requests for Change from Forest Lands Designation to Rural Residential

The two (2) proposals for removal of commercial forest land designation involve four (4) discrete parcels amounting to approximately 248 acres. Approval of these two amendments, as proposed by the applicants, would have the practical result of creating the potential for twenty-six (26) additional rural dwelling units over baseline conditions (i.e., from 3 currently under CF 1:80, to 29 under a combination of RR 1:10 and RR 1:5) if approved. All subsequent subdivision, including the ability to utilize clustering provisions, would be subject to review pursuant to the UDC at time of application. Based on this programmatic environmental review, no site-specific characteristics exist which would preclude the use of these sites for residential purposes. Additionally, the fact that the requests are located in geographically separated areas (Coyle Peninsula and Shine) minimizes the potential for negative cumulative environmental and capital facility impacts.

It should be noted that certain of the proposals appear likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to convert commercial forest lands to higher density rural residential use (i.e., RR 1:5, RR 1:10 and RR 1:20); this would appear likely make other similar upzones more likely in the future, eroding the overall purpose and effect of the commercial forest land designation scheme within the 1998 Comprehensive Plan (CP).

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

LNP 5.2.1 Designation is based on the criteria in the Growth Management Act 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 5.2.2 Limit uses and their scale within the designated boundary of each of the Convenience Crossroads to those involving basic consumer goods and services.

LNP 5.3 Designate the following historic crossroads as Neighborhood/Visitor Crossroads (NC) as shown on the Land Use Map: Chimacum, Discovery Bay, Four Corners, Gardiner, and Mats Mats.

LNP 5.3.1 Designation is based on the criteria of the Growth Management Act 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 5.3.2 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.

LNP 5.3.3 Encourage affordable housing through the allowance of multifamily housing opportunities such as multifamily residential units, senior housing, and assisted living facilities, and manufactured/mobile home parks.

LNP 5.4 Designate the following crossroads as General Commercial Crossroads (GC) as shown on the Land Use Map: SR 19/20 Intersection.

LNP 5.4.1 Designation is based on the criteria in the Growth Management Act 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 5.4.2 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.

LNP 5.4.3 Encourage affordable housing through the allowance of multifamily housing opportunities such as multifamily residential units, senior housing, assisted living facilities, and manufactured/mobile home parks.

LNP 5.5 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.

GOAL:

LNG 11.0 Recognize and contain the following areas and uses of more intensive industrial development within boundaries that may allow for limited areas of infill development:

POLICIES:

LNP 11.1 Designate the Port Townsend Paper Mill property as Heavy Industrial.

LNP 11.2 Designate the Glen Cove area boundary as Light Industrial and Light Industrial/Commercial, consistent with the provisions of RCW 36.70A.070(5)(d).

LNP 11.3 Designate the Quilcene industrial area as Light Industrial/Manufacturing.

LNP 11.4 Designate the Eastview Industrial Plat as Light Industrial/Manufacturing (LI/M).

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” (LAMIRDs) 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 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 three proposals for rural commercial and industrial changes will be reviewed consistent with these criteria. A general description, criteria review, and staff recommendation for each proposal is given below:

2.3.3.1 Reference Number: MLA05-53 (Widell)

Reference Number: MLA05-53

Applicant: Kevin Widell

Assessor Parcel Number(s): 001212001

Location: Glen Cove

2.3.3.1.1 General Description and Environmental Information

The subject parcel is adjacent to the Glen Cove Light Industrial/Commercial LAMIRD on the SW corner of Seton Rd and SR 20. The property is within a wellhead protection area, as is most of Glen Cove. The property is served by a commercial access road shared by Pacific Environmental. The road access was permitted in 1981 to serve Lundgren Distributing. The road was in existence on July 1, 1990 and currently serves Pacific Environmental.

2.3.3.1.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-53: Widell	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to Glen Cove have not changed substantially since the adoption of the Comprehensive Plan.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposal is not inconsistent with the Comprehensive Plan. Land Use Policy 11.2 specifies that Glen Cove should be contained within a logical outer boundary based on the requirements of RCW 36.70A.070(5)(d).

Cumulative Impact Analysis - MLA05-53: Widell, continued	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject property is suitable for light industrial use.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is likely that the approval of this amendment would create pressure to revisit other LAMIRD boundary decisions that have already been exhaustively reviewed and later upheld by the WWGMHB.
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	Though cogent arguments can be advanced that the subject site might have been included within the Glen Cove LAMIRD boundary in 1998 without violating the GMA (RCW 36.70A.070(d) and (e)), the proposal is inconsistent with the adopted settlement agreement between the City of Port Townsend and Jefferson County regarding the boundary for the Glen Cove Light Industrial/Commercial area.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The applicant has indicated his intention to move his rental business to Glen Cove if this proposal is approved. It is likely that the runoff associated with impervious surfaces of the site will increase.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

Wildlife habitat is unlikely to decrease as a result of this proposal. The site is located adjacent to a sizable light industrial area that has been developed for some time.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to substantially deplete energy or natural resources.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The parcel is located within a Wellhead Protection Area. There are provisions in the code to protect the aquifer from high impact uses, such as operations that use chemical manufacturing or waster treatment.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If approved, the proposal would be likely to create pressure to revisit other LAMIRD boundary decisions that have already been exhaustively reviewed and later upheld by the WWGMHB. No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The GMA states that LAMIRDs must be contained within a logical outer boundary delineated by the July 1, 1990 built environment. At the time of designation the logical outer boundary used was SR 20. Jefferson County was ordered by the Western Washington Growth Management Hearings Board to remove language from its Comprehensive Plan stating that the County would continuously identify land for inclusion in the LAMIRD.

Hearings Board decisions regarding LAMIRDs may conflict with the proposal. *OEC v Jefferson County* stated that expansion of the logical outer boundary to include undeveloped property constitutes “outfill” rather than “infill” under the GMA. A case regarding Lewis County allows minor adjustment to the logical outer boundary to include undeveloped property consistent with the requirements of RCW 36.70A.070(5)(d)(iv) A, B, C, and D, but does not allow large undeveloped properties outside of the areas existing as of July 1, 1990.

It seems likely that any amendment to Glen Cove would be appealed by either the City of Port Townsend or any number of citizen or activist groups. Given the case history specific to Jefferson County and how recently this process resolved itself, it seems likely that the Hearings Board would closely scrutinize any redesignation of this type. It should also be noted that the current RR 1:5 designation of the site would appear to be consistent with

Comprehensive Plan policy LNP 3.3. There is a pattern of 5-acre and smaller lots and zoning on 75% of the perimeter of the subject site.

2.3.3.1.3 Staff Recommendation

Staff recommends denial of the proposed rezone. Jefferson County's LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB. Though rational arguments have been advanced for this proposed rezone, staff recommends against revisiting the LAMIRD boundary designation.

2.3.3.2 Reference Number: MLA05-70 (Pepper)

Applicant: Pamela Pepper

Applicant/Agent: Kelly DeLaat-Maher

Assessor Parcel Number(s): 001332009

Location: Port Townsend (Four Corners)

2.3.3.2.1 General Description and Environmental Information

The proposed amendment would re-designate one parcel totaling 10.63 acres from Rural Residential one dwelling unit per ten acres to Rural Commercial Neighborhood /Visitor Crossroad. The proposed commercial designation would allow an expanded range of uses on the subject property. The parcel is located on the northeast corner of State Route 20 and Four Corners Road. The Four Corners Neighborhood/Visitor Crossroads is located southwest of this proposal. The parcel currently contains a septic tank and trailer pad which are located on the southern portion of the parcel. The lot is flat with limited evergreen and deciduous trees.

2.3.3.2.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-70: Pepper	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to subject site have not changed substantially since the adoption of the Comprehensive Plan. The property has undergone a boundary line adjustment since the time of Comprehensive Plan adoption.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.

Cumulative Impact Analysis - MLA05-70: Pepper, continued	
UDC Criterion	Staff Evaluation
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposal is not inconsistent with the Comprehensive Plan. Land Use Policy 11.2 specifies LAMIRDS should be contained within a logical outer boundary based on the requirements of RCW 36.70A.070(5)(d).
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject property is physically suitable for commercial use.
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is likely that the approval of this amendment would create pressure to revisit other LAMIRD boundary decisions that have already been exhaustively reviewed and later upheld by the WWGMHB.
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.

Cumulative Impact Analysis - MLA05-70: Pepper, continued	
UDC Criterion	Staff Evaluation
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	No persuasive arguments have been advanced that the subject site was incorrectly excluded from the LAMIRD boundary in 1998. The proposal would appear to violate the GMA (RCW 36.70A.070(d) and (e)) as well as Comprehensive Plan provisions governing the designation of neighborhood commercial crossroads.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Any development of the site would increase the impervious surfaces on the property, and further development would presumably use more water and discharge more wastewater than the current use of the property.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is unlikely to impact plants, animals, fish, or marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The concepts of energy and natural resource conservation and protection for Jefferson County’s future is integrated in its Comprehensive Plan to reduce the effects of development now and in the future. These built-in protections in the Plan include planning for future populations by promoting centralized residential areas with nearby commercial centers, along with planning efficient transportation systems.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The site is within a seismic hazard zone and a Susceptible Aquifer Recharge Area. The requirements of the Unified Development Code provide for protection of the aquifer.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If approved, the proposal would be likely to create pressure to revisit other LAMIRD boundary decisions that have already been exhaustively reviewed and later upheld by the WWGMHB. No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The GMA states that LAMIRDs must be contained within a logical outer boundary delineated by the July 1, 1990 built environment. At the time of designation the logical outer boundary excluded areas not developed for commercial use lying north of Four Corners Road and east of SR 20. The proposed rezone site was vacant on July 1, 1990, as it is now. The parcel underwent a Boundary Line Adjustment in 2004 that significantly increased the acreage within parcel 001332009. Nothing in the record indicates that the parcel in question meets the criteria for inclusion in the Neighborhood Crossroads (NC) designation.

It should also be noted that the WWGMHB has also stated that jurisdictions may not continuously identify land for inclusion within LAMIRDs. The WWGMHB has further held that expansion of logical outer boundaries to include undeveloped properties constitutes “outfill” rather than “infill” under the GMA. A case regarding Lewis County allows minor adjustment to the logical outer boundary to include undeveloped property consistent with the requirements of RCW 36.70A.070(5)(d)(iv) A, B, C, and D, but does not allow large undeveloped properties outside of the areas existing as of July 1, 1990.

It seems likely that the proposed amendment, if approved, would likely be appealed by any number of citizen or activist groups. Given the case history specific to Jefferson County and how recently the County's LAMIRD boundaries have been settled, it seems likely that the Hearings Board would view a redesignation of this type as inconsistent with the GMA and adopted County policy. It should also be noted that the current RR 1:10 designation of the site would appear to be consistent with Comprehensive Plan policy LNP 3.3.

2.3.3.2.3 Staff Recommendation

Staff recommends denial of the proposed rezone. Upzoning the parcel is inconsistent with the criteria for LAMIRDs, set forth at RCW 36.70A.070(5)(d). Moreover Jefferson County's current LAMIRD boundaries are the result of exhaustive review and deliberation, and have been reviewed and upheld by the WWGMHB.

2.3.3.3 Cumulative Analysis of Requests for Change from Rural Residential Designation to Rural Industrial or Rural Commercial

The two (2) proposals for change from rural residential to rural commercial or industrial would allow for the addition of approximately 17.10 acres to existing LAMIRD boundaries (i.e., 11 acres within NC, increasing the total to 133 acres from the current 122; and 6.10 acres within the Glen Cove Light Industrial zone, from the current 72 acres to 78). Any subsequent subdivision and development would be subject to review pursuant to the UDC at time of application. Based on this programmatic environmental review, no site-specific characteristics exist which would preclude the use of these sites for commercial or light industrial purposes. Additionally, the fact that the requests are located in geographically separated areas (i.e., Glen Cove and Four Corners) minimizes the potential for negative cumulative environmental and capital facility impacts.

If approved, the two (2) proposals for modifying LAMIRD boundaries appear likely to result in indirect and cumulative significant adverse impacts to the environment in the form of increased pressure to convert rural residential areas to more intensive commercial and light industrial use within expanded LAMIRD boundaries; this would appear likely make other similar upzones more likely in the future, eroding the overall purpose and effect of the LAMIRD boundary designation scheme within the 1998 Comprehensive Plan (CP), in violation of both the Plan and the GMA (RCW 36.70A.050(d) and (e)).

2.3.4 Requests for Change from Master Planned Resort (MPR) Residential to MPR Commercial

2.3.4.1 Reference Number: MLA05-06 (McDiehl LLC)

Reference Number: MLA05-06

Applicant: McDiehl LLC – Bryan Diehl; Agent David Goldsmith

Assessor Parcel Number(s): 821171005

Location: Port Ludlow Village Center

2.3.4.1.1 General Description and Site-Specific Environmental Information

Subject property is located on the intersection of Oak Bay Rd and Paradise Bay Road/Osprey Ridge Drive. The subject property is currently the only non-commercial use at the intersection. Applicant wishes to rezone the property for commercial use, although he has no specific intended use listed on the rezone application. Property is the only residential use on the intersection and is isolated from other residential properties by open space reserve tracts to the north and to the west. The subject parcel is 0.89 acres in size.

The current use of the parcel is as a residence the future use would be limited to the uses specified in the Master Planned Resort (MPR) Village Center zone adopted in Ordinance 10-1214-98. The MPR-Village Center zone allows for a variety of retail and service oriented commercial uses as well as residential use.

The parcel is within a susceptible aquifer recharge area.

2.3.4.1.2 Cumulative Impact Analysis

Pursuant to UDC §9.8.1.b and 9.8.1.c, the Planning Commission and Board of County Commissioners shall develop findings and conclusions that consider specific criteria. Those criteria, and staff evaluations, follow.

Cumulative Impact Analysis - MLA05-06: McDiehl LLC	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to the Port Ludlow MPR have not changed substantially since the adoption of the Port Ludlow MPR Ordinance supplemental to the Comprehensive Plan.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	<p>The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid.</p> <p>There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.</p>
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	The widely held view of the residents of Jefferson County will become more evident during the public process.
The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services	The proposed amendment is not likely to adversely affect the level of service for public facilities.
The proposed site-specific amendment is consistent with the goals, policies, and implementation strategies of the various elements of the Comprehensive Plan	The proposal is not inconsistent with the Comprehensive Plan. LNG 25 and LNPs 25.1 through 25.8 are silent on the issue of expanding village commercial boundaries lying within the limits of the Port Ludlow MPR. Therefore, expansion of the existing designation and zone would appear to be a matter of legislative discretion.
The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities	The proposed amendment will not result in a probable significant adverse impact to the transportation network, capital facilities, utilities, parks, or environmental features.
In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses	The subject property is physically suitable for commercial use.

Cumulative Impact Analysis - MLA05-06: McDiehl LLC	
UDC Criterion	Staff Evaluation
The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole	It is unlikely that the approval of this amendment would create significant pressure to otherwise modify the boundaries of the Port Ludlow Village Commercial Center.
The proposed site-specific amendment does not materially affect land use and population growth projections that are the bases of the Comprehensive Plan	The proposed does not materially affect the land use and population projections.
If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA	Not applicable.
The proposed amendment is consistent with the Growth Management Act (RCW 36.70A), the County-wide Planning Policies for Jefferson county, any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws	The proposal is consistent the Growth Management Act and the Comprehensive Plan narrative and policies governing the Port Ludlow Master Planned Resort.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of each change according to questions set forth in SEPA Rules:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would likely result in the construction of approximately 2,500 square feet of additional commercial space within the Port Ludlow Village Commercial Center. Under the allowable uses set forth for this district within the Jefferson County UDC, it would appear unlikely that uses within a future commercial development upon the site would increase discharges to water, emissions to air, or production or release of hazardous substances. Future uses upon the subject site, if included within the MPR Village Commercial zone, would be likely to result in noise impacts exceeding existing baseline conditions. However, no impacts beyond those typically associated with commercial development are anticipated, nor are noise impacts that rise to a level of environmental significance.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur as a result of the proposal would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The critical area map shows the presence of Susceptible Critical Aquifer Recharge Area.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is unlikely to affect land and shoreline use beyond that of expanding the permissible commercial retail and service uses on the subject parcel. No portion of the site lies within the shoreline jurisdiction.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is unlikely to generate any noticeable additional demand for public services.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan amendment is not inconsistent with the narrative, goal and policy guidance established in the Comprehensive Plan for Master Planned Resorts (see LNG 25 and LNPs 25.1 through 25.8).

2.3.4.1.3 Staff Recommendation

Staff recommends approval of the proposal and requests that the property be governed by the development agreement and any applicable Covenants, Codes, and Restrictions governing the Master Planned Resort. Staff notes that future development of the parcel would likely benefit by securing dedicated access to Osprey Ridge Road to ensure adequate access to the parcel for fire and EMS, as well as future commercial uses.

2.3.4.1.4 Cumulative Analysis of Requests for Change from Master Planned Resort (MPR) Residential to MPR Commercial

The one (1) proposal to change from MPR Residential MPR Village Commercial Center would allow for the addition of approximately one (1) acre to the existing commercial designation (i.e., from 43 to 44 total acres). Any subsequent development of the parcel would be subject to review pursuant to the UDC at time of application. Based on this programmatic environmental review, no site-specific characteristics exist which would preclude the use of this site for commercial purposes. Moreover, commercial development of the parcel would appear unlikely to result in any cumulative environmental or capital facility impacts.

2.4 STAFF REPORT: SUGGESTED AMENDMENT

2.4.1 Comprehensive Plan Housekeeping

2.4.1.1 Reference Number: MLA05-66 (Jefferson County)

Applicant: Jefferson County

Assessor Parcel Number(s): N/A

Location: N/A (Comprehensive Plan map and text amendments)

2.4.1.1.1 General Description and Site-Specific Environmental Information

Comprehensive Land Use Map amendments under MLA 05-66 are wholly nonsubstantive and ministerial in nature, and are limited to the correction of errors and omissions. The proposed amendments are described more fully below.

Proposed Comprehensive Plan Land Use Map Amendments:

There are a few inconsistencies with the Comprehensive Land Use map designations that require correction. Specifically, a few parcels were never zoned when the Comprehensive Plan was adopted in 1998 or updated in 2004. The criteria listed in the Comprehensive Plan have been applied to these properties to appropriately assign land use designations and zoning.

There are also a few instances where the zoning does not follow the legal boundaries of ownership. Although it has been common practice to split-zone parcels when there are critical areas present or when the designation is based on the July 1, 1990 built environment, this does not appear to be the case for the parcels in question.

During the 2004 Comprehensive Plan amendment cycle, the County accepted petitions for rezones to Agricultural Lands of Local Importance designation. Staff has identified a small number of anomalies associated with this parcels. Some of the parcels were already designated for Agricultural zoning or a small portion of a parcel included within the UGA boundary. In other cases not all of the requested parcels were rezoned or the wrong parcel was mistakenly zoned.

The following amendments to the Jefferson County Comprehensive Plan Land Use Map are proposed:

West End:

- Oil City is an old plat near the coast along the Hoh River. The parcels were zoned based on ownership, parcels that were privately owned were zoned rural residential and those owned by the National Park Service were shown as Olympic National Park. There are instances of private ownership within the Park. All parcels, private and public, are proposed to be designated according to the boundary of the Olympic National Park.
- Parcel 712161000 in the West End has a railroad right of way that was zoned RR 1:20 going through the middle of a Commercial Forest parcel. Typical practice is to designate the right of way to the centerline with the same zoning that borders the right of way. The right of way is proposed to be designated as Commercial Forest.

Local Agriculture:

- Last year, Local Agricultural zoning was requested for parcels #501032024 (4.97 acres) and 501032025 (5.04 acres). The application listed two parcel numbers but only one was included in the matrix. Parcel 501032024 was erroneously excluded, and therefore was not rezoned. It is proposed that parcel 501032024 be zoned Local Agriculture, as was intended in last year's amendments.
- The application for parcel #901254007 (9.68 acres) was erroneously stapled together with another application under the same name last year. However, only the parcel number from the other application made it into the matrix. The application for this parcel indicates that the Agricultural Lands Committee of the Planning Commission discussed the matter, and recommended inclusion of the parcel within the Local Agricultural zoning district.
- The application for parcel #921324028 (5.12 acres) was stapled together with the application for parcel #921324022, but never made it to the matrix last year. The subject parcel is adjacent to parcel #921324022, which was rezoned to Local Agriculture. It is recommended that parcel #921324028 also be zoned Local Agriculture.
- Parcel #802363023 (6.77 acres) was an incorrect parcel number included on the matrix for approval. Parcel #802363022 (5.63 acres) was the parcel that was actually subject to the requested rezone. Parcel #802363022 was mistakenly omitted from Local Agricultural zoning, while parcel #802363023 was mistakenly included; parcel #802363023 belongs to a landowner who did not request Local Agricultural zoning during last year's process. It is likely that the owner of parcel #802363023 is entirely unaware that the rezone has taken place. The applicant for #802363022 has since died. It is recommended that this zoning error simply be acknowledged and corrected.
- A portion of parcel #901112040 remains designated Rural Residential 1:5, the parcel should be zoned Local Agriculture in its entirety adding 0.27 additional acres.
- The UGA boundary intersects a large parcel, #901034003, "Sunfield Farm." The small portion of that parcel that lies inside the UGA boundary was inadvertently rezoned AL. It was never the intention to rezone anything inside the UGA. It is recommended that this error be corrected, though the portion of this rather large parcel that is in question is quite small (0.09 acres). In essence, this is a ministerial/mapping error that should be corrected.

Parcels lacking any zoning designation:

- The parcel #603143001 approximately 38 acres in size, which is currently depicted as two parcels split by a right of way, and is enrolled in the Timber Program. Parcels in private ownership are zoned Rural Residential 1:20.
- Parcel #503360001 is a DNR owned parcel split into pieces of 190 and 110 acres respectively. It is recommended that the parcel be designated CF 1:80.
- There is a grouping of parcels comprising approximately 980 acres along the North Bank of the Quinault River that were not zoned when the Comprehensive Plan was adopted in 1998. The parcels are within the boundary of the Olympic National Park (ONP) and are proposed to be designated as such on the Comprehensive Land Use map.
- An island off the tip of Indian Island consisting of portions of these parcels: 921000000 (Indian Island) and 021180000 (Fort Flagler) was never zoned. Zoning for each portion should be consistent with the rest of the parcel.

"Small" zones:

There are 21 zones in east Jefferson County smaller than one acre. Staff has developed an Excel spreadsheet showing about 50 parcels that intersect these 21 zones. In looking over a few examples, some appear legitimate (e.g., small portions of parcels separated from the principal zone by water, etc.), but some others look like candidates for review and may be mapped so in error.

- Parcels #021332007 (0.05 acres) and #021332002 (0.18 acres) should be amended to follow property lines. Parcel #021283022 (0.15 acres) should also be rezoned Parks, Preserves, and Recreation (PPR) to accurately reflect its inclusion in East Beach Park.
- A portion of parcel #502021001 is zoned RR 1:20; the parcel is the Dosewallips State Park and vast majority of the parcel is designated Parks, Preserves, and Recreation. The portion in question is within the Shoreline. The zoning should be corrected to follow the parcel lines, applying the PPR designation to the entirety of the parcel.

Proposed Comprehensive Plan Table and Text Amendments:

- The Population Projection Table, Table 3-1 on page 3-3 of the Comprehensive Plan, contains an error. The 2000 population figure for Unincorporated Rural & Resource Areas, as indicated in BoCC Resolution 55-03, was 13,972 rather than 18,972. When arranging for a mass printing of the 2005 Comp Plan, as revised in 2004, we intend to include the correct figure. However, the figure should also be corrected through the formal amendment process.
- Land Use and Rural Element (p. 3-70 /#6). The reference to designating two Industrial Land Banks (ILBs) should be corrected to "...a bank with two master planned locations."

2.4.1.1.2 Cumulative Impact Analysis

Pursuant to UDC §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.

Cumulative Impact Analysis - MLA05-066: Jefferson County	
UDC Criterion	Staff Evaluation
Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Comprehensive Plan	The circumstances related to the suggested amendment have not changed since the time of Comprehensive Plan adoption.
Whether the assumptions upon which the Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments to the Jefferson County Comprehensive Plan	The majority of the assumptions upon which the Comprehensive Plan was adopted remain valid. There has been no new information presented related to this specific proposal that has not been considered during the adoption process or any of the annual amendment cycles.

Cumulative Impact Analysis - MLA05-066: Jefferson County	
UDC Criterion	Staff Evaluation
Whether the proposed amendment reflects current widely held values of the residents of Jefferson Count	Staff believes that most residents of Jefferson County would favor correcting technical errors identified following initial plan adoption.

Following is environmental analysis presented in the format of the Non-Project Action Supplemental Sheet to the Environmental Checklist developed by the Department of Ecology pursuant to the State Environmental Policy Act (SEPA).

Discussion of the proposed amendments in relation to questions set forth in SEPA Rules, follows:

Section D. Supplemental Sheet for Nonproject Actions

Question #1: How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

As plan and code text amendments intended to correct technical errors, the proposed changes are unlikely to result in any of the above listed impacts. Please also refer to the Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998, particularly those sections relating to Water, Air, Environmental Health and Noise.

Question #2: How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not be likely to affect plants, animals, fish, or marine life. Project-specific development that may occur within the modified land use designations and zoning adopted under the proposed land use map amendments would be subject to applicable federal, state, and local protections for plants, animals, fish, and marine life.

Question #3: How would the proposal be likely to deplete energy or natural resources?

The proposal is unlikely to deplete energy or natural resources; all subsequent project specific development proposals will be subject to applicable federal, state, and local energy conservation standards. Please also refer to the section entitled “Energy and Natural Resources” within the Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998.

Question #4: How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

The proposed amendments are not likely to use or affect such areas; all of the proposed Plan amendments are technical in nature and intended to rectify mapping oversights and wholly nonsubstantive amendments to the text and tables of the Plan. Adoption of the amendments will further the County's compliance with the goals and substantive requirements of Chapter 36.70A RCW, the Growth Management Act. Please also refer to the "Natural Environment" section within the Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998.

Question #5: How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No aspect of the proposal is likely to have such an affect. The land use map corrections are based upon adherence to Plan narrative, goal and policy language, and would encourage land and shoreline uses that are compatible with existing plans.

Question #6: How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is not likely to increase demand. The County will continue to review and condition project permit applications to ensure transportation concurrency, and maintenance of adopted LOS standards for county owned facilities as a condition of development approval. Please also refer to the "Built Environment" section within the Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998.

Question #7: Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not conflict with local, state, or federal laws, or requirements for the protection of the environment.

2.4.1.1.3 Staff Recommendation

Staff recommends approval of the proposed amendments to the Comprehensive Plan text, tables and land use map as detailed in §2.4.1.1.1, above.

3 Supporting Record, Analyses, and Materials

The table below lists existing environmental documents and other documents and information utilized for the development of this 2004 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	Countywide 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 / 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	2002 Comprehensive Plan Amendment Docket
November 25, 2002	Integrated FSEIS	2002 Amendment Docket
December 2002	Final decisions, findings, ordinances, and conditions	2002 Amendment Docket
February 13, 2003	Memorandum to Planning Commission	Agricultural Lands policy and regulation
April 28, 2003	Ordinance No. 05-0428-03 and all documentation for MLA03-485	Amendments to UDC concerning Agricultural Lands
August 6, 2003	Integrated Staff Reports & SEPA Addenda	2003 Amendment Docket
February 2004	Water System Plan Vol. 2: Public Utility District #1 of Jefferson County	Depicts Bywater Bay Water System (Fig. 1.1) approved by DOH Feb. 2005
2004	Staff analysis and environmental review for Urban Growth Area (UGA).	MLA04-29 & 30: UGA plans, goals, policies, maps, and regulations.
September 22, 2004	Integrated Staff Report & SEPA Addendum	2004 Amendment Docket, including "2004 Update" required by GMA

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State Agencies:

Dept. of Community, Trade and Economic
Development: Growth Management Services

Department of Ecology SEPA Unit

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Port Gamble S'Klallam Tribe
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Rymer, Jeff Davis & SEPA Review)

Department of Ecology (GMA Review)

Puget Sound Action Team
(Harriet Beale and John Cambalik))

Parks & Recreation Commission (Bill Koss)

Interagency Committee for Outdoor Recreation
(Lorinda Anderson)

Other Interested Parties:

Washington Association of Realtors