



# JEFFERSON COUNTY

## DEPARTMENT OF COMMUNITY DEVELOPMENT

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May 17, 2006

**NOTICE OF INTENT TO AMEND UNIFIED DEVELOPMENT CODE  
AND  
NOTICE OF ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS  
AND  
NOTICE OF PUBLIC HEARING BEFORE THE  
JEFFERSON COUNTY PLANNING COMMISSION ON  
PROPOSED CODE AMENDMENTS FOR PROTECTION OF  
ENVIRONMENTALLY CRITICAL AREAS**

Pursuant to the Washington State Growth Management Act (GMA), Jefferson County is issuing notice of intent to amend the County's Unified Development Code (UDC) with respect to code provisions intended to protect environmentally critical areas, such as streams and wetlands. The purpose of the amendments is to incorporate best available science as applied to the regulatory protection of critical areas under the GMA and Part Nine of Chapter 365-195 WAC. Jefferson County has determined that it is the appropriate State Environmental Policy Act (SEPA) lead agency for the proposal. Adoption of code amendments through legislative action would be a non-project action under SEPA, Chapter 43.21C RCW.

Following is a brief description of the elements of the code amendment proposal, which carries **MLA06-242** as a reference file number. **Jefferson County Code (JCC) Chapter 18.15 Land Use Districts, Article VI Overlay Districts**, is proposed for amendment in the following subsections:

Article VI-D Environmentally Sensitive Areas District. The terms "environmentally sensitive areas" and "critical areas" are synonymous. Amendments to general section for consistency with critical areas category-specific amendments.

Article VI-G Geologically Hazardous Areas. A category entitled Channel Migration Zones (CMZs) is proposed to be added to this subsection, including respective identification sources and protection standards. CMZs are areas subject to the natural movement of stream channel meanders.

Article VI-H Fish and Wildlife Habitat Areas. This section is proposed to be renamed Fish and Wildlife Habitat Conservation Areas to match RCW 36.70A.030(5). The stream typing format is proposed to switch from a numbering system previously in use by the State Department of Natural Resources (DNR) to a lettering system currently in use by DNR under Chapter 222-16-030 WAC. Revised stream buffers would apply to the new stream types. The proposal includes additional sources used for identification of these areas, including reference to the County's core wildlife habitat conservation database. A regulatory nexus is proposed for designated core wildlife habitat areas or corridors that would affect applications for land division and forest practices conversions. Language associated with bank stabilization standards is proposed for clarification. A provision for vegetation retention within delineated CMZs is included.

Article VI-I Wetlands. The proposal incorporates guidance from the State Department of Ecology for the rating and management of wetlands, specifically the *Washington State Wetland Rating System for Western Washington*, as proscribed in the 2004 Ecology publication #04-06-025, and the protection standards of the 2005 Ecology publication #05-06-008 *Wetlands in Washington – Volume 2: Guidance for Protecting and Managing Wetlands*, Alternative 3 in Appendix 8-C: Guidance on Widths of Buffers and Ratios for Compensatory Mitigation for Use with the Western Washington Wetland Rating System.

Article VI-J Special Reports. Amendments to this section for consistency with critical areas category-specific amendments.

Article VI-M Planned Rural Residential Developments. A clause is proposed for amendment to expressly qualify a broader range of environmental design approaches related to fish and wildlife habitat conservation areas for density bonuses under the cluster land division provisions of this section.

**GMA Notice:** This document serves as the 60-day notice of intent to amend the Jefferson County UDC and is being circulated per WAC 365-195-620 to State agencies on the list provided by Washington State Growth Management Services of agency representatives responsible for reviewing proposed amendments to development regulations.

**Adoption of Existing Environmental Documents:** The document also serves as a notice of adoption of existing environmental documents, pursuant to SEPA rules (Chapter 197-11 WAC). After review of the proposal and existing environmental documents, the SEPA Responsible Official at the Department of Community Development (DCD) has determined that existing environmental documents provide adequate environmental review to satisfy the requirements of WAC 197-11-600. In accordance with WAC 197-11-630, there is no new SEPA-specific public comment period in conjunction with this adoption notice. However, DCD and the Planning Commission are accepting general comments on the merits of the proposed code amendments as detailed below.

The following existing environmental documents are being adopted:

- Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
- 2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004. The Addendum included description and analysis of code amendments proposed in 2004 that are similar to those being proposed now. The current proposal is more protective than the 2004 proposal, which was not adopted, and incorporates best available science with respect to critical areas protection under GMA.

**Planning Commission Public Hearing: NOTICE IS HEREBY GIVEN** that the Jefferson County Planning Commission will hold a public hearing to take comment on these proposed UDC amendments. Oral and written comment will be accepted as detailed below. The public hearing will occur on **Wednesday, June 7, 2006** beginning at **6:30 PM** at the **WSU Community Learning Center**, Shold Business Park, 201 W Patison, Port Hadlock.

**Public Comment Period:** The Planning Commission and DCD will accept written comments on the merits of these proposed UDC amendments through **Wednesday, June 14, 2006**. Oral comment may be made at the Planning Commission public hearing **June 7**. Any written comments on the proposal submitted after June 14 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 action on the proposal. (Formal notice would appear in the newspaper of record.) Written comments on the proposal may be submitted to DCD at 621 Sheridan Street, Port Townsend WA 98368 or via email to [planning@co.jefferson.wa.us](mailto:planning@co.jefferson.wa.us).

**Availability of Documents:** For more information or to inspect or request copies of the proposal, 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 Critical Areas webpage at the following URL, where documents and notices are posted in Portable Document Format: [www.co.jefferson.wa.us/commdevelopment/CriticalAreas.htm](http://www.co.jefferson.wa.us/commdevelopment/CriticalAreas.htm).

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