



JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMORANDUM

To: Jefferson County Board of Commissioners, County Administrator, Planning Commission, and Interested Parties

Fr: Department of Community Development

Date: May 24, 2002

Re: Department of Community Development (DCD) Review of Preliminary Comprehensive Plan Amendment Docket and Recommendation for Placement on the Final Docket

Attachments: Item 1 Suggested Amendments Preliminary Docket
Item 2: Site-Specific Amendments Preliminary Docket
Item 3: Unprioritized List of DCD On-Going Programs and Projects

Background

Pursuant to Unified Development Code (UDC) section 9.6.1 the Department of Community Development is charged with the task of reviewing suggested Comprehensive Plan amendments and preparing a report concerning which suggested amendments should be placed on the final docket. In so doing, the Department is required to address the need, urgency and appropriateness of each suggested amendment and to include the following considerations in their recommendation:

- The availability of sufficient DCD staff to substantively review the suggested amendments and manage the public review process.
- Anticipated DCD cost and budget for processing the suggested amendments.

These recommendations consider each amendment in the context of available resources and the intent is not to discount the merit of citizen proposed amendments. The County Administrator has indicated that Jefferson County is in the midst of a budget crisis and these recommendations are made in light of current budgetary restrictions. In some cases, amendments supported by the Department of Community Development were not recommended for inclusion on the final docket based on the existing budget and available staff resources.

Suggested Amendments

Jefferson County has received fourteen (14) suggested Comprehensive Plan amendments (see attached Item 1). Four (4) of these amendments were proposed by private citizens and the remainder (10) by Jefferson County. The file numbers and a brief description of each follow. Complete copies of each application are available at the Department of Community Development

and further information is available on the Jefferson County website at www.co.jefferson.wa.us/commdevelopment.

In addition to the fourteen suggested amendments submitted, Jefferson County has received nine (9) formal site-specific amendment applications (see attached Item 2) from a grand total of 23 proposed amendments. Pursuant to the Unified Development Code section 9.6.4(b), site-specific applications are automatically included on the final docket.

- (1) **Application Number MLA02-00227** proposed by David Whipple suggesting a new definition for the term “Built Environment” as defined in the Comprehensive Plan Glossary.
- (2) **Application Number MLA02-00228** proposed by David Whipple suggesting language to phase out by March 3, 2003 the ability to apply for rezone applications on the basis of a “Map Error” as defined in the Comprehensive Plan and Unified Development Code.
- (3) **Application Number MLA02-00229** proposed by David Whipple suggesting creation of a new land use category to be established within 500 feet of Rural Village Center boundaries including the waiving of land use fees for non-profit and self-help organizations to encourage affordable housing.
- (4) **Application Number MLA02-00232** proposed by J. Frank Schmidt & Sons Company suggesting re-definition of the criteria for Forest Land designation and/or the adoption of a “Forest Lands Buffer Overlay District” to create a residential transition zone between Forest Lands and adjacent high density pre-platted lots.
- (5) **Application Number MLA02-00234** proposed by Jefferson County Public Works suggesting an update of Comprehensive Plan language in Chapter 6 (Open Space, Parks and Recreation, and Historic Preservation) to reflect consideration of updated *2002 Parks, Recreation & Open Space Plan*.
- (6) **Application Number MLA02-00238** proposed by Jefferson County Public Works suggesting an update of Comprehensive Plan language in Chapter 6 (Open Space, Parks and Recreation, and Historic Preservation) and Chapter 10 (Transportation) to reflect consideration of the Jefferson County *Non-Motorized Transportation Plan*.
- (7) **Application Number MLA02-00239** proposed by Jefferson County suggesting to update Comprehensive Plan language in Chapter 2 (Implementation) based on recent Growth Management Act amendments related to statutory timelines and eliminate Plan reference to out-dated application deadlines.
- (8) **Application Number MLA02-00240** proposed by Jefferson County suggesting to adopt policy language in the Comprehensive Plan related to the establishment of a process for designating a bank of two master planned locations for major industrial activity outside urban growth areas consistent with newly enacted state legislation (House Bill 2498).
- (9) **Application Number MLA02-00241** proposed by Jefferson County suggesting to revisit the boundary established for the *Glen Cove Industrial Area Interim Light Industrial/Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.
- (10) **Application Number MLA02-00242** proposed by Jefferson County suggesting to adopt a Provisional Urban Growth Area boundary in the Tri-Area and portray it on the Comprehensive Plan Land Use map consistent with analysis conducted through the Special Study and the requirements of the Growth Management Act.
- (11) **Application Number MLA02-00243** proposed by Jefferson County suggesting to revisit the boundary established for the *Chimacum Neighborhood/Visitor Crossroad*

Interim Commercial Zone consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

(12) **Application Number MLA02-00244** proposed by Jefferson County suggesting to revisit the boundary established for the *Discovery Bay Neighborhood/Visitor Crossroad Interim Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

(13) **Application Number MLA02-00245** proposed by Jefferson County suggesting to revisit the boundary established for the *Four Corners Neighborhood/Visitor Crossroad Interim Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

(14) **Application Number MLA02-00246** proposed by Jefferson County suggesting to review the *Brinnon Sub-Area Plan*, and associated Comprehensive Plan/UDC amendments, through the annual Comprehensive Plan amendment cycle.

Discussion of DCD Staff Sufficiency

The Jefferson County Department of Community Development Long Range Planning Division currently consists of two staff persons. Based on our May 2002 list of *On-Going Long Range Planning Programs and Projects* (see attached Item 3), the Long Range Planning Division is responsible for 10 broad program based items, including Planning Commission staffing, and 10 project based items including completion of Brinnon sub-area planning, Glen Cove LAMIRD revision, Tri-Area UGA planning and various high profile proposals such as the Port Ludlow Marina expansion, Mats Mats Quarry expansion, pending Fred Hill Materials conveyor and pier proposal. All of these items need to be addressed at the current staffing level of two employees. Support of these existing programs and projects currently exceeds Long Range Planning Division staffing levels. For this reason, inclusion of suggested amendments on the final docket must involve consideration of the entire Long Range Planning Division and Department of Community Development workload.

As a practical matter, it should be recognized that conducting this Comprehensive Plan amendment cycle will put considerable strain on the Long Range Division as currently staffed. A recent Hearing Examiner decision has required Jefferson County to reassess the way it conducts programmatic State Environmental Policy Act (SEPA) review. This could require preparation of a Supplemental Environmental Impact Statement which, based on the current budget situation, would most likely be handled in house rather than through the retention of a consultant. This adds a substantial amount of work to the Comprehensive Plan amendment process and could potentially increase estimated staff review hours by as much as 30%.

Our most recent cost and time analysis related to Comprehensive Plan amendments was done following the 1999/2000 amendment process and indicated that a total of 964.5 planning staff hours (not including administrative support staff, legal review, or mapping services) was spent on the amendment process. The 1999/2000 process involved fourteen amendment applications for an average review time of 68 hours per application.

Utilizing the 68 hour average, review of the nine formal site specific amendments will involve approximately 612 hours of Long Range Planning Division staff time. With individual staff available hours estimated at approximately 1,358 hours per year, the site-specific component of the Comprehensive Plan amendment process alone will consume almost one-half of a Full Time Employees (FTEs) available time.

If all 23 amendment applications are included on the final docket, review time for Comprehensive Plan amendments would involve approximately 1,632 hours or the equivalent of 1.2 FTEs. That

is to say, more than half of the Long Range Planning Divisions two FTEs would be concentrating on the amendment process while also attempting to implement existing programs and projects.

Anticipated DCD Cost and Budget

The March 22, 2000 Cost Analysis done for the 1999/2000 Comprehensive Plan Amendment process showed a total cost of \$31,699.66 for 14 Comprehensive Plan amendments with an average review cost of \$3500.00 per amendment. Using the average cost of \$3500.00 per amendment, review of the nine formal site-specific amendments required to be on the final docket will cost approximately \$31,500.00. This is a base cost due to the fact that these applications must be processed. Application fees for eight of the nine amendments were \$250.00 per amendment with one application, submitted following the raise in fees, paying \$2500.00. This translates into a total recouped cost of \$4,500.00.

Total cost for processing all 23 amendments on the docket at an average review rate of \$3,500.00 is \$80,500.00.

Planning Commission Work Plan

In addition to staff time, it should be noted that these Comprehensive Plan amendments would require review by the Planning Commission. The Planning Commission will need to consider numerous issues over the next year including, but not limited to, settlement negotiations or remands related to Unified Development Code appeals on issues such as best available science, aquifer recharge areas, and salt water intrusion. Other items requiring Planning Commission review include the Brinnon sub area plan, the Tri-Area UGA, and Glen Cove LAMIRD review – all high profile issues. Based on budgetary restrictions and in an effort to save costs, DCD has adopted a Service Policy limiting Planning Commission meetings to twice per month. The number of suggested amendments included on the final docket will directly affect the Planning Commissions' ability to provide thorough and thoughtful amendment review.

Department of Community Development Final Docket Recommendation

Based on the discussion above; the need, urgency, and appropriateness of the submitted suggested amendments; and the current County budget situation the Department of Community recommends the following:

- (1) Application Number MLA02-00227 proposed by David Whipple suggesting a new definition for the term “Built Environment” as defined in the Comprehensive Plan Glossary.

Recommendation: Do not include on the final docket. The term “built environment” is adequately defined in the Comprehensive Plan and may be subject to on-going clarification through Growth Management Hearings Board decisions or, even, legislative clarification. DCD staff feels it is unnecessary to further define this term.

- (2) Application Number MLA02-00228 proposed by David Whipple suggesting language to phase out by March 3, 2003 the ability to apply for rezone applications on the basis of a “Map Error” as defined in the Comprehensive Plan and Unified Development Code.

Recommendation: Do not include on final docket. The “map error” process as defined in the Comprehensive Plan and UDC is a valid and unabused tool used for correcting non-substantive errors. Formal site-specific rezones are no longer considered “map errors.” Based on the clarification provided through the UDC, DCD staff feels it is unnecessary to remove or revise this provision in the Comprehensive Plan.

(3) Application Number MLA02-00229 proposed by David Whipple suggesting creation of a new land use category to be established within 500 feet of Rural Village Center boundaries including the waiving of land use fees for non-profit and self-help organizations to encourage affordable housing.

Recommendation: Do not include on final docket. While an interesting and potentially useful concept, based on available staff resources and given current budgetary concerns, DCD staff recommends that this proposal not be included on the final docket.

(4) Application Number MLA02-00232 proposed by J. Frank Schmidt & Sons Company suggesting re-definition of the criteria for Forest Land designation and/or the adoption of a “Forest Lands Buffer Overlay District” to create a residential transition zone between Forest Lands and adjacent high density pre-platted lots.

Recommendation: Do not include on final docket. As discussed last year, this proposal has potential implications for existing property designated as Commercial Forest land and, as such, would need a high level of staff review that is not available at this time. The urgency of this proposal is not such that it must be addressed through this amendment cycle especially in view of the fact that much of the land in question has already been harvested. That said, the issue of incompatibility is specifically referenced in the Comprehensive Plan at Action Item 13 on page 4-43. Any process addressing incompatibility issues related to existing small parcels and adjacent forest lands should be approached through a cooperative process involving timber company representatives, landowners, environmental groups and other interested parties. This process is envisioned as a task force that will examine the issue and make recommendations to the Planning Commission and Board of Commissioners.

Based on current demands on Long Range Planning staff, DCD recommends not including this item on the final docket nor does DCD recommend convening a Forest Lands Task Force at this time.

Currently, property owners located on small lots adjacent to forest land can have forest land setbacks reduced in order to facilitate the siting of a residence. In addition, notice indicating proximity to Commercial Forest land is provided at the time of permit issuance to all property owners within 500 feet Commercial Forest land. Through these mechanisms, the majority of problems arising from adjacent small lot owners are addressed through the existing process. For this reason, staff feels it is not necessary to docket this item. The site-specific proposal submitted in conjunction with this application should be judged against the existing criteria for forest lands designation.

If the Board feels that further resolution is required, staff suggests exploring the elimination of UDC required forest land setbacks applied to adjacent residential land. These buffers are not statutorily required and notification to adjoining property owners of proximity to commercial forest lands seems to provide adequate protection for the citizens of Jefferson County.

(5) Application Number MLA02-00234 proposed by Jefferson County Public Works suggesting an update of Comprehensive Plan language in Chapter 6 (Open Space, Parks and Recreation, and Historic Preservation) to reflect consideration of updated 2002 Parks, Recreation & Open Space Plan.

Recommendation: *Include on final docket.* This proposed amendment involves minor narrative and policy changes to the Plan in light of the 2002 Parks, Recreation & Open Space Plan. The draft plan has already received substantial public review through the Jefferson County Parks Advisory Board and citizen involvement.

(6) Application Number MLA02-00238 proposed by Jefferson County Public Works suggesting an update of Comprehensive Plan language in Chapter 6 (Open Space, Parks and Recreation, and Historic Preservation) and Chapter 10 (Transportation) to reflect consideration of the Jefferson County *Non-Motorized Transportation Plan*.

Recommendation: *Include on final docket.* This proposed amendment involves minor narrative and policy changes to the Plan in light of the 2002 *Non-Motorized Transportation Plan*. The draft plan has already received substantial public review through the Jefferson County Parks Advisory Board and citizen involvement.

(7) Application Number MLA02-00239 proposed by Jefferson County suggesting to update Comprehensive Plan language in Chapter 2 (Implementation) based on recent Growth Management Act amendments related to statutory timelines and eliminate Plan reference to outdated application deadlines.

Recommendation: *Include on final docket.* This proposed amendment involves minor narrative changes to the Plan in light of Unified Development Code adoption and will provide for further consistency between the two documents.

(8) Application Number MLA02-00240 proposed by Jefferson County suggesting to adopt policy language in the Comprehensive Plan related to the establishment of a process for designating a bank of two master planned locations for major industrial activity outside urban growth areas consistent with newly enacted state legislation (House Bill 2498).

Recommendation: *Do not include on final docket.* Jefferson County, in cooperation with the City of Port Townsend, recently adopted a Major Industrial Development siting process and interlocal agreement which substantially addresses this issue. House Bill 2498 builds on our existing MID provisions by allowing Jefferson County, as a qualifying county, to designate up to two industrial land banked areas. DCD feels that there is sufficient existing policy language in the Comprehensive Plan for Jefferson County to take advantage of this provision immediately should we choose to do so. That said, identifying these areas could potentially prove to be time consuming and the DCD recommendation, based on workload, is to look at implementing this provision at the conclusion of this years amendment cycle. Contrary to assertions otherwise, the deadline for Jefferson County to establish a process for identifying these areas does not sunset in December of 2002 and, therefore, there is no immediate need to implement these provisions.

(9) Application Number MLA02-00241 proposed by Jefferson County suggesting to revisit the boundary established for the *Glen Cove Industrial Area Interim Light Industrial/Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

Recommendation: *Include on final docket.* Based on the substantial amount of work that has been conducted to this point, existing Comprehensive Plan policy direction and the community need for resolution of this land use issue, DCD recommends including this item on the final docket.

(10) Application Number MLA02-00242 proposed by Jefferson County suggesting to adopt a Provisional Urban Growth Area boundary in the Tri-Area and portray it on the Comprehensive Plan Land Use map consistent with analysis conducted through the Special Study and the requirements of the Growth Management Act.

Recommendation: *Include on final docket. As indicated above, based on the substantial amount of work that has been conducted to this point, existing Comprehensive Plan policy direction and the community need for resolution of this land use issue, DCD recommends including this item on the final docket.*

(11) Application Number MLA02-00243 proposed by Jefferson County suggesting to revisit the boundary established for the *Chimacum Neighborhood/Visitor Crossroad Interim Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

Recommendation: *Include on final docket. Based on existing Comprehensive Plan policy direction and the community need for resolution of this land use issue, DCD recommends including this item on the final docket.*

(12) Application Number MLA02-00244 proposed by Jefferson County suggesting to revisit the boundary established for the *Discovery Bay Neighborhood/Visitor Crossroad Interim Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

Recommendation: *Include on final docket. Based on existing Comprehensive Plan policy direction and the community need for resolution of this land use issue, DCD recommends including this item on the final docket.*

(13) Application Number MLA02-00245 proposed by Jefferson County suggesting to revisit the boundary established for the *Four Corners Neighborhood/Visitor Crossroad Interim Commercial Zone* consistent with Comprehensive Plan Land Use Policy 1.4 and the Growth Management Act.

Recommendation: *Include on final docket. Based on t existing Comprehensive Plan policy direction and the community need for resolution of this land use issue, DCD recommends including this item on the final docket.*

(14) Application Number MLA02-00246 proposed by Jefferson County suggesting to review the *Brinnon Sub-Area Plan*, and associated Comprehensive Plan/UDC amendments, through the annual Comprehensive Plan amendment cycle.

Recommendation: *Include on final docket. Based on the substantial amount of work that has been conducted to this point and existing Comprehensive Plan policy direction, DCD recommends including this item on the final docket.*

Conclusion

Based on an assessment of Department of Community Development staffing levels, anticipated cost and budget, current county-wide budget conditions, and the merits of the eleven (11) proposed Comprehensive Plan amendments, the Department recommends including the following nine (9) suggested amendments on the final docket for a total of eighteen (18) docketed items on the final docket when combined with the nine (9) site-specific applications:

1) Application Number **MLA02-00234** proposed by Jefferson County Public Works

- 2) Application Number **MLA02-00238** proposed by Jefferson County Public Works
- 3) Application Number **MLA02-00239** proposed by Jefferson County
- 4) Application Number **MLA02-00241** proposed by Jefferson County
- 5) Application Number **MLA02-00242** proposed by Jefferson County
- 6) Application Number **MLA02-00243** proposed by Jefferson County
- 7) Application Number **MLA02-00244** proposed by Jefferson County
- 8) Application Number **MLA02-00245** proposed by Jefferson County
- 9) Application Number **MLA02-00246** proposed by Jefferson County

As recommended, DCD anticipates a staff expenditure of 1,224 FTE hours on this project with projected cost expenditures of \$63,000.00.

[END]