# Jefferson County Planning Commission

**Tri-Area Community Center**  
November 5, 2014

## MEETING AGENDA

<table>
<thead>
<tr>
<th>Time</th>
<th>Section</th>
<th>Details</th>
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<tbody>
<tr>
<td>6:30 pm</td>
<td>OPENING BUSINESS</td>
<td>Call to Order</td>
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<td>Roll Call</td>
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<td>Approval of 10/01 Meeting Minutes</td>
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<td>Staff Updates</td>
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<td>Commissioner Announcements</td>
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<td>6:45 pm</td>
<td>OBSERVER COMMENT</td>
<td><strong>When the Chair recognizes you to speak, please begin by stating your name and address.</strong></td>
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<td>Please be aware that the observer comment period is:</td>
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<td>• An optional time period dedicated to listening to the public, not a question and answer session.</td>
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<td>• Offered at the Chair’s discretion when there’s time;</td>
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<td>• Not a public hearing – comments made during this time will not be part of any hearing record;</td>
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<td>• May be structured with a three-minute per person time limit.</td>
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<td>7:00 pm</td>
<td>CONTINUED BUSINESS</td>
<td><strong>COMPREHENSIVE PLAN UPDATE</strong></td>
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<td>Joint Land Use Study</td>
<td>Stacie Hoskins, Planning Manager</td>
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<td>Housing</td>
<td>Anna Bausher, Assistant Planner</td>
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<td>8:45 pm</td>
<td>CLOSING BUSINESS</td>
<td><strong>UDC AMENDMENTS</strong></td>
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<td>In-Lieu Fee Program</td>
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<td>Donna Frostholm, Associate Planner</td>
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<td>Final Plat Vesting</td>
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<td>Carl Smith, DCD Director</td>
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<td>Recreational Marijuana</td>
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<td>Colleen Zmolek, Associate Planner</td>
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<td>9:00 pm</td>
<td>ADJOURNMENT</td>
<td>Summary of today’s meeting</td>
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<td>Follow-up action items</td>
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<td>Agenda Items for 12/3 meeting at 6:30 pm at Brinnon Community Center</td>
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Jefferson County Planning Commission  
621 Sheridan St.  
Port Townsend WA 98368  

Plancomm@co.jefferson.wa.us  
360-379-4450  
F: 360-379-4451
Jefferson County Planning Commission

MEETING MINUTES

Tri-Area Community Center
October 1, 2014

Call to Order at 6:33 pm

ROLL CALL

District 1           District 2           District 3           Staff Present
Coker: E-Absence    Smith: Present     Brotherton: Present  Carl Smith, DCD Director
Felder: Present     Farmer: Present     Giske: E-Absence     Stacie Hoskins, DCD Planning Manager
[Vacant position]   Sircely: E-Absence   Hull: Present       Elizabeth Williams, DCD Administrative Clerk
                   Sircely: E-Absence

Guest Speaker: Cindy Jayne, Climate Action Committee Chair

Public in Attendance: 7

Approval of Agenda: Richard Hull moved to approve the agenda.
Approval of Minutes: Tom Brotherton moved to approve meeting minutes for 08/06/2014.
Lorna Smith seconded. 5 in favor, 0 against, 0 abstained.

STAFF UPDATES

Sign Code
Carl Smith: Ready to request an approval from BOCC for a public hearing in October. Revision included: Allowable heights and the number of days prior to an event (temporary signs) that they can be posted.

Marijuana Moratorium
Carl Smith: The public hearing is scheduled for this Monday, 10/6 at 10:30 am at the Cotton Building.

Planning Commission Vacancy
Carl Smith: The District 1 vacancy will be open for the extent of October to allow for more applicants.

Planning Manager Vacancy
Carl Smith: The vacancy closed yesterday. Interviews will be scheduled in October.

Pleasant Harbor Master Planned Resort (MPR)
Stacie Hoskins: Still waiting on the Water/Sewer Plans and the Economic Report as required by the Board of County Commissioners. A new timeline has been provided by planner, David Johnson. All reports are due to the consultant by Oct 6. A date of Nov 3 has been set to have a finished draft EIS.

Thorndyke Resources “Pit-to-Pier” project
Stacie Hoskins: Additional studies are currently underway for the project. We expect to have all the public comments available for viewing by mid-Nov. The pending court cases against Dept. of Natural Resources and the Navy have moved up to Federal Court. However, Dept. of Natural Resources is contending that their agency is not within Federal jurisdiction.

Comprehensive Plan Surveys
Elizabeth Williams: Surveys are provided in the packet and were not distributed before tonight.
Carl Smith: We are still allowing an open period for more surveys to be submitted.

PUBLIC COMMENT

Sylvia White: Submitted comment as e-mail to Planning Commission members on 9/22/14. Supports creating restrictions for recreational marijuana producing/processing in Rural Residential. Would like the County to ban more than 10 plants in Rural Residential. Perhaps the County should consider providing more Industrial zoning in more areas than just Glen Cove. Plans to attend the Moratorium Hearing on Monday.
Jefferson County Planning Commission

MEETING MINUTES

Tri-Area Community Center

October 1, 2014

COMPREHENSIVE PLAN UPDATE

FEMA Biological Opinion
Stacie Hoskins: Ready to request an approval from BOCC for a public hearing in Oct. DCD is already using “Door 3” to comply with the Biological Opinion required per the lawsuit.

Joint Land Use Study (JLUS)
Stacie Hoskins: First outreach meeting was conducted and a survey is available online.
Tom Brotherton: Was the “Laundry List” of issues for Jefferson County high?
Stacie Hoskins: Much of the areas of concern were suited for the Bremerton area.
Lorna Smith: Which jurisdiction is drafting the strategies and policies?
Stacie Hoskins: A private consultant is compiling the information with Jefferson County. The Navy is paying for the plan. Kitsap County is the primary recipient of the grant. The consultant works for Kitsap County. We will be pulling the recommendations that pertain to Jefferson County and will be required to go through the public process for any amendments.

Population Projections
Carl Smith: Our projections have changed based on the Office of Financial Management (OFM). The previous projection for 2024 was 40,000+ from back in 2004. The new projection for 2025 is 37,914.
Tom Brotherton: Shouldn’t we be prepared to exceed the current growth goals and attract people to the area?
Lorna Smith: The philosophy of the Growth Management Act is to prepare and accommodate for the projected growth rate.
Patricia Smith: If you read the survey results, it appears that may not be the goal of the citizens.

Affordable Housing
Stacie Hoskins: Anna Bausher is lead on the topic. The Port Hadlock Sewer project is top goal in order to provide housing. Kevin Coker is a part of our Shelter to Housing Network, which is modeled around Clallam County’s housing network. It looks at a range of housing options ranging from shelters to home ownership. Housing providers including OLYCAP and Habitat for Humanity are also a part of the group.
Tom Brotherton: Perhaps the County could consider allowing more than 1 ADU per property?
Stacie Hoskins: Per state law, the property owner must still live in one of the units, but we have not yet looked to see if more than 1 ADU is permitted by the state.
Lorna Smith: The Small Flows Journal provided information on low-interest loans for multi-family housing. Unsure if the journal is still being published.

Transportation Plan
Zoe Ann Lamp: The Quimper Transportation Plan and also the SR 19 Corridor Study done by DOT are important to be familiar with when updating the Comprehensive Plan. The BOCC recently adopted the 6-year Transportation Improvement Program (TIP) on 09/15/2014. It highlights the improvement projects expected to take place over the next 6 years and potential funding for the projects. 30% of the program expenditures is for non-motorized transportation.
Stacie Hoskins: Public Works has done well at implementing the improvements, such as the Olympic Discovery Trail and “Safe Routes to School”.
Zoe Ann Lamp: Public Works just applied for a grant to install sidewalks from the Chimacum Grange to HJ Carroll Park and also up Cedar Avenue. Met with the School Director of Transportation last week to discuss the plan. Other planned projects include West Valley Road culvert replacement is to allow a fish passage, South Discovery Road realignment, where a steep cliff has been wearing away, and a portion of Center Rd has required constant maintenance and the County plansto repave.
Tom Brotherton: Since the opening of the pot shop in Discovery Bay, off Uncas Rd, there has been 1 fatality and 1 accident. Is it possible to install a turn lane?
Jefferson County Planning Commission

MEETING MINUTES

Tri-Area Community Center

October 1, 2014

Stacie Hoskins: Applicants must pay for the impact of their development/project.

Zoe Ann Lamp: There are limited financial resources and I can supply you with the contact information for Washington State DOT for you to discuss this issue with them.

**Capital Facilities**

Stacie Hoskins: Tim Woolett is lead on these amendments. The list of proposed changes are in the packet.

**Essential Public Facilities**

Stacie Hoskins: Frank Gifford, of Jefferson County Central Services, will be working on this section of the Comprehensive Plan, and he originally drafted this Chapter in the 1998

**Climate Change**

Cindy Jayne: The line in/line out changes was created in anticipation of climate change and their impacts. Comprehensive Plans for other jurisdictions, including King County and City of Olympia were reviewed. The North Olympic RC&D was awarded a grant. The organization partnered with a consultant who specifically works in climate change and adaptation. The East Jefferson area will be benefitting from the grant, but not West Jefferson. Our first workshop will be scheduled in early November for determining vulnerable areas.

**County-Wide Planning Policies (CWPP)**

Carl Smith: The County will not be making changes to the CWPP, and will be adhering to the Plan when collaborating with the City of PT to determine the population projections.

**Agriculture in Critical Areas**

Carl Smith: DCD researched court cases with David Alvarez, Jefferson County Prosecuting Attorney, and provided them at the Aug 24th Agricultural workshop. Cheri Scalf, of WDFW, presented data at the meeting that indicated Chum and Coho runs have increased over the last 10 years. DCD will be providing the Planning Commission with a report.

**UDC AMENDMENTS**

**In-Lieu Fee Program**

Stacie Hoskins: The Hood Canal Coordinating Council led the way on this program, partnering with Jefferson County and Kitsap County. Donna Frostholm is the planner assigned to this topic. The developer/applicant pays into the program and Hood Canal Coordinating Council provides the "mitigation". DCD coming up with a list of improvements we would like to direct the monies toward.

Lorna Smith: Is this ILF proposed or already implemented?

Stacie Hoskins: The ILF program is already codified in JCC 18.25 Shoreline Master Program, and we would like to codify it in our Critical Areas Ordinance

Lorna Smith: Would like to discuss this subject further, as there are many drawbacks.

**MARIJUANA REGULATIONS**

Group discussion regarding the marijuana moratorium and state regulations. No action was taken.

Next Planning Commission meeting scheduled for 11/5/14 at 6:30 pm at the Tri-Area Community Center.

Adjourned at 8:18 pm

These meeting minutes were approved this __________ day of __________________________, 2014.

_____________________________ ________________________________
Kevin Coker, Chair Elizabeth Williams, PC Secretary/Administrative Clerk
TO: Planning Commission

FROM: Joel Peterson, Associate Planner

DATE: October 27, 2014

RE: Staff Update for November 5 Meeting: Joint Land Use Study (JLUS) Results from Workshop and Survey 1

JLUS Results:

You are being provided with a summary of results from Workshop & Survey 1 of the Joint Land Use Study (JLUS). This is an 18-page color document dated 10/10/2014 from MAKERS Architecture and Urban Design.

The document summarizes data collected from an Issues Identification workshop conducted in each of Jefferson and Kitsap counties, and from an online survey. It organizes issues information about the community and Navy in general, by Navy installations, demographics of respondents, and analyzes weighted responses to various issues.

Note: The report primarily uses a “stacked bar chart” format for displaying data. All responses to a question = 100%. The percentage of an individual response category is measured by the amount of that color on the scale. The colors are in the same order. This allows you to visually scan and quickly see relative importance and strength of response per question.

JLUS Talking Points:

- The majority of survey respondents perceived Navy installations as a valuable asset to their region; and saw bases as having a positive effect on the local and regional economy.
- Issues specific to Naval Magazine Indian Island (NAVMAG II) include: concern about safety; recreational boating/fishing/crabbing; communication between NAVMAG II & public; preservation of cultural resources.
- The JLUS is being conducted to provide planning strategies for compatible development with the Navy and surrounding communities. Results are implemented in the Comp. Plan update.
- The Growth Management Act mandates planning between military installations and surrounding communities.

Items for Planning Commission action:

1) We welcome you to please visit our project website: www.kiijlus.com

2) In January 2015, a Draft Conflict Resolution Strategies document will be posted for a 30-day public comment period. This document will incorporate the issues identified in the materials you just received, and propose draft Conflict Resolution Strategies. The draft will be made available to you during the comment period for your review & comment.

3) There will be a second workshop series and survey conducted in May (to be announced) to gather public input on the Final Resolution Strategy Recommendations and Report. You are all encouraged to attend.

Future JLUS Work Plan Elements & Timeline:

- Current Conditions Write-up (October/November, 2014)
- Conflict Analysis (November, 2014)
- Final Resolution Strategies (February/March, 2015)
- Final JLUS Report (June, 2015)
Survey 1 Results

Survey 1 was open online from September 3 to October 2, 2014, and 254 people responded. The survey asked participants about their demographics, familiarity with Naval Base Kitsap (NBK)—Bremerton, Bangor, Keyport, Jackson Park and Hospital, and Camp Wesley Harris—and Naval Magazine Indian Island (NAVMAG II), and how the Naval presence—in terms of quality of life and economic impacts—affects them.

Key Takeaways

Who responded?
Participants represented the study area fairly well in terms of where they live and work, with the most densely populated zip codes presenting the most respondents. Marrowstone Island had a slightly greater than representative response rate for its population. The bulk of respondents are long-time residents (over 10 years), and over half have worked in the area over 10 years. Only 7 of the 254 respondents currently live on a Navy installation, but nearly one-third work or have worked on a Navy base, most of whom work(ed) on Bremerton or Bangor.

Perceptions of Naval Installations
Survey 1 showed a strong positive perception of the Naval installations included in this Joint Land Use Study project. Seventy percent of respondents believed that the Navy is a valuable asset to their region, and the vast majority saw all bases—especially Bremerton, Bangor, and Keyport—as having a positive effect on the local and regional economy. Most people believed the bases have both positive and negative, positive only, or no effects on their quality of life.

In general, participants were more familiar with NBK-Bremerton and NBK-Bangor and felt they were the most impactful in both positive and negative ways. Respondents were least familiar with NAVMAG II. All installations but Camp Wesley Harris were perceived to have “very important” missions, and even Camp Wesley Harris’s mission was seen as “important.”

Issues Identification
The survey asked participants to rate “issues” that were identified through project partner interviews on a range from “completely acceptable” to “unacceptable” and to add their comments and additional items. Issues that were rated “somewhat unacceptable” or “unacceptable” by more than 15% of the respondents are highlighted below.

NBK-Bremerton
Over one-third of participants perceived NBK-Bremerton as having both positive and negative impacts on their quality of life, and just under one-third saw only positive impacts. The most concerning issues included:

1. **Amount of available parking.** Notably, parking around Bremerton is the only issue on the survey that scored in the negative range, with a slight majority of people indicating that it is somewhat or completely unacceptable.

2. **Amount of automobile traffic** was the second-most concerning issue (although scoring overall on the positive side), and the open-ended responses honed in on a variety of traffic issues with an emphasis on Gorst.

3. **Natural habitats conservation** was the third most-concerning issue. Five people also commented on environmental issues, while one noted many positive environmental steps the Navy has taken.
Communication between NBK-Bremerton and the public nearly tied with item 3 above, and three comments suggested better notification regarding drills, noises, and carrier dockings.

Comments emphasized that NBK provides living wage jobs and is an economic driver for the region. Other issues raised in the comments include the impact of the Navy’s parking garage on neighbors, fears over a rumored “buffer zone,” transience in schools, and appreciation of Navy amenities (e.g., PXs and commissaries).

**NBK-Bangor**

Like Bremerton, about a third of respondents felt that NBK-Bangor has a positive and negative impact on their quality of life, and just under a third perceived only positive impacts. One-fifth believed it does not impact them. The most concerning issues (again, these all score positively overall, and even more so than the top Bremerton issues) were:

1. **Conservation of natural habitats**, with three comments addressing ways the Navy and Kitsap County could better address environmental issues,
2. **Communication between NBK-Bangor and the public**, especially regarding traffic delays at the Hood Canal Bridge,
3. **Recreational boating, fishing, sea plane flying, etc.**, with one comment on reduced public access to water and land,
4. **Amount of automobile traffic**, with other comments related to the base gates, bridge closings, speeding motorists, and a dangerous intersection, and
5. **Preservation of cultural resources**. Other comments did not address this, so some exploration is needed to understand if participants were primarily referring to Tribal cultural and religious resources or other historic architectural.

Other comments reported on NBK-Bangor as an economic driver for the region, its amenities for the retirement community, and the sense that nuclear capabilities increases risks for the community.

**NBK-Keyport**

Fewer than 18% of respondents rated any NBK-Keyport issues as somewhat acceptable or unacceptable. The most concerning issues (although overall, not seen as issues) included:

1. **Conservation of natural habitats**, with comments both touting the Navy’s environmental stewardship and voicing concern over rumored unreported oil spills,
2. **Recreational boating, fishing, sea plane flying** etc, and
3. **Communication between NBK-Keyport and the public**, with one comment expressing concern over Navy secrecy.

A few respondents commented that the underwater museum is a wonderful educational resource, and the Navy’s role in maintaining economic stability in the region was reiterated here.

**NAVMAG-Indian Island**

Less than half the respondents completed the question on NAVMAG II issues; 40% noted that NAVMAG II does not impact them and 28% were unsure. Of those who responded, 55% believed it has positive economic impacts, and 12% believed it has negative economic impacts (interestingly, this is the greatest number of responses for the negative alone option of all the bases). The issues of most concern include:

1. **Sense of safety**, with five comments related to fear of ordnance storage and handling, as well as two concerns over the base being a target for enemy attack,
2. **Recreational boating, fishing, crabbing, sea plane flying, etc.** with one respondent noting a hindrance to sailing in Port Townsend Bay,
3. **Communication between NAVMAG II and the public**, with two participants commenting that they would like more information on the potential risks in the area, and

4. **Preservation of cultural resources.**

In addition, three people voiced concern over contaminants entering the water.

### Full Survey Responses

#### Live/Work Demographics

In what zip code do you **live**?

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**Number of respondents by jurisdiction:**
- Kitsap County (excluding Bremerton): 112
- City of Bremerton: 84
- Jefferson County: 48
- Other: 7
- Skipped Question: 3
In what zip code do you work?

Number of respondents by jurisdiction:
- Kitsap County (excluding Bremerton): 75
- City of Bremerton: 66
- Jefferson County: 37
- Other location (e.g., Seattle, Olympia, Everett): 26
- Skipped Question: 3

47 respondents (14%) noted that they are retired.
The majority of respondents are long-time residents (more than 10 years) of the area, and over half of all respondents have worked at their current location for more than 10 years. The remaining respondents are split relatively evenly in the other three categories for both live and work duration.

Do you live on a Navy installation?

Of the 254 respondents, only 7 live on base (3 on NBK Bremerton, 3 on NBK Bangor and 1 in Jackson Park).
Association with Navy

Do you currently work or have you worked in the past on a Navy installation?

Nearly one third of respondents currently work or have worked on a Naval base in the past.

At which Navy installation do you or have you worked?

Of the 77 respondents who work(ed) at a Navy installation, most are or were at NBK Bremerton and NBK Bangor. Other responses included Hawaii, Seattle, San Diego, Japan, Guam, Portland, and others.
Positive and Negative Impacts of Naval Installations

Does Naval Base Kitsap or NAVMAG II impact you or your community’s quality of life (e.g., increases economic opportunity, causes traffic or other nuisances, preserves natural environment, etc.)?


Respondents perceived Bremerton, followed by Bangor, as having the greatest impact—both positive and negative, with greater perceived positive than negative alone—on quality of life. For Keyport and NAVMAG II, the most common answer was that these installations have no impact on their quality of life. Respondents are least familiar with NAVMAG II, and NAVMAG II tied with Bremerton on the most votes for negative impacts.
How would you characterize Naval Base Kitsap or NAVMAG II’s impact on the local and regional economy? (number of respondents: Bremerton: 192, Bangor: 164, Keyport: 99, NAVMAG II: 75)

Participants see the bases, particularly Bremerton and Bangor, as having a positive impact on the economy, with some people noting both positive and negative impacts. Only a few respondents noted negative economic impacts (less than 10 in regards to each base), and again, respondents are least familiar with NAVMAG II.

Navy as a regional asset

Are you familiar with the Navy's mission on the installations?

Over half of respondents said they are familiar with the Navy’s mission at Bremerton and Bangor. For Keyport, Jackson Park and Hospital, NAVMAG II, and Manchester, 38-46% of respondents are familiar with the Navy’s mission. Respondents were least familiar with the mission at Camp Wesley Harris.
How important do you think the Navy's mission is at these installations?

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<tr>
<th>Installation</th>
<th>Important</th>
<th>Very Important</th>
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<tr>
<td>NBK-Bremerton</td>
<td>2.70</td>
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<tr>
<td>NBK-Bangor</td>
<td>2.70</td>
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<tr>
<td>NBK-Keyport</td>
<td>2.60</td>
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<td>NBK-Manchester</td>
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<td>NBK-Jackson Park and Hospital</td>
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<tr>
<td>Naval Magazine Indian Island</td>
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<tr>
<td>NBK-Camp Wesley Harris</td>
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Respondents were asked to rate the importance of the Navy’s mission at each of the installations as not very important, important, and very important, which corresponded to respective values of 1, 2, and 3. All installations were seen as important, and all but one as very important.

Is the military presence in the study area a valuable asset to your community?

- Yes, 70%
- No, 6%
- Neutral/unsure, 24%

Do you benefit financially from NBK or Naval Magazine Indian Island?

- Yes, 28.2%
- Neutral/unsure, 15.0%
- No, 56.8%

Issues Identification

The following series of charts shows the community’s view of the issues identified during project partner interviews. The charts combine the online Survey 1 results with the Workshop Series 1 posters feedback. 254 people responded to the online survey, and approximately 25 people attended the workshops. Open-ended responses to naval installation impacts on them or their community are summarized with a number in parentheses indicating the number of respondents who raised the issue.
**NBK-Bremerton Issues**

How would you rate the following matters currently related to the areas around NBK-Bremerton? (185 respondents)

The following issues are ranked in order of the most concerning to participants to least concerning. Note that all except parking received more completely acceptable (dark green) and somewhat acceptable (light green) votes than the neutral (blue) and negative (brown and red) categories.
Other Bremerton responses

- Generates living wage jobs, positive economic influences (8)
- Parking and traffic (would like to see base contribute to infrastructure and contain impacts to base) (7)
  - Gorst traffic should be #1 priority (3)
  - Build bridge across Sinclair Inlet to help alleviate Gorst traffic
  - Speeding at Gorst, National and Kitsap Way (and running red lights)
  - High safety risk for car and non-motorized transportation
  - Busses too full to pick up non-Navy during half the day
  - Upgrade Highway 16 south to accommodate more vehicles afternoon peak
  - Stagger shifts more
  - Manette Bridge choke point – add roundabout
  - More carpooling and commuter busses needed
  - Coordinate stop lights better, especially at Burwell Street and Park Ave
  - NBK Bremerton needs an additional parking structure
  - Belfair needs a high speed truck bypass
  - Dust from traffic
- Heavy metals in water, pollution, accumulated environmental impacts (5)
- Light pollution (parking garage, streets, etc.) (4)
- Better communication (notification of carrier dockings, security drills, alarming noises, etc.) (3)
- Parking garage impact on neighbors (noise, speeding drivers, lowered property values) (2)
- Fears over rumored Gregory Way “buffer zone” (2)
- Noise (loudspeakers, nighttime drills, sea lions?) (2)
- Transience in schools – hard to predict movement when crews/staffing change (2)
- Makes area target for hostile attack (2)
- Navy communicates well with the community (2)
- Off limits bottom fish, shell fish, clams, oysters
- Reduces public access to land and water
- Recognition of environmental efforts by Navy
- War based industry
- Barricade at end of Shorewood Drive blocks path and prevents residents’ interaction
- Camp Wesley Harris – eyesore
- Pressure on low-income housing and services from Navy personnel
- Navy supports the retirement community
- Bad for the image of Bremerton
- Would Navy release security camera footage if a robbery took place in the alley facing the base?
- Community members use the PXs and commissaries
- Motorists littering
NBK-Bangor Issues

How would you rate the following matters currently related to the areas around NBK-Bangor? (160 respondents)

The following issues are ranked in order of the most concerning to participants to least concerning. Note that all received more completely acceptable (dark green), somewhat acceptable (light green), and neutral (blue) votes than the negative (brown and red) categories.

![Percentage of Responses Diagram]

- Conservation of natural habitats
- Communication between NBK-Bangor and the public
- Ability to take a boat out, go fishing, crabbing, etc., or fly a sea plane
- Amount of automobile traffic
- Preservation of cultural resources
- Sense that I, my property, or my home are safe
- Ability to develop property
- Ability to find housing
- Ability to fly private aircraft (other than sea planes)
- Glare from structures on or related to the base
- Noise levels around the base
- Amount of available parking
- Response time of emergency vehicles
- Ability to run a business

Legend:
- Completely acceptable
- Somewhat acceptable
- Neutral/not applicable
- Somewhat unacceptable
- Unacceptable
- Not sure/don’t know
Other Bangor responses

- Economic driver for region (5)
- Hood Canal Bridge delays and lack of notification (4)
- Nuclear capabilities puts community at risk (3)
- Benefit to retired community (2)
- Transportation:
  - Driver behavior: speeding on the highway and at Trigger Gate
  - Traffic at main gates
  - Better scheduling of bridge openings
  - Dangerous at Greaves Way and Highway going south in Silverdale
- Environmental:
  - Kitsap County prioritizes economy over the environment
  - Navy should participate more in Clear Creek restoration, especially with fish culvert issues, and Trident pond discharge
  - More transparency on underwater testing effects on marine mammals
  - Appreciation for easement blocking commercial development in nearby waterfront
  - Concerns over pit-to-pier development—impacts boating access, bridge, pollution
  - Reduces public access to land and water
  - Target for foreign enemies
  - Negative effect on schools (transient population with single-parent households for much of the time)
  - Nighttime light pollution
  - PX and Commissary are used
  - Keyport Museum is asset to community
  - War-based industry
  - Military spouses take jobs even when not needed, lowering overall acceptable wages in the community
  - Smell of diesel when ships are in canal
  - Disclose information about accidents that could impact the community
  - Navy should coordinate with City of Poulsbo on UGA—do not allow it to expand
NBK-Keyport

How would you rate the following matters currently related to the areas around NBK-Keyport? (98 respondents)

The following issues are ranked in order of the most concerning to participants to least concerning. Note that all received more completely acceptable (dark green), somewhat acceptable (light green), and neutral (blue) votes than the negative (brown and red) categories.

- Conservation of natural habitats
- Ability to take a boat out, go fishing, crabbing, etc., or fly a sea plane
- Communication between NBK-Keyport and the public
- Ability to develop property
- Preservation of cultural resources
- Amount of automobile traffic
- Glare from structures on or related to the base
- Sense that I, my property, or my home are safe
- Ability to fly private aircraft (other than sea planes)
- Response time of emergency vehicles
- Ability to find housing
- Ability to run a business
- Amount of available parking
- Noise levels around the base
Other Keyport responses

- Underwater museum is a wonderful educational resource (3)
- Economic stability
- Appreciation for preserved open space/wildlife habitat on Keyport
- Example of great environmental stewardship on Navy’s part
- Environmental issues (unreported oil spills)
- Nighttime glare from lighting
- Survey oversimplifies issues
- Concerns over Navy secrecy
Naval Magazine Indian Island

How would you rate the following matters currently related to the areas around NAVMAG II? (76 respondents)

The following issues are ranked in order of the most concerning to participants to least concerning. Note that all received more completely acceptable (dark green), somewhat acceptable (light green), and neutral (blue) votes than the negative (brown and red) categories, with a strong recognition of conservation of natural habitats at NAVMAG II.

![Percentage of Responses](chart.png)

- Sense that I, my property, or my home are safe
- Ability to take a boat out, go fishing, crabbing, etc., or fly a sea plane
- Communication between Naval Magazine Indian Island and the public
- Preservation of cultural resources
- Conservation of natural habitats
- Ability to develop property
- Ability to find housing
- Ability to fly private aircraft (other than sea planes)
- Glare from structures on or related to the base
- Response time of emergency vehicles
- Amount of automobile traffic
- Noise levels around the base
- Ability to run a business
- Amount of available parking
Other Indian Island responses

- Fear of ordnance storage and handling (accidental detonation) (5)
- Keep pollution/contaminants from entering water (3)
- Worry about living near place with risk of tactical strike against U.S. (2)
- Would like more information about potential risks (2)
- Transportation:
  - Marrowstone needs safe walking and biking path along Flagler Road – would like space between roadway and fence
  - Traffic impacts during exercises
  - Prospect Ave/SR 19 intersection is dangerous; needs better pullout for buses and bike infrastructure
  - Oak Bay Road needs better maintenance
- Positive: preserves open space and wildlife habitat
- Hinders ability to sail in Port Townsend Bay
- War-based industry
- Potential for toxic spills
- Interrupts satellite dish server
- Appreciate Navy’s good work

Communication

Where do you get most of your information about the Navy installations?

Respondents received Navy installation-related information from a variety of sources. Over half of respondents get their information through word of mouth (the top three categories), with roughly ¼ of respondents receiving information either from the media or directly from someone working on an installation. The responses for the “other” category are summarized below.

- Multiple sources (9)
- Employment with navy (5)
- Retired Navy (4)
- Other employment (4)
- From the navy (2)
- Online (2)
- Regulatory (1)
- Base visit (1)
Future workshops

Would you attend a community workshop about the JLUS?

47% of respondents expressed interest in attending a community workshop (responses for “Yes” and “I will try”). 41% were unsure, and 12% would not attend a workshop.

What time is best for you to attend a community workshop?
One important element of the Comprehensive Plan update is the Housing Element, particularly addressing affordable housing.

Information contained in Chapter 5: Housing Element of the Comprehensive Plan is largely supported by data. The majority of the data found in Chapter 5 is proposed to be updated based off of the 2010 Census data ensuring the use of best available information. This 2010 data will replace the data being used from 1990. Any additional sources for statistics in relation to updating the statistics in this section is welcomed.

The Housing Action Plan adopted by the Jefferson County Board of County Commissioner on November 6, 2006 by Resolution No. 69-06 and an amendment to the plan on July 9, 2007 by Resolution No. 59-07, contains a broad range of strategies for affordable housing. DCD staff has drawn information from the Housing Action Plan in support of the goals outlined in these strategies. Proposed draft language in support of suitable goals in relation to the County's capacity has been incorporated in the Comprehensive Plan Update.

Staff looks forward to discussing this topic with the Planning Commission at the November 5th meeting.
PURPOSE

The purpose of the Housing Element is to assess future needs for housing in Jefferson County by examining existing residential patterns, demographic trends and projected population growth. Based upon these identified needs, policies are recommended to encourage safe, affordable and decent housing options for all County residents, consistent with the requirements of the Growth Management Act.

RELATIONSHIPS WITH OTHER ELEMENTS OF THE PLAN

Because of the existence of complex housing issues, several other elements of the Plan analyze specific aspects of these issues and propose methods to address them. However, this Element addresses the full range of housing challenges and opportunities that will confront Jefferson County over the 20-year planning period, while integrating the specific perspectives and methods from other elements that address housing. These other elements are referenced where appropriate throughout the goals, policies and strategy sections to support and enhance the techniques that have been developed in other elements.

HOUSING BACKGROUND AND EXISTING CONDITIONS

Introduction

The first step in assessing the present and future housing requirements of Jefferson County is to analyze the characteristics of its existing and projected population, including age, household size, income, location and special needs. These characteristics provide an indication of the nature of the demand for housing over the 20-year planning period. The population of Jefferson County is given as 26,299 in 2000 and 29,872 in 2010 and is projected to increase by approximately 13,840 people by the year 2024.

The second step in assessing the housing requirements of County residents is to analyze the characteristics of the existing and expected housing supply, including location, size, cost, and condition.

By comparing the needs of the population to the available housing stock, gaps in the housing market can be identified.

1. Where to direct population growth given environmental constraints, the cost of providing public services, and the requirements of the Growth Management Act;
2. How to ensure that a range of housing types and prices are available; and,
3. How to maintain and enhance the vitality and character of established rural residential neighborhoods.
Demographics

Past and present trends in demographics are the starting point for considering housing demand issues. These characteristics determine housing amounts, types, age, distribution, and price needed to shelter the Jefferson County population.

Population and Household Growth

While population growth is the most important indicator of increased demand for the majority of goods and services, demand in housing markets is driven by the number and types of households that are competing for the available housing stock. Growth in population and households are related, but not identical.

The number and types of households in a community are important indicators of the scale and nature of the housing needs of the community. A household includes all people living in one housing unit, whether or not they are related.

An assessment of the present and future demand for housing in Jefferson County should be based upon household growth, not population growth. Household size in Jefferson County has been decreasing steadily for the last two decades.

Household Size and Type

Table 5-2 illustrates that the majority of households are two persons or less based upon the 2000 Census data. Nearly seventy percent (69.5%) of Jefferson County households were comprised of one or two persons. Less than seven percent (6.5%) of households were larger than four persons.

<table>
<thead>
<tr>
<th>Persons per Household</th>
<th>Percent of Households</th>
<th>Percent of Family Households</th>
<th>Percent of Non-Family Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>28.5% 32.2</td>
<td>N/A*</td>
<td>82.5%</td>
</tr>
<tr>
<td>2</td>
<td>44.3% 45.9</td>
<td>58.9%</td>
<td>15.6%</td>
</tr>
<tr>
<td>3</td>
<td>12.7% 10.7</td>
<td>18.7%</td>
<td>1.3%</td>
</tr>
<tr>
<td>4</td>
<td>9.3% 6.8</td>
<td>14.3%</td>
<td>0.4%</td>
</tr>
<tr>
<td>5</td>
<td>3.4% 2.6</td>
<td>5.5%</td>
<td>0.2%</td>
</tr>
<tr>
<td>6</td>
<td>1.2% 1</td>
<td>1.9%</td>
<td>0.0</td>
</tr>
<tr>
<td>7+</td>
<td>0.6% .8</td>
<td>0.7%</td>
<td>0.0</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

* One person households are automatically considered non-family. *Data based from 2010 Census

This small household size has important implications for analyzing and determining future housing demand. Smaller households mean greater competition for housing resources. However, these households require smaller housing units to meet their needs, which could present opportunities for alternative affordable development techniques and housing types.

The decrease in household size is due in large part to demographic trends within the population of Jefferson County. An aging population, combined with in-migration of retired persons, has resulted in significant changes to the types of households in the housing
market. The median age in Jefferson County is 47.54. This helps to explain why the majority of households are comprised of one or two persons, because this is about the time when the children leave home. The Master Planned community of Port Ludlow accommodates a significant number of seniors who in-migrate from other counties and, in some cases, from other states.

As further discussed in the Special Needs Housing section below, this growing number of senior households will have significant effects on future housing needs in Jefferson County.

**Household Income**

The relationship between household income and housing cost is the main factor affecting the ability of Jefferson County residents to afford adequate housing. As discussed in the Jefferson County Economic Assessment (2003), by Dr. Paul Sommers, real wages have been steadily declining. Over the period 1970-2000, real wages, adjusted for inflation, have decreased twenty-seven percent (27%).

Housing costs have increased significantly over this same period. Therefore, the decline in real wages has had serious implications for the affordability of housing in Jefferson County. Because housing costs have been appreciating at a faster rate than wages, households must spend larger percentages of their income on shelter.

Not surprisingly, in a housing market, income determines the type and size of housing that a household can obtain. When household income increases, housing consumption increases. Generally, upper income households spend a smaller percentage of their incomes on housing costs, although the amount they spend on housing costs may be greater. Conversely, the lowest income households are most likely to be paying the most for shelter relative to their incomes.

Despite difficulties in collecting income data, this information is important because it can be used to calculate median household income. Median income is defined as the mid-point of all of the reported incomes. That is, if the reported incomes were sorted by amount, half the number of households had higher incomes and half had lower incomes than the median. Median household income is used because the median is less susceptible to being influenced by a small number of very high or very low incomes than average income.

In 1997-2000, Jefferson County’s median income was estimated to be $30,987 $37,869. The 2000-2010 Census estimated the median County income to be $37,869 $46,870. The relatively high median income for a rural county such as Jefferson County reflects the influx of a large number of financially secure retirees with transfer payments.

The definitions of very low, low, and moderate income households are established by the U.S. Department of Housing and Urban Development (HUD). These income levels are based on fixed percentages of the area’s median income for a household of four. These categories are used to evaluate and prioritize the relative housing needs of income groups that may require housing assistance.

**Housing Stock**

Past and present trends in the housing stock are the starting point for considering housing supply issues. The housing stock in Jefferson County is the total of all occupied and vacant habitable housing units.
Inventory and Type

Table 5-3 illustrates the number and type of housing units in Jefferson County based upon the 2000-2010 Census data.

<table>
<thead>
<tr>
<th>Type of Housing</th>
<th>Number of Units</th>
<th>Percent of Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detached</td>
<td>10,181</td>
<td>72.0%</td>
</tr>
<tr>
<td>Attached</td>
<td>252</td>
<td>1.8%</td>
</tr>
<tr>
<td>Total Single Family</td>
<td>10,433</td>
<td>73.8%</td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 to 4 Units</td>
<td>465</td>
<td>3.3%</td>
</tr>
<tr>
<td>5 to 9 Units</td>
<td>160</td>
<td>1.1%</td>
</tr>
<tr>
<td>10 or More Units</td>
<td>1,117</td>
<td>7.9%</td>
</tr>
<tr>
<td>Total Multi-Family</td>
<td>17,691</td>
<td>73.4%</td>
</tr>
<tr>
<td>Mobile, Manufactured</td>
<td>2,177</td>
<td>15.4%</td>
</tr>
<tr>
<td>Boat, RV, van, etc.</td>
<td>417</td>
<td>2.9%</td>
</tr>
<tr>
<td>Total for Rural County</td>
<td>14,144</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Data based from 2010 Census*

The majority of housing units in unincorporated Jefferson County are single family structures, which corresponds to the County’s rural nature. Single family structures are traditionally the least affordable housing type. As a result of the relatively small percentage of multi-family units, mobile and manufactured homes are a major source of affordable housing in the County. Most mobile and manufactured homes are sited on small parcels, which further reduces the cost of this housing type. In 1993, over thirty seven percent (37.3%) of building permit activity in Jefferson County was for mobile and manufactured homes.

It should be noted that the Census information does not differentiate between mobile homes and manufactured homes. Manufactured housing units are distinguished from mobile homes because they are more durable and less mobile in nature. Once manufactured housing units are sited, they are rarely moved. Additionally, manufactured housing meets HUD standards, which makes it possible to get a loan to purchase a manufactured home and the land on which it is sited.

Housing Tenure

Perhaps the most striking feature of the occupancy information is the amount of seasonal housing units. By Census definition, seasonal units are not available for long-term rental or owner occupancy. That is, they are not considered available in the housing market. Therefore, if these units are removed from the category of vacant units, the vacancy rate in Jefferson County is six percent (6%). A five percent (5%) vacancy rate is considered a healthy factor that allows the normal and efficient functioning of the housing market.
However, this vacancy rate is predicated on the assumption that “other” vacant units are available for long-term rental or owner occupancy in the housing market. This may not be a valid assumption due to the lack of specificity in the Census definition of this term. If the “other” vacant units are not included in the available market supply of housing units, the vacancy rate decreases to two percent (2.0%). A vacancy rate at this level would result in significant inflation in housing costs until the market responded by producing additional supply.

**Housing Costs**

As noted above in the Household Income section, there are two components to housing affordability: household income and housing cost. While household incomes have been steadily declining over the past twenty-five years as measured in terms of real wages, housing costs have been increasing significantly. This is true for nearly every region of the country, and Jefferson County is no exception.

There has been a steady increase in the price of used single family homes and a steady series of fluctuations in the price of new single family homes. New home prices are driven by a number of factors for which used home prices are not affected. This includes, but is not limited to, labor and materials costs, permitting costs, land costs and costs of meeting regulatory requirements. One of the most significant factors in increased costs of new housing construction is the lack of developable land purchase price for acquiring raw land and development costs associated with construction, mitigation, and other soft costs. This is particularly true in a region that is as physically and topographically constrained as the Olympic Peninsula. Many areas of Jefferson County are not suitable for development because of environmentally sensitive areas such as wetlands, aquifer recharge areas, steep slopes, and poor soils for structures and drainage. Because of the rural nature of the County infrastructure is minimal, and land development costs must include roads, drainfields, utility extensions, and other off-site improvements. These costs are passed on to the consumer, resulting in increased housing costs, which can put home ownership beyond the reach of many residents.

It is important to note that because of the historic character of Port Townsend, many of the older houses have been extensively renovated, restored and updated; putting them out of reach financially to most buyers.

**Affordability**

Housing affordability is based upon housing cost and household income. In order to develop policies and implementation strategies that address both components of affordability, Jefferson County should create functional linkages between housing and economic development strategies. These linkages can take two forms:

- The wage/housing balance is the relationship between the income earned by people and the price of housing. Ideally, there are a sufficient number of housing units affordable to all levels of wage earners.

- The jobs/housing balance is the relationship between the location of jobs and the location of housing. Ideally, residences are developed in locations that are convenient to their jobs.
This Housing Strategy calls for compact rural development within Quilcene and Brinnon provided there is adequate infrastructure to accommodate the additional population. Port Ludlow and the Irondale/Hadlock UGA, because of their infrastructure can support higher densities. These locations can be successful for affordable housing developments because they have a traditional pattern of mixed, urban type land uses.

However, increasing development in established communities also is likely to result in loss of existing low-cost housing, either through demolition or through upgrades of buildings and neighborhoods.

Cost Burden

Based upon the definition recommended by the U.S. Department of Housing and Urban Development, Jefferson County defines cost burden as the extent to which gross housing costs, including utilities, exceed thirty percent (30%) of gross household income. This is the threshold at which the cost of shelter typically becomes a financial hardship, reducing the amount of income available for other necessary expenses such as food, medical care, and clothing.

<table>
<thead>
<tr>
<th>Table 5-4.3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Percentage of Income for Housing</strong></td>
</tr>
<tr>
<td><strong>(Numbers of Households and Percentage of Total)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Renters</th>
<th>Owners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 20%</td>
<td>703, 33%</td>
</tr>
<tr>
<td>20% to 24%</td>
<td>251, 12%</td>
</tr>
<tr>
<td>25% to 29%</td>
<td>248, 12%</td>
</tr>
<tr>
<td>30% to 34%</td>
<td>168, 8%</td>
</tr>
<tr>
<td>35% or more</td>
<td>550, 26%</td>
</tr>
</tbody>
</table>

*Data based from 2010 Census*

If a significant number of households spend more than thirty percent of their incomes on housing, it can have negative effects on other sectors of the economy. That is, if limited resources are over-allocated to housing, it comes at the expense of other economic sectors and a diversified economy. This relationship between affordable housing and a healthy economy is fundamental to the quality of life in Jefferson County.
**Current Levels of Affordability**

Table 5-6.5 shows the ranges of housing affordability for six income groups based upon the 2000 and 2010 Census median income of $37,869 to $46,870 in Jefferson County.

### Table 5-6.5 Housing Affordability Levels by Income Group

<table>
<thead>
<tr>
<th>Income Group</th>
<th>Definition</th>
<th>Annual Household Income</th>
<th>Affordable Monthly Housing Cost</th>
<th>Affordable Monthly Rent</th>
<th>Affordable Mortgage Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low Income</td>
<td>Less than 30% of Median</td>
<td>$0-11,361 to $14,061</td>
<td>$0-284 to $351</td>
<td>$0-220 to $272</td>
<td>$0-185 to $228</td>
</tr>
<tr>
<td>Very Low Income</td>
<td>31% to 50% of Median</td>
<td>$11,361-18,935 to $14,530-23,435</td>
<td>$285-473 to $363-586</td>
<td>$227-379 to $289-469</td>
<td>$192-320 to $244-396</td>
</tr>
<tr>
<td>Low Income</td>
<td>51% to 80% of Median</td>
<td>$18,936-30,295 to $23,904-37,496</td>
<td>$474-757 to $598-937</td>
<td>$391-625 to $493-773</td>
<td>$331-530 to $418-656</td>
</tr>
</tbody>
</table>
HOUSING ELEMENT

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Percentage</th>
<th>Median Income</th>
<th>Housing Cost Range</th>
<th>Utilities, Insurance,</th>
<th>Associated Costs Range</th>
<th>Utilities, Insurance,</th>
<th>Associated Costs Range</th>
<th>Additional Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderate</td>
<td>81% to 95% of Median</td>
<td>$30,296-$35,976</td>
<td>$37,965-$44,527</td>
<td>$378-$552</td>
<td>Greater than $45,444</td>
<td>Greater than $1,136</td>
<td>Greater than $994</td>
<td>Greater than $880</td>
</tr>
<tr>
<td>Middle</td>
<td>96% to 120% of Median</td>
<td>$35,977-$45,443</td>
<td>$44,995-$54,532</td>
<td>$490-$686</td>
<td>Greater than $45,444</td>
<td>Greater than $1,136</td>
<td>Greater than $994</td>
<td>Greater than $880</td>
</tr>
<tr>
<td>Upper</td>
<td>Greater than 121% of Median</td>
<td>Greater than $45,444</td>
<td>Greater than $56,713</td>
<td>$620-$814</td>
<td>Greater than $45,444</td>
<td>Greater than $1,136</td>
<td>Greater than $994</td>
<td>Greater than $880</td>
</tr>
</tbody>
</table>

*Data based from 2010 Census*

In order to determine levels of affordability, the following conservative assumptions were made regarding housing cost structure:

- As discussed in the *Cost Burden* section above, affordable monthly housing cost is equal to thirty percent (30%) of monthly household income.
- Utilities, insurance, and associated costs range from 12.5 to 25 percent of monthly housing costs for renter-occupied housing, declining by 2.5 percent per income group. This reduces the amount available for rent accordingly.
- An affordable purchase price depends heavily on interest rates, amount for down payment, and qualifying for a mortgage from a lender. Securing financing for a home mortgage with an income below the poverty level may not be realistic. The additional costs for homeownership have been included (see above) for calculating an affordable monthly payment.
- Property taxes, utilities, insurance and associated costs range from 22.5 to 35 percent of monthly housing costs for owner-occupied housing, declining by 2.5 percent per income group. This reduces the amount available for principal and interest payments accordingly.

Affordable purchase price is based upon a fully amortizing 30-year mortgage at 9 percent interest with no down payment.

HOUSING RESOURCES

Assisted Housing

The U.S. Department of Housing and Urban Development Section 8 Rental Certificate program, a publicly funded housing support program, is administered locally by the Housing Authority of Jefferson County. The program has four objectives:

1. To provide improved living conditions for very low-income families (50 percent of area median income) while maintaining their rent payments at an affordable level;
2. To promote freedom in housing choice and spatial deconcentration of lower income and minority families;
3. To provide decent, safe, and sanitary housing for eligible participants; and,
4. To provide an incentive for private property owners to rent to lower income families by offering timely assistance payments and protection against unpaid rent, damages and vacancy loss.

The Section 8 program issues Rental Certificates to income eligible households. In order to insure accommodations to households of different sizes, Section 8 Certificates are issued
based upon the number of bedrooms required to house a family without overcrowding. Once a Certificate is issued, the household is required to find a rental unit on the open market. The unit is then evaluated by the Housing Authority based upon the following criteria:

- The landlord must be willing to participate in and abide by the rules of the Section 8 program.
- The rent, minus a utility allowance, must be within the Fair Market Rent guidelines for the bedroom size of the Certificate issued to the household. Fair Market Rents are determined by HUD for the area based upon annual surveys.
- The rental unit must pass HUD’s Housing Quality Standards to ensure safe and decent shelter.

Once these criteria are satisfied, the household pays thirty percent of their adjusted income for rent, minus a utility allowance. The balance of the rent is paid by the Section 8 program.

**Special Needs Housing**

Some residents of Jefferson County require modified housing units or special services in order to live independently. Others require group home or institutional care. While some of these individuals have the resources and abilities to take care of their housing needs, many do not. In order to serve these special housing needs, an assessment of existing programs was conducted to analyze the scale of need, determine available resources, and identify potential gaps in the delivery system.

The study of special needs housing in Jefferson County included the mentally ill, the developmentally disabled, people with terminal diseases, and the homeless. Subsequently, the Housing Authority of Jefferson County has instituted a system by which “preference” may be granted to terminally ill persons who apply for Section 8 assistance. An important component of addressing low-income housing needs is the goal of successfully integrating housing for low-income people and people with special needs into the larger community. Assisted housing developments are typically small projects, either new construction or acquisition and rehabilitation of existing housing, that fit into the surrounding neighborhood. For special needs groups in particular, public policies favor community-based, independent living in small residences, often in single-family houses or apartments.

**Mentally Ill**

With respect to special housing needs, the main program is operated by the Jefferson Community Counseling Center, and is confined to two groups. These groups are: (1) the chronically mentally ill, and (2) mentally and emotionally disturbed.

Public assistance (social security insurance) provides a standard of living equal to twenty seven percent (27%) of median income. However, if provided with sufficient residential support, this group can live independently. These individuals are cared for by nurses and case managers who also work closely with landlords to assure an amicable client-landlord relationship.

**Developmentally Disabled**
Establishments that provide services to the County are the Helena Home and Maria Home. Both of these facilities are located in Port Townsend. However, because of the scale of the housing needs of this population, these establishments do not serve the entire County. Housing is not available for the developmentally disabled in the unincorporated portion of Jefferson County.

A combination of one bedroom housing units with supportive residential services and adult group homes has been suggested to serve this growing population.

**Persons Living with HIV/AIDS**

Jefferson County contains people living with HIV/AIDS, who were in need of affordable housing. Opportunities should continue to be explored to include this segment of the population in the overall affordable housing scheme.

**Homelessness**

Homelessness continues to be an issue in Jefferson County. Homelessness should be explored utilizing a collaborative process between the public, non-profit, and private sector. Housing needs should be anticipated to provide persons and families with shelter.

**Land Resources for Projected Future Housing Needs**

As discussed above in the *Population and Household Growth* section, Jefferson County will continue to grow over the 20-year planning period. Table 3-1 in the Land Use/Rural Element indicates the projected rate and location of population growth in Jefferson County over the next twenty years.

- The amount of land necessary to accommodate these new households by the year 2024 depends upon many factors, including whether the County wants to encourage single-family residences on existing small, moderate or large size lots, or accommodate more households in multi-family residences at higher densities. Higher density residential would require sufficient infrastructure such as community water, community sewer, location near commercial services, adequate transportation. Port Townsend and Port Ludlow are presently the only two communities that have level of service standards that would accommodate the above criteria for locating multi-family residential. The Irondale/Hadlock Urban Growth Area is planning for a sewer service area that will meet requirements for higher density housing.

**Land Requirements for Multi-Family Housing**

Jefferson County contains a predominately rural residential land use pattern. This pattern allows single-family dwellings throughout a majority of Jefferson County. The Port Ludlow Master Planned Resort and the Irondale/Hadlock UGA provide opportunities for greater densities and the creation of multi-family housing units.

**HOUSING STRATEGY**

Housing cost is influenced by a wide variety of market and institutional forces. Some of these can be affected by local government, but most others are the result of larger socio-
economic issues that are beyond the reach of regional policy. One major contributor to the cost of housing is the price of land. In an attempt to reduce land costs associated with the construction of affordable and special needs housing, the County will analyze the inventory of publicly owned lands to determine if any of these lands are suitable for the accommodation of low income and special needs housing.

This is not to say that local government cannot make important contributions to encouraging affordable housing within its jurisdiction. Jefferson County is committed to realizing the vision of the community to shelter its residents in safe, decent, and affordable housing. But it is important to recognize that there are limits to the housing issues that can be addressed within the scope of the Comprehensive Plan.

The following components are the primary influences on housing affordability:

1. Land availability, and land use controls that limit the areas where housing may be built and the density of development, which may increase the cost and availability of land;
2. Governmental regulations such as the Growth Management Act, building and development code requirements, and permitting, which may increase construction costs;
3. Site development requirements, including infrastructure, environmental mitigation, and other on- and off-site improvements;
4. The asking price of raw land or platted lots;
5. Costs of higher taxes on building improvements;
6. Finance costs, including interest rates and fees;
7. Materials and construction costs, including labor; and,
8. Population changes, including demographic shifts and in-migration, which may result in mismatches between housing supply and demand.

While Jefferson County can influence the first three components through its policies and regulations, the latter four are, for the most part, independent of local government. In order to provide the housing needed by the residents of Jefferson County, it will be necessary to develop new relationships with the City of Port Townsend, Washington State, and the private sector.

Regionalism and Fair Share

Based upon the population projections in the mutually adopted Watterson West Report, the City of Port Townsend has developed housing policies for the Urban Growth Area under City jurisdiction in its Comprehensive Plan. These policies provide for the accommodation of the City’s Fair share of household growth over the 20-year planning period.

Under GMA, the County’s designated Urban Growth Areas must bear responsibility for locating higher density and multi-family residential areas. This type of housing can be developed much more affordably than single family housing that occurs in the rural areas. However, the County is severely constrained to accommodate this type of housing because of infrastructure requirements. High density and multi-family housing requires a full range of urban services, including public water, sewer, senior and health services, recreation facilities, transportation, and complementary and supportive land uses for employment and retail needs.

Port Ludlow is the only unincorporated community in Jefferson County which also has a full range of urban services including public water and sewer. Some of its undeveloped lands are currently designated for future higher density, multi-family residential. Port Ludlow is
responsible for its share in developing affordable higher density and multi-family housing both for purchase and for rent.

This presents the opportunity for regional cooperation and coordination. In regional housing markets, housing issues cut across all jurisdictions and communities. The actions of each jurisdiction affect the other. No jurisdiction or community is independent of another regarding the difficulty of encouraging affordable housing to a growing population. Although each jurisdiction is taking steps to provide housing for future household growth, regional coordination is needed.

A monitoring system should be implemented to determine the success of efforts to encourage housing for low and moderate income households. Since both the City and the County will need to develop this process, it is important to take a coordinated regional approach using consistent surveys, modeling, assumptions, and techniques. Because of its role in the regional housing market, the Housing Authority of Jefferson County may be the best organization to lead this process.

This process should provide low and moderate income targets for the jurisdictions that are achievable in a progressive manner over the 20-year planning period. That is, short term and long term affordable housing needs should be addressed. The process should identify programs and finance mechanisms that will result in meaningful progress toward the targets.

If the monitoring system identifies shortfalls in accommodating the Fair share housing targets, a cooperative process to determine appropriate inter-jurisdictional and inter-community solutions should be developed. Potential strategies include regional funding for low and moderate income housing, density transfers, and resource donations.

**Regulatory Framework**

The rising costs of development -- land, residential construction, financing, permit processing, roads and utilities -- have contributed to increased rents and house prices at all price levels. Some of these cost increases are outside the control of local governments, while others are directly affected by public policy decisions. When public policies are developed, it is important to evaluate the cost implications for housing development and look for cost-saving approaches. Efforts to encourage sufficient infrastructure and reduced development costs will help make new affordable housing achievable. Zoning, regulatory and infrastructure strategies that cut development costs can help restrain rising housing costs and increase the amount of new, moderately priced housing.

**Senior Housing**

One of the fastest growing age groups in the County over the next twenty years is expected to be the elderly. Many seniors live on a fixed income that limits their ability to afford market rate rental housing. Elderly homeowners often cannot afford increasing property tax, insurance premiums, or maintenance costs.

Elderly households are likely to require special supportive residential services as well as affordable housing.

The scale and nature of the projected elderly housing needs should be thoroughly assessed by Jefferson County and the City of Port Townsend. This study could be performed by a
joint citizen advisory committee with staff support. The study should make recommendations to both jurisdictions regarding regional elderly housing policies.

**Housing Action Plan Network (HAPN)**

The Housing Action Plan Network was a joint Port Townsend City /Jefferson County advisory board established in 2006 to research the housing needs for Eastern Jefferson County and create a Housing Action Plan that identified strategies for accomplishing these housing needs. The Housing Action Plan was adopted by the City of Port Townsend and Jefferson County in 2006. The Jefferson County Board of County Commissioners approved and adopted the plan through Resolution Number 69-06 on November 6, 2006; with an amendment to the plan being adopted by Resolution Number 59-07 on July 9, 2007. With the housing crash of 2008 the ability to obtain funding for housing needs became more difficult for individual housing providers. The Peninsula Housing Authority, Olympic Community Action Programs and other housing and shelter providers convened a group named Shelter to Housing to address all housing needs in Jefferson County. With a collaborative group they are able to better serve the needs of the community. The Housing Action Plan created forty-three tasks for major strategies to be implemented in order to accomplish the goals of the Housing Action Plan of which the County is the lead on twenty-five of these tasks. These tasks include involvement in: action plan organization; economic development; planning measures; affordable housing policies; infrastructure development; financial incentives and implementations; and accountability and follow-up.
GOALS AND POLICIES

The goals outlined below provide a general direction for housing policy in Jefferson County. These goals are based on the requirements of the Growth Management Act, which outlines specific criteria for the provision of housing affordable to all segments of the population.

HOUSING

GOAL:

HSG 1.0 Encourage and support efforts to provide an adequate supply of housing for County residents of all income groups.

POLICIES:

HSP 1.1 Promote the provision of an adequate supply of housing through interjurisdictional and public-private cooperative efforts.

HSP 1.2 Encourage a regional fair share housing allocation process that establishes affordable and special needs housing targets for Urban Growth Areas, Rural Village Centers, Rural Crossroads, and the Port Ludlow Master Planned Resort.

HSP 1.3 Promote regionally coordinated low income housing in coordination with the Jefferson County Housing Authority, non-profit housing providers, and other public and private housing interests.

HSP 1.4 Support the Jefferson County Peninsula Housing Authority, Habitat for Humanity, and Olympic Community Action Programs, in their efforts to develop a home repair program, funded through State administered block grant funds, or the State Housing Assistance Program.

HSP 1.5 Promote economic development strategies that create adequate income for available housing resources.

GOAL:

HSG 2.0 Promote a variety of affordable housing choices throughout the County through the use of innovative land use practices, development standards, design techniques, and building permit requirements.

POLICIES:

HSP 2.1 Establish consistent development regulations and procedures that protect environmental quality, such as public health and safety standards, while minimizing the economic impact on the development of housing.

HSP 2.2 Provide the most current available information on environmentally critical areas and natural resource lands, including maps, to identify potential land development constraints.

HSP 2.3 Identify and address potential mitigation for critical area impacts as early in the public inquiry or permitting process as possible.
HSP 2.4  Explore a variety of methods to minimize delays in the land development process.

HSP 2.5  Allow an accessory dwelling unit in conjunction with a single-family residence throughout the County.

HSP 2.6  Ensure that the County’s impact fee program is based on a fair share of the cost of new public facilities needed to accommodate each housing unit or subdivision.

HSP 2.7  Encourage and support greater opportunity for the development of innovative housing types, such as residential units in mixed-use development and single family attached housing, duplexes, triplexes, apartment houses, and multi-care facilities. Encourage development patterns such as clustering in Rural Village Centers and Urban Growth Areas, provided adequate infrastructure and services are in place.

HSP 2.8  Encourage builders to adopt innovative technology such as composting toilets and gray water systems that minimize environmental impacts.

HSP 2.9  Encourage and promote housing development within UGAs.

GOAL:

HSG 3.0  Cooperate with the appropriate agencies to create programs aimed at conserving and improving the County’s existing housing.

POLICIES:

HSP 3.1  Support the expansion of existing weatherization and energy conservation activities and programs.

HSP 3.2  Support efforts of the Jefferson County Peninsula Housing Authority, Habitat for Humanity and the Community Action Council to obtain Housing Preservation Grant Program funding for the repair and rehabilitation of dwellings for low income renters and owners.

HSP 3.3  Cooperate with the Jefferson County Peninsula Housing Authority and other agencies to identify areas most in need of rehabilitation assistance and infrastructure improvements. To the extent possible, coordinate public investments in capital infrastructure with rehabilitation efforts.

GOAL:

HSG 4.0  Encourage the development of housing for people with special needs.

POLICIES:

HSP 4.1  Allow for a continuum of care for special needs populations, in UGAs and Rural Village Centers, including emergency housing, transitional housing, assisted living, group homes, senior housing and low income housing.
Encourage the development, rehabilitation, and adaptation of housing that is responsive to the physical needs of special needs populations, such as building and site plan requirements that address accessibility.

Coordinate the development of special needs housing through social service providers and the public agencies that provide services and funding.

Coordinate with Olympic Community Action Programs, the Jefferson County Peninsula Housing Authority, nonprofit housing providers, and other public and private housing interests to ensure that low income and special needs housing is sited in locations that are adequately served by necessary support facilities and infrastructure.

Where feasible, enter into agreements, provide services, and generally support the Jefferson County Peninsula Housing Authority through actions authorized in the Housing Cooperation Law (RCW 35.83).

Jefferson County shall continue to recognize and support the provisions of the Federal Fair Housing Act. Jefferson County shall continue to encourage and support the development of housing to accommodate disabled persons in accordance with the Fair Housing Act.

Vacant public lands will be considered to accommodate low income housing opportunities throughout Jefferson County. This study will be overseen by the Joint County-City Housing Advisory Committee.

GOAL:

Support the goals of the Port Townsend/Jefferson County Housing Action Plan.

Encourage innovative design and low impact site development standards that will have the effect of minimizing housing costs and promote energy efficiency.

Consider standards that would encourage a percentage of low or moderate-income housing units for multi-unit residences providing bonus density incentives in the future Irondale/Port Hadlock Urban Growth Area.

Reference the Transportation, Capital Facilities, Utilities, and Urban Growth Area Elements of this Plan for public facilities planning in connection to planning for affordable housing development sites.

Consider implementing other tasks that are consistent with the Jefferson County Comprehensive Plan and development regulations in accordance with the County’s capacity to implement them.
STRATEGIES

A. HOUSING SUPPLY STRATEGY

Jefferson County’s strategy for providing an adequate housing supply for County residents focuses on regulatory and cooperative activities to ensure the availability of sufficient land, to provide a variety of housing types, and to promote affordable options for housing.

Action Items

1. Conduct Community Housing Analyses and County-wide housing needs assessment for each of the Rural Village Centers and Urban Growth Areas. (Corresponding Goal: 1.0)

2. Cooperate with public, private and non-profit agencies to undertake an assessment of housing demands and monitor the achievement of the housing policies and housing targets not less than once every three (3) years. (Corresponding Goal: 1.0)

3. Adopt a formal memorandum of understanding to encourage and support the efforts of the Jefferson County Peninsula Housing Authority. (Corresponding Goals: 1.0, 3.0)

4. Conduct a joint County-City study to assess the adequacy of the supply of developable residential land currently served by required urban or rural utilities and roads to accommodate existing affordable housing shortfalls. (Corresponding Goal: 1.0)

5. Develop a process to distribute information on County policies and regulations and changes in the housing market to housing developers and providers. (Corresponding Goal: 2.0)

6. Consider owner builder amendment to Building Code to allow owner occupancy prior to the final inspection and completion of the dwelling unit. (Corresponding Goal: 2.0)

7. In cooperation with the City of Port Townsend, Clallam County, Clallam-Jefferson County Action Council, the Jefferson County Housing Authority, Olympic Area Agency on Aging, Habitat for Humanity and the State of Washington’s Community Trade and Economic Development (CTED), identify funding sources such as “Planning-Only” grant funds to pursue a County-wide study of housing conditions as a basis to develop a regional subsidized housing repair program. (Corresponding Goal: 3.0)

8. Coordinate and promote an economic development strategy that creates adequate income for home ownership. (Corresponding Goal: 1.0)
B. SPECIAL NEEDS HOUSING STRATEGY

Jefferson County’s strategy for special needs housing combines cooperative efforts with human services agencies and land use regulatory changes which together will facilitate the development of special needs housing to serve County residents.

Action Items

1. Appoint a joint County-City Housing Advisory Committee to develop a fair share housing monitoring program and Elderly Housing Needs Advisory Committee to assess the special housing needs of the senior population. The scale and nature of the projected elderly housing needs should be thoroughly assessed by Jefferson County and the City of Port Townsend. A joint citizen advisory committee with staff support could perform this study. The study should make recommendations to both jurisdictions regarding regional elderly housing policies. (Corresponding Goal: 4.0)

   A. The Joint County-City Housing Advisory Committee will analyze the location, size, and availability of publicly owned lands to assess their possible utility for accommodating low income housing opportunities throughout Jefferson County.

2. In cooperation with other jurisdictions in the region, the County shall support application for special needs housing funds. (Corresponding Goal: 4.0)

3. Develop siting criteria for special needs group housing that address issues of neighborhood compatibility and meet fair housing requirements. (Corresponding Goals: 1.0, 4.0)
Jefferson County Department of Community Development has been coordinating with other federal, state, and local regulatory agencies as well as local tribes and the Puget Sound Partnership to develop and implement the Hood Canal In-lieu Fee Mitigation Program. This program went into effect in June 2012 and, as part of the critical areas update, language needs to be added to the Jefferson County Code to clarify that this mitigation option is available to applicants who have property within a Hood Canal drainage basin. This program does not alter existing mitigation requirements in the code; it provides applicants with another mitigation option to meet the current code requirements.

DCD has drafted language, which is included in your packet.
Proposed Line-in/Line-out Development Code Language

All header references are to the Jefferson County Code, Title 18 Unified Development Code

Chapter 18.10 Definitions

18.10.090 Definitions

“In-lieu fee” (ILF) means a program involving mitigation (such as restoration, establishment, enhancement, and/or preservation) of unavoidable impacts to aquatic resources and associated buffers through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements for permitting. An ILF program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to an ILF program sponsor. The operation and use of an ILF program are governed by an ILF program instrument.

Chapter 18.22 Critical Areas

Article VI - Fish and Wildlife Habitat Conservation Areas (FWHCAs)

18.22.195 Compliance Alternatives

Article VI sets forth the prescriptive requirements. Applicants for development permits or approvals subject to this Article VI may elect to comply with the Critical Area Stewardship Plan (CASP) provisions set forth in Article IX of this Chapter in lieu of the prescriptive requirements set forth herein.

18.22.200 Classification/Designation

(1) Classification. Fish and wildlife habitat conservation areas (FWHCAs) are those areas identified as being of critical importance to the maintenance of endangered, threatened, or sensitive species of fish, wildlife and/or plants, or species of local importance. These areas are typically identified either by known point locations of specific species (such as a nest or den) or by habitat areas or both. All areas within the County meeting these criteria are hereby designated critical areas and are subject to the provisions of this article.

(2) Mapping. The approximate location and extent of identified fish and wildlife habitat conservation areas (FWHCAs) are shown on the County’s critical area maps. These maps are to be used as a guide and do not provide a definitive critical area determination. The County shall update the maps as new FWHCAs are identified or new information related to updates to existing maps becomes available.

(3) Designation. The following are designated as Fish and Wildlife Habitat Conservation Areas (FWHCAs):

(a) Areas with which endangered, threatened, and sensitive species listed by the federal or state government have a primary association.
   (i) Federally designated and threatened species are those fish and wildlife species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered. The U.S. Fish and Wildlife Service and the National Marine Fisheries Services should be consulted for current listing status.
   (ii) State endangered, threatened, and sensitive species are those species native to the State of Washington identified by the state Department of Fish and Wildlife that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered within the state. The state maintains the list of these species in WAC 232-12-014 (endangered species) and in WAC 232-12-014 (threatened and sensitive species). The State Department of Fish and Wildlife should be consulted for current listing status.

(b) Rivers and Streams not otherwise protected under Washington State Forest Practices regulations (RCW 76.09 and Chapter 222 WAC) that have FWHCAs are protected according to stream type.

(c) Lands covered under the Forest Practices Act. Forested areas in Jefferson County provide protection as FWHCAs under the Forest Practices Act (RCW 76.09) and Forest Practices Regulations (Chapter 222 WAC).

(d) Commercial and recreational shellfish areas, including designated Shellfish Habitat Conservation Areas (note: shellfish aquaculture activities within all public and private tidelands and bed lands suitable for
shellfish harvest are allowed uses; such activities include but are not limited to bed marking, preparation, planting, cultivation, and harvest).

(e) Kelp and eelgrass beds.

(f) Surf smelt, Pacific herring, and Pacific sand lance spawning areas.

(g) Natural Area Preserves and Natural Resource Conservation Areas.

(h) All areas designated by the Department of Natural Resources (“DNR”) through the Washington Natural Heritage Program as high quality wetland ecosystems and high quality terrestrial ecosystems.

(i) Species and Habitats of Local Importance established pursuant to the process delineated in JCC 18.22.210.

18.22.210 Process and Requirements for Designating Habitats of Local Importance as Critical Areas

(1) Purpose. This section describes the process for设计ating species and habitats of local importance that are not covered by the Federal and State sensitive, threatened or endangered species regulations. Accordingly, this section details the requirements for designating and monitoring species and habitats of local importance, as well as removing such species and habitats from designation if necessary.

(2) Definition. The use of the term “habitat” in this section includes areas designated as “wildlife corridors.”

(3) Procedure for designation – generally. An application/nomination to designate a habitat of local importance as a critical area shall be processed according to the procedures for Type V land use decisions established in Chapter 18.40 JCC.

(4) Nominations/applications. Any person, organization, or Jefferson County agency may nominate and apply for designation a species or habitat of local importance. A nominating person or organization must be a resident of, or headquartered in, Jefferson County.

(5) Nomination/application submittal.

(a) The applicant shall provide information demonstrating that the species or habitat is native to Jefferson County existing on or before the date of adoption of the regulations codified in this chapter.

(b) All nominations/applications for designation of a species/habitat of local significance shall include the following:

(i) Identification of the species including its scientific and locally common name(s);

(ii) Identification of the geographic location, including Jefferson County Parcel Numbers, and extent of the habitat associated with a nominated species or the nominated habitat itself if not associated with a nominated species; a map of an appropriate scale to properly describe the location and extent of the habitat will accompany the nomination, as well as geo-referencing information sufficient to allow mapping of the habitat site in the county GIS mapping system;

(iii) The status of the species or the occurrence of the type of habitat in surrounding counties and in the rest of the State has been considered in making this nomination;

(iv) A management strategy for the species or habitat;

(v) Indications as to whether the proposed management strategy has been peer reviewed, and if so, how was this done and by whom;

(vi) Where restoration of habitat is proposed, a specific plan, including how the restoration will be funded, must be provided as part of the nomination;

(vii) Recommendations for allowed, exempt, and regulated activities within the area;

(viii) Recommended buffer and setback requirements and their justification;

(ix) Seasonal requirements;

(x) A monitoring plan must be practical and achievable and includes the following:

(A) Baseline data and a description of what measurements will be used to determine the success of the project. The plan shall include the criteria and time period required to evaluate the success of the plan.

(B) A contingency plan for failure.

(C) A list of all parcels not included in the nomination but affected by the monitoring process.

(xi) The nomination must also include an economic impact, cost and benefits analysis. The nomination must also include an analysis of alternative solutions to formal designation of the habitat of local importance as a regulated critical area under this chapter.

(c) The applicant shall be responsible for paying all fees and all expenses incurred by Jefferson County to process the application.

(6) Review and approval criteria.

(a) Species nominated for designation under this section must satisfy the following criteria:

(i) Local populations that are in danger of extirpation based on documented trends since the adoption of the Growth Management Act;
(ii) The species is sensitive to habitat manipulation;
(iii) The species or habitat has commercial, game, or other special value such as locally rare species;
(iv) The nomination includes an analysis of the proposal using best available science; and
(v) The nomination specifies why protection by other county, state or federal policies, laws, regulations or non-regulatory tools is inadequate to prevent degradation of the species or habitat and for which management strategies are practicable, and describes why, without designation and protection, there is a likelihood that the species will not maintain and reproduce over the long term, or that a unique habitat will be lost.

(b) Habitats nominated for designation under this section must satisfy the following criteria:

(i) Where a habitat is nominated to protect a species, the use of the habitat by that species must be documented or be highly likely or the habitat is proposed to be restored with the consent of the affected property owner so that it will be suitable for use by the species; and, long term persistence of the species in Jefferson County and adjoining counties is dependent on the protection, maintenance or restoration of the habitat;

(ii) Areas nominated to protect a particular habitat must represent either high quality native habitat or habitat that has an excellent potential to recover to a high quality condition and which is either of limited availability or highly vulnerable to alteration.

(iii) The nomination specifies the specific habitat features to be protected (e.g., nest sites, breeding areas, nurseries, etc.). In the case of proposed wildlife corridors, the nomination shall specify those features that are required for the corridor to remain viable to support and protect the nominated species.

(7) Review and approval process.

(a) The Department of Community Development shall determine whether the application submittal is complete. If deemed complete, the department shall evaluate the proposal for compliance with the approval criteria set forth in this section and make a recommendation to the Planning Commission based on those criteria. The department shall also notify all parcel owners affected of the terms and contents of the proposal.

(b) Upon receipt of a staff report and recommendation from the department, the Planning Commission shall hold a public hearing, and make a recommendation to the Board of Commissioners based upon the approval criteria set forth in this section.

(c) The Jefferson County Board of Commissioners shall consider the recommendation transmitted by the Planning Commission at a regularly scheduled public meeting, and may then adopt an ordinance formally approving the designation. Should the Board wish to vary from the Planning Commission recommendation and alter or reject the application, such action may only occur following a separate public hearing conducted by the Board.

(d) Upon approval, the ordinance designating and regulating the species or habitat of local importance shall be codified in this article for public information and implementation by the department, and a notice to title shall be placed upon all parcels affected by the designation.

(e) Each ordinance creating a species or habitat of local importance shall include periodic review of reassessment of the initial designation. The length of the periodic review may be dependent on the characteristics of the species or habitat.

(8) Removal from designation. Species or habitats of local significance may be removed at any time, PROVIDED, that they no longer meet the criteria set forth in JCC 18.22.210(5). (e.g., as a result of a natural catastrophe or climatic change event), and PROVIDED FURTHER, that the procedural requirements of this section and the procedural requirements established for Type V land use decisions set forth within Chapter 18.40 JCC.

18.22.220 Sources used for Identification

Sources used to identify fish and wildlife habitat conservation areas (FWHCAs) include, but are not limited to the following:

(1) United States Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory.
(2) Washington State Department of Natural Resources, Water Type Index Maps.
(3) Washington State Department of Fish and Wildlife, Non-Game and Priority Habitats and Species databases.
(4) Public and private tidelands or bedlands suitable for shellfish harvest and identified by the Washington Department of Health’s classification system and shellfish protection districts established pursuant to Chapter 90.72 RCW.
(5) Kelp and eelgrass beds may be classified and identified with the Department of Natural Resources Aquatic Lands Program and the Department of Ecology (note: many locations are compiled in the Puget Sound Environmental Atlas).

18.22.230 Fish and wildlife Habitat Conservation Area (FWHCA) Maps

County maps identifying FWHCAs have been produced for informational purposes only and are not regulatory devices forming an integral part of this Article VI.

18.22.250 Regulated Activities

Any land use or development activity that is subject to a development permit or approval requirements of this code shall be subject to the provisions of this Article VI. These include, but are not limited to the following activities that are directly undertaken or originate in a FWHCA or its buffer, unless otherwise exempted under JCC 18.22.070.

(1) Stream Crossings. Any private or public road expansion or construction which is proposed and must cross streams classified within this article, shall comply with the following minimum development standards:

(a) The design of stream crossings shall meet the requirements of the Washington Department of Fish and Wildlife. Fish passage shall be provided if necessary to address manmade obstructions on-site. Other alternatives may be allowed upon a showing that, for the site under review, the alternatives would be less disruptive to the habitat or that the necessary building foundations were not feasible. Submittal of a habitat management plan which demonstrates that the alternatives would not result in significant impacts to the fish and wildlife habitat area (FWHCA) may be required;

(b) Crossings shall not occur in salmonid spawning areas unless no other reasonable crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with the Washington State Department of Fish and Wildlife;

(c) Bridge piers or abutments shall not be placed either within the floodway or between the ordinary, high water marks unless no other reasonable alternative placement exists;

(d) All stream crossings shall be designed based on the 100-year projected flood flows, even in non-fish bearing Type Np and Ns streams. In addition, crossings for Type S and F streams should allow for downstream transport of large woody debris;

(e) Crossings shall serve multiple properties whenever possible; and

(f) Where there is no reasonable alternative to providing a culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.

(2) Utilities. Placement of utilities within designated fish and wildlife habitat areas may be allowed pursuant to the following standards:

(a) Construction of utilities may be permitted in FWHCAs or their buffers, only when no practicable or reasonable alternative location is available and the utility corridor meets the requirements for installation, replacement of vegetation and maintenance outlined below. Utilities are encouraged to follow existing or permitted roads where possible.

(b) Construction of sewer lines or on-site sewage systems are not permitted in FWHCAs or their buffers, except that they may be permitted in a buffer area when the applicant demonstrates it is necessary to meet state and/or local health code requirements; there are no other practicable alternatives available; and construction meets the requirement of this article. Joint use of the sewer utility corridor by other utilities may be allowed.

(c) New utility corridors shall not be allowed in FWHCAs with known locations of federal or state-listed endangered, threatened or sensitive species, except in those circumstances where an approved habitat management plan is in place.

(d) Utility corridor construction and maintenance shall protect the environment of fish and wildlife habitat areas and their buffers.

(i) New utility corridors shall be aligned when possible to avoid cutting trees greater than 12 inches in diameter at breast height (four and one-half feet) measured on the uphill side.

(ii) New utility corridors shall be revegetated with appropriate native vegetation at not less than preconstruction vegetation densities or greater, immediately upon completion of construction or as soon thereafter as possible due to seasonal growing constraints. The utility shall ensure that such vegetation survives for a three-year period.

(e) Utility towers should be painted with brush, pad or roller and should not be sandblasted or spray-painted, nor shall lead-base paints be used.

(3) Bank Stabilization.
(a) A stream channel and bank, bluff, and shoreline may be stabilized when naturally occurring earth movement threatens existing legal structures (structure is defined for this purpose as those requiring a building permit pursuant to the building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of fish habitat or improved water quality, as demonstrated through a habitat management plan or equivalent study or assessment. Bluff, bank and shoreline stabilization shall follow the standards of the Jefferson County Shoreline Master Program, geologically hazardous areas provison in this chapter, and the floodplain management ordinance.

(b) The administrator shall require that bank stabilization be designed by a professional engineer licensed in the state of Washington with demonstrated expertise in hydraulic actions of shorelines. For bank stabilization projects within FWHCAs, the applicant must provide a geotechnical report that demonstrates that bioengineering solutions (vegetation versus hard surfaces) are infeasible. The report must document the engineering rationale why bioengineering solutions are infeasible in a manner that can be confirmed through review by other engineering professionals. Bank stabilization projects may also require a hydraulic project approval from the Washington Department of Fish and Wildlife that will be determined after consultation with WDFW.

(4) Gravel Mining. Gravel mining is discouraged within FWHCAs or their buffers, and it shall not be permitted if it causes unmitigatable significant adverse impacts, but it may be allowed following the review and approval of a habitat management plan, including a detailed mining and reclamation plan pursuant to the applicable performance standards in Chapter 18.20.240 JCC or as otherwise required in this code.

(5) Forest Practices, Class IV General. Timber harvesting with associated development activity involving land conversions from forest use, or otherwise meeting the DNR definition as a Class IV General application, shall comply with the provisions of this article, including the maintenance of buffers, where required.

(6) Road/Street Repair and Construction. Any private or public road or street expansion or construction which is allowed in a FWHCA or its buffer shall comply with the following minimum development standards:
   (a) No other reasonable or practicable alternative exists and the proposed road or street serves multiple properties whenever possible;
   (b) Public and private roads are encouraged to provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.;
   (c) The road or street construction is the minimum necessary, as required by the department of public works’ guidelines. Minimum necessary provisions may include projected level of service requirements; and
   (d) Construction time limits shall be determined in consultation with the Washington Department of Fish and Wildlife in order to ensure species and habitat protection.

(7) Outdoor Recreation, Education and Trails. Activities and improvements that do not significantly affect the function of the FWHCA or regulated buffer (including viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.) may be permitted in FWHCAs or their buffers.
   (a) Trails and other facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or other previously disturbed areas;
   (b) Trails and other facilities shall be planned to minimize removal of trees, shrubs, snags and important wildlife habitat;
   (c) Viewing platforms, interpretive centers, benches and access to them, shall be designed and located to minimize impacts to wildlife, fish, or their habitat and/or critical characteristics of the affected FWHCA;
   (d) Trails, in general, shall be set back from streams so that there will be minimal impact to the stream from trail use or maintenance. Trails shall be constructed with pervious surfaces when feasible and trails within FWHCAs are not intended to be used by motorized vehicles.

(8) Chemical Application or Storage. Chemical applications are not permitted within FWHCAs unless expressly approved as part of a farm plan, forest practices application, or for the control of invasive or noxious plant species. In cases where approved chemical applications occur as part of a forest practices application or farm plan, proper reporting procedures shall be followed. Chemical storage shall not be permitted within a FWHCA or its buffer.

18.22.265 Habitat Management Plans – When Required

When a development proposal is located on lands which may contain a habitat for a Protected Species other than Bald Eagle nesting territories, or when the applicant proposes to alter, decrease or average the standard buffer, a Habitat Management Plan (HMP) shall be required, consistent with the requirements of JCC 18.22.440.

18.22.270 Protection Standards
(1) General. Application for a project on a parcel of real property containing a designated FWHCA or its buffer shall adhere to the requirements set forth in this section.

(2) Drainage and Erosion Control. An applicant submitting a project application shall also submit, and have approved, a drainage and erosion control plan, as specified in this chapter.

(3) Grading. An applicant submitting a project application shall also submit, and have approved, a grading plan, as specified in this chapter.

(4) Vegetation Retention. The following provisions regarding vegetation retention shall apply:
   (a) All trees and understory lying outside of road rights-of-way and utility easements shall be retained (except for hazard trees) during clearing for roadways and utilities; provided, that understory damaged during approved clearing operations may be pruned.
   (b) Damage to vegetation retained during initial clearing activities shall be minimized by directional felling of trees to avoid critical areas and vegetation to be retained.
   (c) Retained trees, understory and stumps may subsequently be cleared only if such clearing is necessary to complete the proposal involved in the project application.

(5) Buffers – Standard Requirements. The administrator shall have the authority to require buffers from the edges of all FWHCAs in accordance with the following:
   (a) Buffers generally.
      (i) Buffers shall be established for activities adjacent to FWHCAs as necessary to protect the integrity, functions and values of the resource, consistent with the requirements set forth in Tables 18.22.270(1) and 18.22.270(2) of this section.
      (ii) A building setback line of five feet is required from the edge of any buffer area, however, nonstructural improvements such as septic drain fields may be located within setback areas.
      (iii) Buffers shall be retained in their natural condition, however, minor pruning of vegetation to enhance views or provide access may be permitted as long as the function and character of the buffer are not diminished.
      (iv) Lighting shall be directed away from the FWHCA.
   (b) Prescriptive FWHCA Buffers.
      (i) The standard buffer widths required by this article are considered to be the minimum required to protect the stream functions and values at the time of the proposed activity. When a buffer lacks adequate vegetation to protect critical area functions, the administrator may deny a proposal for buffer reduction or buffer averaging.
      (ii) The standard buffer shall be measured landward horizontally on both sides of the stream from the ordinary high water mark (OHWM) as identified in the field. Nevertheless, the required buffer shall include any adjacent regulated wetland(s), landslide hazard areas and/or erosion hazard areas and required buffers, but shall not be extended across paved roads or other lawfully established structures or hardened surfaces. The following standard buffer width requirements are established, provided that portions of streams that flow underground may be exempt from these buffer standards at the administrator’s discretion when it can be demonstrated that no adverse effects on aquatic species will occur.

<table>
<thead>
<tr>
<th>TABLE 18.22.270(1): STREAM BUFFERS*</th>
</tr>
</thead>
<tbody>
<tr>
<td>STREAM TYPE</td>
</tr>
<tr>
<td>Type “S” - Shoreline Streams</td>
</tr>
<tr>
<td>Type “F” – Fish Bearing Streams</td>
</tr>
<tr>
<td>Type “Np” - Non-Fish Bearing</td>
</tr>
<tr>
<td>Perennial Streams</td>
</tr>
<tr>
<td>Type “Ns” – Non-Fish Bearing</td>
</tr>
<tr>
<td>Seasonal Streams greater than or</td>
</tr>
<tr>
<td>equal to 20% grade</td>
</tr>
<tr>
<td>Type “Ns” – Non-Fish Bearing</td>
</tr>
<tr>
<td>Seasonal Streams less than 20%</td>
</tr>
<tr>
<td>grade</td>
</tr>
</tbody>
</table>

* Note:
(a) The buffers set forth above shall apply to culverted streams; though in limited circumstances, a variance may be made in the application of stream buffers under Article IX of JCC Chapter 18.40.
(b) Stream type shall be determined using the criteria set forth in WAC 222-16-030.

(iii) Buffers for other FWHCAs. The administrator shall determine appropriate buffer widths for other FWHCAs based on the best available information. Buffer widths for non-stream habitat conservation areas shall be as follows:
<table>
<thead>
<tr>
<th>FWHCA Type</th>
<th>Buffer Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Areas with which federally listed species have a primary association</td>
<td>Buffers shall be 150 feet provided that local and site specific factors shall be taken into consideration and the buffer width based on the best available information concerning the species/habitat(s) in question and/or the opinions and recommendations of a qualified professional with appropriate expertise.</td>
</tr>
<tr>
<td>Commercial and recreational shellfish areas</td>
<td>Buffers shall extend one hundred-fifty (150) feet landward from ordinary high water mark of the marine shore.</td>
</tr>
<tr>
<td>Kelp and Eelgrass Beds</td>
<td>Buffers shall extend one hundred-fifty (150) feet landward from ordinary high water mark of the marine shore.</td>
</tr>
<tr>
<td>Surf Smelt, Pacific Herring, and Pacific Sand Lance Spawning Areas</td>
<td>Buffers shall extend one hundred-fifty (150) feet landward from ordinary high water mark of the marine shore.</td>
</tr>
<tr>
<td>Natural Pond and Lakes</td>
<td>Ponds under 20 acres - buffers shall extend 50 feet from the ordinary high water mark; Lakes 20 acres and larger - buffers shall extend 100 feet from the ordinary high water mark, provided that where vegetated wetlands are associated with the shoreline, the buffer shall be based on the wetland buffer requirements.</td>
</tr>
<tr>
<td>Natural Area Preserves and Natural Resource Conservation Areas</td>
<td>Buffers shall not be required adjacent to these areas. These areas are assumed to encompass the land required for species preservation.</td>
</tr>
<tr>
<td>Locally Important Habitat Areas</td>
<td>The buffer for marine nearshore habitats shall extend landward 150 feet from the ordinary high water mark. The need for and dimensions of buffers for other locally important species or habitats shall be determined on a case-by-case basis, according to the needs of the specific species or habitat area of concern. Buffers shall not be required adjacent to the wildlife corridor. The administrator shall coordinate with the Washington Department of Fish and Wildlife and other state, federal or Tribal experts in these instances, and may use WDFW PHS management recommendations when available and applicable.</td>
</tr>
</tbody>
</table>

(6) The administrator shall have the authority to reduce buffer widths on a case-by-case basis, provided that the specific standards for avoidance and minimization set forth in JCC 18.22.350(1) shall apply, and when the applicant demonstrates to the satisfaction of the administrator that all of the following criteria are met:
(a) The buffer reduction shall not adversely affect the habitat functions and values of the adjacent FWHCA or other critical area.
(b) The buffer shall not be reduced to less than seventy-five (75) percent of the standard buffer.
(c) The slopes adjacent to the FWHCA within the buffer area are stable and the gradient does not exceed 30 percent.

(7) The administrator shall have the authority to average buffer widths on a case-by-case basis, provided that the specific standards for avoidance and minimization set forth in JCC 18.22.350(1) shall apply, and when the applicant demonstrates to the satisfaction of the administrator that all the following criteria are met:
(a) The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer and all increases in buffer dimension are parallel to the FWHCA.
(b) The buffer averaging does not reduce the functions or values of the FWHCA or riparian habitat, or the buffer averaging, in conjunction with vegetation enhancement, increases the habitat function.
(c) The buffer averaging is necessary due to site constraints caused by existing physical characteristics such as slope, soils, or vegetation.
(d) The buffer width is not reduced to less than seventy-five percent (75%) of the standard width.
(e) The slopes adjacent to the FWHCA within the buffer area are stable and the gradient does not exceed 30 percent.
(f) Buffer averaging shall not be allowed if FWHCA buffers are reduced pursuant to subsection (6) of this section.

(8) Buffer Marking. The location of the outer extent of required buffers shall be marked in the field as follows:
(a) During Construction: Buffer perimeters shall be marked with temporary signs at an interval of one per parcel or every 100 feet, whichever is less. Signs shall remain in place prior to and during approved construction activities. The signs shall contain the following statement: “Buffer – Do Not Remove or Alter Existing Native Vegetation.”

(9) In the case of short plat, long plat, binding site plan, and site plan approvals under this code, the applicant shall include on the face of any such instrument the boundary of the FWHCA.

(10) The applicant may also choose to dedicate the buffer through a conservation easement or deed restriction that shall be recorded with the Jefferson County auditor. Such easements or restrictions shall, however, use the forms approved by the prosecuting attorney.

18.22.### Mitigation

A habitat management plan (HMP) shall be prepared based on special report requirements in Article VIII of this chapter or a critical areas stewardship plan (CASP) shall be prepared based on CASP requirements in Article IX of this chapter for impacts to a fish and wildlife habitat conservation area or buffer (based on buffer widths in Tables 18.22.270(1) and 18.22.270(2) of this section). The HMP or CASP addresses mitigation for impacts or alterations to a fish and wildlife conservation area or a buffer, with the overall goal of mitigation being no net loss of fish and wildlife habitat conservation area function, value, and acreage. The mitigation sequence in JCC 18.22.350(1) shall be used.

As an alternative to permittee-responsible mitigation, an in-lieu fee program may be used to compensate for impacts or alterations to a fish and wildlife habitat conservation area or a buffer, if an established in-lieu fee program is available for the project area. Use of the in-lieu fee program to address impacts to fish and wildlife habitat conservation areas and/or buffers shall adhere to the in-lieu mitigation requirements in JCC 18.22.350(5).

18.22.280 Conditions

(1) General. In granting approval for a project application subject to the provisions of this Article VI, the administrator may require mitigating conditions that will, in the administrator’s judgment, substantially secure the objectives of this article.

(2) Basis for Conditions. All conditions of approval required pursuant to this article shall be based upon either the substantive requirements of this article or the recommendations of a qualified professional utilizing best available science, contained within a special report required under this chapter.

Article VII - Wetlands

18.22.290 Stewardship Alternative
Article VII sets forth the prescriptive requirements for wetlands. Applicants for development permits or approvals subject to this Article VII may elect to comply with the Critical Area Stewardship Plan (CASP) provisions set forth in Article IX of this Chapter in lieu of the prescriptive requirements set forth herein. CASP may be applied within Category II, III, & IV wetlands and buffers, and within buffers in Category I. They cannot be used in Category I wetlands.

18.22.300 Classification/Designation


(2) Designation. As determined using the 1997 Washington State Department of Ecology’s Washington State Wetlands Identification and Delineation Manual (Ecology Publication #96-94 or as amended), wetlands shall be designated as critical areas and regulated under this article regardless of size; PROVIDED that Category IV wetlands less than one-tenth (0.1) acre (4,356 square feet) shall be exempt from the requirements of this article when all of the following criteria are met:

(a) The wetland does not provide breeding habitat for native amphibian species. Breeding habitat is indicated by adequate and stable seasonal inundation, presence of thin-stemmed emergent vegetation, and clean water;
(b) The wetland does not have unique characteristics that would be difficult to replace through standard compensatory mitigation practices;
(c) The wetland is not located within a fish and wildlife habitat conservation area (FWHCA) as defined in the section of this ordinance dealing with FWHCAs, and is not integral to the maintenance of habitat functions of an FWHCA;
(d) The wetland is not located within a floodplain;
(e) The wetland is not associated with a shoreline of the state as defined by the County’s Shoreline Master Program;
(f) The wetland is not part of a mosaic of wetlands and uplands, as determined using the guidance provided in the Wetland Rating System.

(3) Sources Used for Identification. The following sources should be used to identify potential wetland locations. Sources include, but are not limited to:

(a) United States Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory.
(c) United States Department of Agriculture, Natural Resources Conservation Service, Hydric Soils List, Jefferson County Area.
(d) County Critical Areas Mapping. The wetland maps prepared by the county have been produced for informational purposes only and are not regulatory devices forming an integral part of this article.

18.22.310 Regulated Activities

Any land use or development activity shall be subject to the provisions of this Article VII, including, but not limited to, the following activities that are directly undertaken or originate in a regulated wetland or its buffer, unless exempted under JCC 18.22.070:

(1) The removal, excavation, grading, or dredging of material of any kind, including the construction of ponds and trails;
(2) The dumping, discharging of any material, or placement of any fill;
(3) The draining, flooding, or disturbing of the wetland water level or water table;
(4) The driving of pilings;
(5) The placing of obstructions;
(6) The construction, reconstruction, demolition, or expansion of any structure;
(7) The destruction or alteration of wetland vegetation through clearing, harvesting, shading, intentional burning, application of herbicides or pesticides, or planting of vegetation that would alter the character of a regulated wetland; provided, that these activities are not part of a forest practice governed under Chapter 76.09 RCW (Forest Practices Act) and its rules; or
(8) Activities that result in:

(a) A significant change of water temperature;
(b) A significant change of physical or chemical characteristics of wetlands water sources, including quantity; or
(c) The introduction of pollutants.

(9) Wetland Buffers. In addition to those activities allowed in regulated wetlands in this article, the following activities are allowed within wetland buffers without having to meet the protection standards, or requirements for wetland studies or mitigation set forth in this article; provided, that impacts to buffers are minimized and that disturbed areas are immediately restored except as specifically allowed in JCC 18.22.070.
(a) Activities having minimal adverse impacts on buffers and no adverse impacts on regulated wetlands. These include low intensity, passive recreational activities, such as pervious trails, nonpermanent wildlife watching blinds, scientific or educational activities, and sports fishing or hunting. Trails within buffers shall be designed to minimize impacts to the wetland, and shall not include any impervious surfaces.
(b) Within the buffers of Category III and IV wetlands only, vegetation-lined swales designed for storm water management or conveyance when topographic restraints determine there are no other upland alternative locations. Swales used for detention purposes may only be placed in the outer 25 percent of the buffer. Conveyance swales may be placed through the buffer, if necessary.

18.22.330 Protection Standards

(1) General. Application for a project on a parcel of real property containing a designated wetland or its buffer shall adhere to the requirements set forth below.

(2) Delineation. An applicant submitting a project application shall also submit, and have approved, a wetland delineation report as specified in JCC 18.22.450. Additionally, the following provisions shall apply:
(a) The location of the wetland and its boundary shall be determined through the performance of a field investigation utilizing the methodology contained in the Washington State Wetlands Identification and Delineation Manual, March 1997, or as amended hereafter.
(b) If the wetland is located off of the property involved in the project application and is inaccessible, the best available information shall be used to determine the wetland boundary and category.
(c) The wetland boundary shall be staked or flagged in the field.
(d) This requirement may be waived under the following circumstances:
   (i) Single-Family Residences. The requirement for a wetland delineation and special report may be waived by the administrator for construction of a single-family residence on an existing lot of record if DCD staff or a qualified wetland evaluator determines that:
      (A) Sufficient information exists for staff to estimate the boundaries of a wetland without a delineation; and
      (B) The single-family residence and all accessory structures and uses are not proposed to be located within the distances identified in Table 18.22.330(1), below, from the estimated wetland boundary.
   “Qualified wetland evaluator” means an individual recognized and acceptable to the Administrator in using the most current edition of the Department of Ecology’s Washington State Wetland Rating System for Western Washington (2004), Ecology Publication # 04-06-025, or as amended in categorizing and rating wetlands.
   (ii) Subdivisions and Short Subdivisions. The requirement for a wetland delineation and special report will be waived for subdivisions and short subdivisions of an existing lot of record if a site assessment made by a qualified wetland evaluator indicates the following:
      (A) Sufficient information exists to estimate the boundaries of a wetland without a delineation; and
      (B) Building envelopes or building setback lines are not proposed to be located within the distances identified in Tables 18.22.330(1), (2) and (3), below, from the estimated wetland boundary.

(3) Wetland Buffer Requirements. Wetland buffer widths shall be prescribed and established based upon the category of the wetland, the wetland rating scores and the impact level of the proposed land use. The resulting buffers are shown in Tables: 18.22.330 (1), (2), and (3) [for low, moderate and high impact land-uses].
(a) The category and rating scores of a wetland shall be determined by a qualified wetland evaluator who must be: recognized and acceptable to the Administrator and use the most current edition of the Department of Ecology’s “Wetlands in Washington State Volume 2: Guidance for Protecting and managing Wetlands” (DOE Publication #05-06-0008) in categorizing and rating wetlands.
(b) There are three (3) Land-Use Impact Level types. Each type is presented with the Table containing the buffer widths that would be prescribed for its associated wetland category.
Proposals for development will have three options for deciding what their buffer distance will be. A buffer distance is the closest distance the proposed development can be to the wetland boundary.

(i) The Stewardship Plan Option, as detailed in Article IX of this Chapter 18.22.

(ii) The Professionally Delineated Boundary Option: A prescriptive buffer distance based on an actual delineation of the wetland boundary as determined by an qualified wetland evaluator (cost is the responsibility of proponent). This buffer distance will be measured outward from the delineated wetland boundary. Refer to the column in the Tables with the word “delineation” in the heading.

(iii) The Apparent Boundary option: A prescriptive buffer distance based on the apparent location of the wetland boundary as proposed by the county’s wetland specialist. In these cases the buffer will be the total distance calculated using the buffer distance as shown in the “delineation” column of the Tables plus an additional twenty (20) to fifty (50) feet, depending upon wetland category (shown in the “non-delineation” column of the table). This calculated buffer distance will be measured outward from the apparent wetland boundary.

(4) Drainage and Erosion Control. An applicant submitting a project application shall also submit, and have approved, a drainage and erosion control plan as specified in this chapter. The plan shall discuss, evaluate and recommend methods to minimize sedimentation of designated wetlands during and after construction.

(5) Buffer Marking. Upon approval of the delineation report the location of the outer extent of the wetland buffer shall be marked in the field as follows:

(a) A permanent physical indicator along the upland boundary of the wetland buffer area shall be installed and permanently maintained.

(b) During construction activities, buffer perimeters shall be marked with temporary signs at an interval of one per parcel or every 100 feet, whichever is less. Signs shall remain in place prior to and during approved construction activities. The signs shall contain the following statement: “Wetland & Buffer – Do Not Remove or Alter Existing Native Vegetation.”

(c) In the case of short plat, long plat, binding site plan, and site plan approvals under this code, the applicant shall include on the face of any such instrument the boundary of the wetland and its buffer.

(d) The applicant may also choose to dedicate the buffer through a conservation easement or deed restriction that shall be recorded with the Jefferson County auditor. Such easements or restrictions shall, however, use the forms approved by the prosecuting attorney.

(6) Buffers – Standard Requirements.

(a) The administrator shall have the authority to require buffers from the boundaries of all wetlands as established by this article, and in accordance with the following criteria.

(i) Wetland buffer widths shall be measured along a horizontal line perpendicular to the wetland boundary as marked in the field during delineation if required, or based upon site investigation, aerial photographs, or LiDAR images.

(ii) Functionally isolated buffer areas are those areas separated from a wetland that do not protect the wetland from adverse impacts. Buffers need not include areas that are functionally isolated and physically disconnected from the wetland by a substantial developed surface such as a dike, building, parking lot, or road. In determining whether or not a buffer area is functionally isolated, the administrator shall take into consideration whether or not the isolated buffer area is used by wildlife to gain access to the wetland. In instances where substantial wildlife use is documented, the area shall be retained as buffer despite being otherwise isolated or disconnected from the wetland.

(iii) When a buffer is on a slope steeper than forty percent (40%), and/or lacks adequately dense and diverse vegetation, the administrator may deny a proposal for buffer reduction or buffer averaging.

(b) The prescribed buffer widths shall be established on the basis of the following factors:

(i) The wetland’s value and sensitivity to disturbance, based on its category (I, II, III, IV) as determined by the total score on the rating form for the Wetland Rating System;

(ii) The expected level of impact of the proposed adjacent land use, as determined from the tables in 18.22.330 (1), (2), and (3), below. The administrator may determine, on the basis of detailed information from the applicant about the site conditions, scope, and intensity of the proposed development, that the proposed land use will have a lesser level of impact on the wetland than indicated by similar land uses on the list.
TABLE 18.22.330(1)
WETLAND CATEGORIES, RATING SCORES & BUFFER WIDTHS
FOR LOW IMPACT LAND USES

Low Impact Land-Uses shall include the following:

- Private driveways serving no more than two (2) residential parcels;
- Unpaved trails (when not exempted by 18.22.070);
- Utility corridors (private or public) without a maintenance road;
- Landscaping, lawns, gravel driveways, etc.

<table>
<thead>
<tr>
<th>Wetland Category</th>
<th>Wetland Characteristics</th>
<th>Buffer Width with an Identified Wetland Boundary (Delineated)</th>
<th>+ An Additional Distance from an Apparent Wetland Boundary (Not Delineated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV (Total of scores for all functions is less than 30 points)</td>
<td>[Total of scores less than 30 points]</td>
<td>25 feet</td>
<td>+20 feet</td>
</tr>
<tr>
<td>III (Total of scores for all functions is 30 – 50 points)</td>
<td>[With H score 20 – 28 points] [Not meeting above characteristic]</td>
<td>75 feet 40 feet</td>
<td>+30 feet</td>
</tr>
<tr>
<td>II (Total of scores for all functions is 51 – 69 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 – 28 points] [Estuarine] [Interdunal] [Not meeting above characteristics]</td>
<td>50 feet 150 feet 75 feet 75 feet 75 feet 50 feet</td>
<td>+40 feet</td>
</tr>
<tr>
<td>I (Total of scores for all functions is more than 70 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 - 28 points] [Coastal Lagoon] [Estuarine] [Natural Heritage Wetland] [Bog] [Forested] [Not meeting above characteristics]</td>
<td>50 feet 150 feet 75 feet 100 feet 100 feet 125 feet 125 feet Buffer width based on score for H functions or WQ functions 50 feet</td>
<td>+50 feet</td>
</tr>
</tbody>
</table>

Note: Wetlands shall be classified using the 2004 Washington State Department of Ecology’s Wetland Rating System for Western Washington (Ecology Publication #04-06-025), or as amended.
**TABLE 18.22.330(2)**

WETLAND CATEGORIES, RATING SCORES & BUFFER WIDTHS FOR MODERATE IMPACT LAND USES

Moderate Impact Land-Uses shall include the following:
- Single-family residential use on parcels of one (1) acre or larger;
- Private roads of driveways serving three (3) or more residential parcels;
- Paved trails;
- Passive recreation areas;
- Utility corridors (private or public) with a maintenance road;
- Class IV-General forest conversions, including conversion option harvest plans.

<table>
<thead>
<tr>
<th>Wetland Category</th>
<th>Wetland Characteristics:</th>
<th>Buffer Width with an Identified Wetland Boundary (Delineated)</th>
<th>+ An Additional Distance from an Apparent Wetland Boundary (Not Delineated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV (Total of scores for all functions is less than 30 points)</td>
<td>[Total of scores less than 30 points]</td>
<td>40 feet</td>
<td>+20 feet</td>
</tr>
<tr>
<td>III (Total of scores for all functions is 30 – 50 points)</td>
<td>[With H score 20 – 28 points] [Not meeting above characteristic]</td>
<td>110 feet 60 feet</td>
<td>+30 feet</td>
</tr>
<tr>
<td>II (Total of scores for all functions is 51 – 69 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 – 28 points] [Estuarine] [Interdunal] [Not meeting above characteristics]</td>
<td>75 feet 225 feet 110 feet 110 feet 75 feet</td>
<td>+40 feet</td>
</tr>
<tr>
<td>I (Total of scores for all functions is more than 70 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 to 28 points] [Coastal Lagoon] [Estuarine] [Natural Heritage Wetland] [Bog] [Forested] [Not meeting above characteristics]</td>
<td>75 feet 225 feet 110 feet 150 feet 150 feet 190 feet 190 feet Buffer width based on score for H functions or WQ functions 75 feet</td>
<td>+50 feet</td>
</tr>
</tbody>
</table>

Note: Wetlands shall be classified using the 2004 Washington State Department of Ecology’s Wetland Rating System for Western Washington (Ecology Publication #04-06-025), or as amended.
High Impact Land-Uses shall include the following:

- Single-family residential use on parcels smaller than one (1) acre;
- Commercial, multi-family, industrial and institutional uses;
- Public Roads.

### TABLE 18.22.330(3)
**WETLAND CATEGORIES, RATING SCORES & BUFFER WIDTHS FOR HIGH IMPACT LAND USES**

<table>
<thead>
<tr>
<th>Wetland Category</th>
<th>Wetland Characteristic:</th>
<th>Buffer Width with an Identified Wetland Boundary (Delineated)</th>
<th>+ An Additional Distance from an Apparent Wetland Boundary (Not Delineated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV (Total of scores for all functions is less than 30 points)</td>
<td>[Total of scores less than 30 points]</td>
<td>50 feet</td>
<td>+20 feet</td>
</tr>
<tr>
<td>III (Total of scores for all functions is 30 – 50 points)</td>
<td>[With H score 20 – 28 points] [Not meeting above characteristic]</td>
<td>150 feet 80 feet</td>
<td>+30 feet</td>
</tr>
<tr>
<td>II (Total of scores for all functions is 51 – 69 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 – 28 points] [Estuarine] [Interdunal] [Not meeting above characteristics]</td>
<td>100 feet 300 feet 150 feet 150 feet 150 feet 100 feet</td>
<td>+40 feet</td>
</tr>
<tr>
<td>I (Total of scores for all functions is more than 70 points or having “Special Characteristics” identified in the rating form)</td>
<td>[WQ score 24 - 32 points and H score less than 20 points] [H score 29 – 36 points] [H score 20 to 28 points] [Coastal Lagoon] [Estuarine] [Natural Heritage Wetland] [Bog] [Forested] [Not meeting above characteristics]</td>
<td>100 feet 300 feet 150 feet 200 feet 200 feet 250 feet 250 feet Buffer width based on score for H functions or WQ functions 100 feet</td>
<td>+50 feet</td>
</tr>
</tbody>
</table>

Note: Wetlands shall be classified using the 2004 Washington State Department of Ecology’s Wetland Rating System for Western Washington (Ecology Publication #04-06-025), or as amended.

(7) Reducing Buffer Widths. Upon submission of a special report by a qualified professional that demonstrates a buffer reduction does not have any adverse impact on the existing functions and values of the wetland, the administrator shall have the authority to reduce the prescribed buffer widths, [within a defined area], listed in the section above, provided that all of the following shall apply:

(a) The buffer of a Category I or II wetland is not reduced to less than 75 percent of the required buffer or 50 feet, whichever is greater;
(b) The buffer of a Category III or IV wetland is not reduced to less than 75 percent of the required buffer, or 25 feet, whichever is greater;
(c) The applicant implements reasonable measures to reduce the adverse impacts of structures and appurtenances on the subject parcel as determined by the Administrator.
(d) Buffer area reduction shall be minimized to accommodate only those structures and appurtenances as approved by the administrator.
Averaging Buffer Widths. Upon submission of a special report by a qualified professional, that demonstrates a buffer reduction does not have any adverse impact on the existing functions and values of the wetland, the administrator shall have the authority to average wetland buffer widths on a case-by-case basis, provided that all of the following shall apply:

(a) The buffer averaging does not have any adverse impact on the functions and values of the wetland;
(b) The total area contained within the buffer after averaging is no less than that which would be contained within the prescribed buffer, and the buffer boundary remains more or less parallel to the wetland boundary in order to avoid the creation of "panhandles";
(c) The most sensitive, or highest value, areas of the wetland have the widest buffer dimensions, and the buffer boundary takes into account variations in slope, soils, or vegetation to optimize the overall effectiveness of the buffer;
(d) The minimum buffer width is no less than 75 percent of the standard prescribed buffer width;
(e) The buffer has not been reduced in accordance with section (5) above. Buffer averaging is not allowed if the width of the entire buffer has been reduced already.

18.22.340 Non-Compensatory Enhancement

Non-compensatory enhancement projects are those which are conducted solely to increase the functions and values of an existing wetland and which are not required to be conducted pursuant to the mitigation requirements of JCC 18.22.330. There are two types of non-compensatory enhancement:

(1) Type 1 Non-compensatory Enhancement. Type 1 non-compensatory enhancement projects involve the filling, draining, or excavating of a regulated wetland. All applications for Type 1 non-compensatory enhancement projects shall be accompanied by an enhancement plan prepared in accordance with subsections (1)(a) and (1)(b) of this section, which demonstrates that the proposed activities will result in an increase in wetland functions and values.
(a) The enhancement plan must be submitted for review, and approved by the administrator.
(b) The enhancement plan must either be prepared by a qualified wetlands consultant or accepted in writing by the U.S. Fish and Wildlife Service, the Washington Department of Fish and Wildlife, or the Washington Department of Ecology.

(2) Type 2 Non-compensatory Enhancement. Type 2 non-compensatory enhancement projects involve wetland alterations that do not include the filling, draining, or excavating of a regulated wetland. Such projects might involve the removal of non-native plant species or the planting of native plant species. All applications for Type 2 non-compensatory enhancement projects shall be accompanied by an enhancement plan prepared in accordance with subsections (2)(a) through (2)(c) of this section, which demonstrates that the proposed activities will result in an increase in wetland functions and values.
(a) The enhancement plan shall be submitted for review, and approved, by the administrator;
(b) The enhancement plan must include a detailed description of the activity including the following information:
   (i) The goal of the enhancement project;
   (ii) What plants, if any, will be removed or planted;
   (iii) How the activity will be conducted, including the type(s) of tools or machinery to be used; and
   (iv) The qualifications of the individual who will be conducting the enhancement activity.
(c) The enhancement plan must either be prepared by a qualified wetlands consultant or accepted in writing by the U.S. Fish and Wildlife Service, the Washington Department of Fish and Wildlife, or the Washington Department of Ecology.

18.22.350 Mitigation

The overall goal of mitigation shall be no net loss of wetland function, value, and acreage.

(1) Mitigation Sequence. Mitigation includes avoiding, minimizing, or compensating for adverse impacts to regulated wetlands or their buffers. When a proposed use or development activity poses potentially significant adverse impacts to a regulated wetland or its buffer, the preferred sequence of mitigation as defined below shall be followed unless the applicant demonstrates that an overriding public benefit would warrant an exception to this preferred sequence.
(a) Avoiding the impact altogether by not taking a certain action or parts of actions on that portion of the site which contains the regulated wetland or its buffer;
(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or
Compensating for the impact by replacing, enhancing, or providing substitute resources or environments.

Compensatory Mitigation – General Requirements. As a condition of any permit or other approval allowing alteration which results in the loss or degradation of regulated wetlands, or as an enforcement action pursuant to Chapter 18.50 JCC, compensatory mitigation shall be required to offset impacts resulting from the actions of the applicant or any code violator.

(a) Except persons exempt under this article, any person who alters or proposes to alter regulated wetlands shall restore or create areas of wetland equivalent to or larger than those altered in order to compensate for wetland losses. The following table specifies the ratios that apply to creation or restoration that is in-kind, on-site, and is accomplished prior to or concurrently with alteration:

<table>
<thead>
<tr>
<th>Category and Type of Wetland Impacts</th>
<th>Re-establishment or Creation</th>
<th>Rehabilitation Only</th>
<th>Re-establishment or Creation (R/C) and Rehabilitation (RH)</th>
<th>Re-establishment or Creation (R/C) and Enhancement (E)</th>
<th>Enhancement Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Category IV</td>
<td>1.5:1</td>
<td>3:1</td>
<td>1:1 R/C and 1:1RH</td>
<td>1:1 R/C and 2:1 E</td>
<td>6:1</td>
</tr>
<tr>
<td>All Category III</td>
<td>2:1</td>
<td>4:1</td>
<td>1:1 R/C and 2:1RH</td>
<td>1:1 R/C and 4:1 E</td>
<td>8:1</td>
</tr>
<tr>
<td>Category II Estuarine</td>
<td>Case-by-case</td>
<td>4:1</td>
<td>Case-by-case</td>
<td>Case-by-case</td>
<td>Case-by-case</td>
</tr>
<tr>
<td>Category II Interdunal</td>
<td>2:1</td>
<td>4:1</td>
<td>1:1 R/C and 2:1 RH</td>
<td>Not considered an Option 2</td>
<td>Not considered an Option 2</td>
</tr>
<tr>
<td>All other Category II</td>
<td>3:1</td>
<td>6:1</td>
<td>1:1 R/C and 4:1 RH</td>
<td>1:1 R/C and 8:1 E</td>
<td>12:1</td>
</tr>
<tr>
<td>Category I Forested</td>
<td>6:1</td>
<td>12:1</td>
<td>1:1 R/C and 10:1 RH</td>
<td>1:1 R/C and 20:1 E</td>
<td>24:1</td>
</tr>
<tr>
<td>Category I based on score for functions</td>
<td>4:1</td>
<td>8:1</td>
<td>1:1 R/C and 6:1 RH</td>
<td>1:1 R/C and 12:1 E</td>
<td>16:1</td>
</tr>
<tr>
<td>Category I Natural Heritage site</td>
<td>Not considered Possible 3</td>
<td>6:1</td>
<td>R/C Not considered possible 3</td>
<td>R/C Not considered Possible 3</td>
<td>Case-by-case</td>
</tr>
<tr>
<td>Category I Coastal Lagoon</td>
<td>Not considered Possible 3</td>
<td>6:1</td>
<td>R/C not considered possible 3</td>
<td>R/C not considered Possible 3</td>
<td>Case-by-case</td>
</tr>
<tr>
<td>Category I Bog</td>
<td>Not considered Possible 3</td>
<td>6:1</td>
<td>R/C Not considered possible 3</td>
<td>R/C Not considered Possible 3</td>
<td>Case-by-case</td>
</tr>
<tr>
<td>Category I Estuarine</td>
<td>Case-by-case</td>
<td>6:1</td>
<td>Case-by-case</td>
<td>Case-by-case</td>
<td>Case-by-case</td>
</tr>
</tbody>
</table>

1These ratios are based on the assumption that the rehabilitation or enhancement actions implemented represent the average degree of improvement possible for the site. Proposals to implement more effective rehabilitation or enhancement actions may result in a lower ratio, while less effective actions may result in higher ratio. The distinction between rehabilitation and enhancement is not clear-cut. Instead, rehabilitation and enhancement actions span a continuum. Proposals that fall within the gray area between rehabilitation and enhancement will result in a ratio that lies between the ratios for rehabilitation and the ratios for enhancement.

2Due to the dynamic nature of interdunal systems, enhancement is not considered an ecologically appropriate action.
Natural Heritage sites, coastal lagoons, and bogs are considered irreplaceable wetlands because they perform some functions that cannot be replaced through compensatory mitigation. Impacts to such wetlands would therefore result in a net loss of some functions no matter what kind of compensation is proposed.

(b) Compensation must be completed prior to wetland destruction, where possible.
(c) Compensatory mitigation must follow an approved compensatory mitigation plan pursuant to this article, with the replacement ratios as specified above.
(d) Compensatory mitigation must be conducted on property that will be protected and managed to avoid further development or degradation. The applicant or code violator must provide for long-term preservation of the compensation area.
(e) The applicant shall demonstrate sufficient scientific expertise, supervisory capability, and financial resources, including bonding, to carry out the project. The applicant must demonstrate the capability for monitoring the site and making corrections if the project fails to meet projected goals.
(f) Compensatory mitigation must monitor the impact and take appropriate corrective measures.

(3) Compensatory Mitigation – Type, Location, and Timing.
(a) Priority will be given to in-kind, on-site compensation if feasible and if the wetland to be lost has a moderate to high functional value.
(b) When the wetland to be impacted is of a limited functional value and is degraded, compensation may be of the wetland community type most likely to succeed with the highest functional value possible.
(c) Out-of-kind compensation may be allowed when out-of-kind replacement will best meet identified goals (for example, replacement of historically diminished wetland types). Where out-of-kind replacement is accepted, greater acreage replacement ratios may be required to compensate for lost functional values.
(d) Off-site compensation can be allowed only if:
   (i) On-site compensation is not feasible due to hydrology, soils, waves, or other factors;
   (ii) On-site compensation is not practical due to probable adverse impacts from surrounding land uses;
   (iii) Potential functional values at the site of the proposed restoration are significantly greater than the lost wetland functional values; or
   (iv) Off-site compensation will be conducted in accordance with subsection (4) of this section (Cooperative Compensation Projects).
(e) Except in the case of cooperative compensation projects, off-site compensation must occur within the same watershed where the wetland loss occurs; provided, that Category IV wetlands may be replaced outside of the watershed if there is no reasonable technical alternative. The storm water storage function provided by Category IV wetlands must be provided for within the design of the development project.
(f) Except in the case of cooperative compensation projects, in selecting compensation sites applicants must pursue locations in the following order of preference:
   (i) Filled, drained, or cleared sites which were formerly wetlands and where appropriate hydrology exists; and
   (ii) Upland sites, adjacent to wetlands, if the upland is significantly disturbed and does not contain a mature forested or shrub community of native species, and where the appropriate natural hydrology exists.
(g) Construction of compensation projects must be timed to reduce impacts to existing wildlife and flora. Construction must be timed to assure that grading and soil movement occurs during the dry season. Planting of vegetation must be specifically timed to the needs of the target species.
(h) A mitigation plan shall include a monitoring plan. The duration, frequency and methods of monitoring depend on a project’s goals, objectives, and performance standards. In general, monitoring is required for at least five (5) years. If a scrub-shrub or forested vegetative community is proposed, monitoring may be required for ten (10) years or more. Monitoring may be extended if interim performance standards are not met.

(4) Cooperative Compensation Projects. The county may encourage, facilitate, and approve cooperative projects where one or more applicants, or an organization with demonstrated capability, may undertake a compensation project if it is demonstrated that:
(a) Creation of one or several larger wetlands may be preferable to many small wetlands;
(b) The group demonstrates the organizational and fiscal capability to act cooperatively;
(c) The group demonstrates that long term management of the compensation area can and will be provided; and
(d) There is a clear potential for success of the proposed compensation at the identified compensation site. Conducting compensation as part of a cooperative process does not reduce or eliminate the required replacement ratios outlined in this article.

(5) In-lieu Fee (ILF) Program. An applicant may opt to use the ILF program to compensate for impacts to aquatic resources (critical areas) and/or buffers based on criteria listed below. Use of the ILF program transfers the responsibility of providing compensatory mitigation from the applicant to the ILF program sponsor. The sponsoring organization is required to provide mitigation that complies with all mitigation requirements of this chapter.

(a) The ILF program may be used by an applicant as a way to mitigate for project impacts if the impacts to the critical area or buffer occur within an ILF Program Service Area. If an impact occurs outside of an ILF Program Service Area, an applicant may request that Jefferson County investigate the possibility of using the ILF program as mitigation. The ILF program sponsor is under no obligation to accept mitigation responsibilities for impacts outside a ILF program service area.

(b) The applicant shall determine if there is a preference for using the ILF program over permittee-responsible mitigation to compensate for unavoidable impacts. The county may encourage an applicant to use the ILF program, but shall not require an applicant to use ILF for mitigation.

(c) The administrator may approve an application using the ILF program for mitigation if the ILF program sponsor accepts the mitigation responsibility. The sponsoring organization has the right to deny the request if the sponsoring organization cannot fulfill all ILF program mitigation requirements. If the sponsoring organization does not accept the mitigation responsibility, the applicant shall be responsible for providing mitigation that complies with this chapter. The administrator shall not approve a permit involving ILF mitigation until (1) the applicant has purchased the appropriate number of credits from the sponsoring organization and (2) the sponsoring organization has completed a statement of sale. Once the ILF program sponsor completes the financial transaction with the applicant, the sponsor becomes responsible for completing the mitigation effort to comply with Jefferson County Code critical areas requirements and the applicable approved in-lieu fee program instrument.

Article VIII - Special Reports

18.22.360 General Requirements

(1) The administrator may require a special report or reports when critical areas are impacted.

(2) Special reports for critical areas shall include a scale map of the development proposal site and a written report.

(3) The special report shall identify and characterize any critical area as a part of the larger development proposal site, assess impacts of the development proposal on any critical area on or adjacent to the development proposal site, and assess the impacts of any alteration proposed for a critical area.

(4) The special report shall propose adequate protection mechanisms that may include mitigation, maintenance and monitoring plans, and performance surety.

(5) Special reports shall include documentation certifying the qualifications of the preparer.

18.22.370 Waivers

The administrator may waive the requirement for a special report when an applicant demonstrates all of the following:

(a) The proposal involved will not affect the critical area in a manner contrary to the goals, purposes and objectives of this code.

(b) The minimum protection standards required by this chapter are satisfied.

18.22.380 Retaining Consultants

Jefferson County may retain consultants to assist in the review of special reports outside the range of staff expertise. The applicant shall pay for the costs of retaining said consultants.

18.22.390 Acceptance of Special Reports

(1) The administrator shall verify the accuracy and sufficiency of all special reports within 42 calendar days of their submission.

(2) If the administrator finds that a special report does not accurately reflect site conditions, or does not incorporate appropriate protections mechanisms, the administrator shall cite evidence (e.g., soil samples, well log data, etc.)
that demonstrates where the special report is insufficient or in error. The applicant may then either revise the
special report and submit another special report, or appeal the administrative determination pursuant to this code.

18.22.400 Aquifer Recharge Area Report

(1) General. Aquifer recharge area reports serve as the primary means for Jefferson County to verify the accuracy of
its critical aquifer recharge area map and to determine specific aquifer protection measures to be applied to
prevent significant adverse groundwater quality impacts.

(2) Aquifer Recharge Area Report Content. An initial evaluation shall be made by a qualified groundwater
scientist/engineer. The aquifer recharge area report shall include:
(a) A detailed description of the project, including all processes and other activities that have the potential for
contaminating groundwater;
(b) A hydrogeologic evaluation that includes, at a minimum:
   (i) A description of the hydrogeologic setting of the aquifer region;
   (ii) Site location, topography, drainage, and surface water bodies;
   (iii) Soils and geologic units underlying the site;
   (iv) Groundwater characteristics of the area, including flow direction and gradient, and existing
groundwater quality;
   (v) The location and characteristics of wells and springs within 1,000 feet of the site;
   (vi) An evaluation of existing groundwater recharge; and
   (vii) A discussion and evaluation of the potential impact of the proposal upon groundwater recharge;
(c) A contaminant transport analysis for the uppermost groundwater supply aquifer assuming an accidental
spill or release of project specific contaminants or on-site sewage discharge, or both if applicable;
(d) A discussion and evaluation that details available on-site spill response and containment equipment,
employee spill response training, and emergency service coordination measures;
(e) Proposed best management practices to minimize exposure of permeable surfaces to potential pollutants
and to prevent degradation of groundwater quality; and
(f) Requirements for a monitoring program with financial guarantees/assurances that the monitoring program
will be implemented.

(3) Professional Qualifications. The minimum qualifications for groundwater scientists and engineers performing
groundwater and contaminant transport evaluations and preparing aquifer recharge area reports shall be
established pursuant to acceptable industry standards for training and experience and as established by the state
of Washington in the Washington Administrative Code or by statute.

(4) County Review. Reports shall be forwarded to the Jefferson County environmental health division for technical
review. The environmental health division shall review the reports within 30 days of receipt to determine their
adequacy. The county may request additional information in order to determine the adequacy of the reports. The
administrator shall determine appropriate conditions as identified in the report to mitigate proposed land uses. The
administrator shall be authorized to collect fees necessary to recover costs associated with processing and review
of aquifer recharge area reports, implementation of the protection standards contained in this chapter, and
administration of the general provisions of the critical aquifer recharge area provisions of this code. Such fees will
be incorporated into the Jefferson County Fee Schedule.

18.22.410 Drainage and Erosion Control Plan

(1) General. This plan shall address best management practices that are physical, structural or managerial practices,
that when used singly or in combination, prevent or reduce pollution of water.

(2) Qualifications of the Preparer. Drainage and erosion control plans shall be prepared by a licensed professional
engineer, except for small parcel erosion control plans.

(3) Information Requirements. The design standards and information requirements for submission of drainage and
erosion control plans shall be established in accordance with the Department of Ecology’s Storm water

18.22.420 Geotechnical Report

(1) General. This report shall include a description of the geology of the site, conclusions and recommendations
regarding the effect of geologic conditions on the proposal, and opinions and recommendations on the suitability
of the site to be developed.

(2) Qualifications of the Preparer. Geotechnical reports shall be prepared by a licensed geotechnical engineer, a
professional geologist, or a licensed professional engineer knowledgeable in regional geologic conditions with
professional experience in landslide, erosion, or seismic hazard evaluation.
(3) Information Requirements.
(a) A description of the geologic setting of the region, based upon readily available data, including:
   (i) Site location and topography;
   (ii) Soils and geologic units underlying the site; and
   (iii) The location and characteristics of springs within 1,000 feet of the site;
   (iv) Level of hazard in CMZ.
(b) An evaluation of the potential impact of the proposal upon existing geological hazards.
(c) A discussion and evaluation of the potential impact of the proposal upon existing geological hazards.
(d) Recommendations on appropriate protection mechanisms, if necessary, to minimize the risk of erosion or landslide.

18.22.430 Grading Plan

(1) General. This plan shall identify the proposed development project including the movement of material on-site, along with the proposed and existing contours of the site, and cross-sections thereof.
(2) Qualifications of the Preparer. Grading plans shall be prepared by a licensed professional engineer or an individual with at least three years experience in the preparation of grading plans who is knowledgeable of soil conditions and geology in Jefferson County.
(3) Information Requirements.
   (a) A description of the general vicinity of the proposed site.
   (b) The property limits and accurate contours of existing ground and details of terrain and area drainage.
   (c) Limiting dimensions, elevations of finish contours to be achieved by the grading, and proposed drainage channels and related construction.
   (d) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage areas and the estimated runoff of the areas served by any drains.
   (e) The location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet of the property or which may be affected by proposed grading operations.
   (f) A discussion and evaluation of the potential impact of the proposed grading upon designated critical areas.
   (g) Recommendations on appropriate protection mechanisms, if necessary, to prevent degradation of designated critical areas and to ensure public safety.

18.22.440 Habitat Management Plan

(1) General. This report shall identify how the development impacts of the proposed project will be mitigated. The Washington Department of Fish and Wildlife Priority Habitat and Species Management Recommendations shall be the basis for this report.
(2) Qualifications of the Preparer. Habitat management plans shall be prepared by persons who have a minimum of a bachelor’s degree in wildlife or fisheries habitat biology, or a related degree in a biological field from an accredited college or university with a minimum of four years experience as a practicing fish or wildlife habitat biologist.
(3) Information Requirements.
   (a) A map(s) prepared at an easily readable scale, including the following information:
      (i) The location of the proposed development site, including property limits;
      (ii) The relationship of the site to surrounding topographic and cultural features;
      (iii) The nature and density of the proposed development or land use change;
      (iv) Proposed building locations and arrangements; and
      (v) The boundaries of forested areas.
   (b) A legend that includes the following information:
      (i) A complete and accurate legal description as prescribed by the triggering application form (the description shall include the total acreage of the parcel);
      (ii) Title, scale and north arrows;
      (iii) Date, including revision dates, if applicable; and
      (iv) Certificates by a professional biologist as appropriate.
   (c) A report that contains the following information:
      (i) A description of the nature, density and intensity of the proposed development in sufficient detail to allow analysis of such land use change upon identified fish and wildlife habitat;
(ii) The applicant’s analysis of the effect of the proposed development, activity or land use change upon the fish or wildlife species identified by the Washington Department of Fish and Wildlife within the identified priority habitat, utilizing the management guidelines;

(iii) A plan by the applicant that shall explain how any adverse impacts created by the development will be mitigated.

(iv) A mitigation plan shall not be required of the applicant if the ILF program (as specified in JCC 18.22.###) is used to mitigate project impacts.

(d) Possible mitigating measures that may include, but are not limited to:

(i) Establishment of buffer zones;

(ii) Preservation of critically important plants and trees;

(iii) Limitation of access to habitat area;

(iv) Seasonal restriction of construction activities; and

(v) Establishing a timetable for periodic review of the plan.

18.22.450 Wetland Delineation Report

(1) General. This report shall be required when a proposed development encroaches upon a designated wetland or its buffer, and shall be used to identify the boundaries and classification of the designated wetland.

(2) Qualifications of the Preparer. Wetland delineation reports shall be prepared by a biologist with wetlands expertise, a Professional Wetland Scientist certified by the Society of Wetland Scientists.

(3) Information Requirements.

(a) A map(s) prepared at an easily readable scale, including the following information:

(i) Wetland boundaries;

(ii) Sample site and sample transects;

(iii) Boundaries of forested areas; and

(iv) Boundaries of wetland classes if multiple classes exist.

(b) A legend that includes the following information:

(i) A complete and accurate legal description as prescribed by the triggering application form (the description shall include the total acreage of the parcel);

(ii) Title, scale and north arrows;

(iii) Date, including revision dates, if applicable; and

(iv) Certificates by a professional biologist as appropriate.

(c) A report that contains the following information:

(i) A discussion of the delineation methods and results, with special emphasis on technique used from the Washington State Wetlands Identification and Delineation Manual, March 1997, or as amended hereafter;

(ii) A description of relevant site information acquired from the National Wetland Inventory maps and the Soil Survey for Jefferson County;

(iii) The acreage of each wetland on the site, based on the survey, if the acreage will impact the buffer size determination or the project design;

(iv) All completed field data sheets numbered to correspond to each sample site;

(v) Project cross-sections, both before and after completion, in relation to the surface elevation of the wetland must be indicated for proposed activities that involve cutting or filling operations within the wetland or its proposed buffer;

(vi) Classification of the wetland in accordance with the standards adopted in this chapter and a detailed written analysis of the existing regulated wetland including: vegetation communities classified per the U.S. Fish and Wildlife Service Classification of Deepwater Habitats (1979); species composition of vegetation communities, including presence and percent cover; existing soils; and existing hydrologic conditions including inflow/outflow, source of water within the system, relative water quality, and seasonal changes in hydrology, if applicable;

(vii) A detailed analysis of wildlife species use of the wetland and its buffer;

(viii) A detailed analysis of the existing wetland buffer including species composition and percent coverage, whether the buffer is disturbed or not, and the functional value of the buffer in relation to the regulated wetland;

(ix) If the development activity would eliminate all or part of a regulated wetland then a detailed compensatory mitigation plan as outlined in subsection (4) of this section must be provided.

(4) Mitigation Plan Contents. All wetland restoration, creation, and enhancementmitigation projects required by this code, either as a condition of project approval or as the result of an enforcement action, shall follow the mitigation requirements of JCC 18.22.350. A mitigation plan prepared by a qualified specialist as defined herein and conducted in accordance with the requirements described in this code. The applicant or violator must receive
written approval of the mitigation plan by the administrator prior to commencement of any wetland restoration, creation, or enhancement activity.
To: Jefferson County Planning Commission  
From: Tim Woolett, Assistant Planner  
Date: October 27, 2014  
Re: Deadline for Filing and Vesting Periods for Final Plats

This is a summary of the recommended changes to the UDC for the above referenced final plat provisions and provided as an attachment to this memo.

The 2012 Legislature amended to RCW 58.17.140 extending the time period after preliminary plat approval within which a subdivider has to file for final plat approval, two years after the Legislature’s previous extension of that time period.

The 2013 Legislature has, effective July 28, 2013, again amended that statute and extended that time period in SHB 1074 (Laws of 2013, ch. 16), which extended that time period for filing a final plat to ten years from the date of preliminary plat approval, if the date of preliminary plat approval was prior to January 1, 2008 and the plat is not subject to the Shoreline Management Act (SMA), chapter 90.58 RCW.

Under the 2012 legislation, that time period had been extended to nine years, but only if the plat was within the boundaries of a city and not subject to the SMA. The 2013 Legislature removed the requirement that the plat be with a city’s limits.

The time period for submitting a final plat when the preliminary plat approval was on or after January 1, 2008 – or before that date when the plat is subject to the SMA – was not changed by this 2013 legislation. That period is seven years, if the preliminary plat approval is before January 1, 2015, and five years if the preliminary plat approval is on or after January 1, 2015.

So, in summary, here are the applicable time periods for filing a final plat as of July 28, 2013 (the effective date of SHB 1074):

- Preliminary plat approved before January 1, 2008 and not within SMA jurisdiction: ten years
- Preliminary plat approved before January 1, 2015, including those approved before January 1, 2008 and within SMA jurisdiction: seven years
- Preliminary plat approved on or after January 1, 2015, regardless of where located: five years.

In addition to extending the time period for filing a final plat, SHB 1074 amends RCW 58.17.170 to extend the time period after final plat approval under which the plat approval is vested, in a manner parallel to the extension of the time period for filing a final plat. That vesting period is extended to ten years, if the date of final plat approval was prior to January 1, 2008 and the plat is not subject to the SMA. The plat need no longer be within a city to qualify for this extended vesting period.
So, for qualifying plats, the plat can be developed according to “the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval” for a period of ten years after final plat approval. After ten years have expired, development of the plat, if it has not already occurred, would be subject to any applicable statutes, ordinances, and regulations that had been enacted or amended since final plat approval.

The vesting period for other final plats remains unchanged from those set by EHB 2152 in 2012.

So, the applicable vesting periods for final plats are, as of July 28, 2013 (the effective date of SHB 1074), as follows:

- Final plat approved before January 1, 2008 and not within SMA jurisdiction: ten years
- Final plat approved before January 1, 2015, including those approved before January 1, 2008 and within SMA jurisdiction: seven years
- Final plat approved on or after January 1, 2015, regardless of where located: five years.

Staff looks forward to discussing this topic with the Planning Commission at the October 1 meeting.

Attachments: Proposed UDC Revisions
18.35.400 Time limitation on final long plat submittal.

(1) Approval of a preliminary long subdivision shall be valid as follows:

(a) For preliminary long plats approved on or after January 1, 2015, regardless of where located, the original and three copies of a final long plat meeting all requirements of Chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within five years of the date of the preliminary long plat approval. No extensions shall be granted. A plat granted preliminary approval but filed for final long plat approval following the applicable time period shall be null and void. The department of community development shall not be responsible for notifying the applicant of an impending preliminary long plat expiration. [Ord. 8-06 § 1]

(b) For preliminary long plats approved before January 1, 2015, including those within the shoreline jurisdiction before January 1, 2008, the original and three copies of the final long plat meeting all requirements of Chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within seven years of the date of the preliminary long plat approval.

(c) For preliminary long plats approved before January 1, 2008 and not within the shoreline jurisdiction, the original and three copies of a final long plat meeting all requirements of Chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within ten years the date of the preliminary long plat approval.

(2) No extensions shall be granted. A plat granted preliminary approval but filed for final long plat approval following the applicable time period shall be null and void. The department of community development shall not be responsible for notifying the applicant of an impending preliminary long plat expiration. [Ord. 8-06 § 1]

*Code reviser’s note: “Within five years” is now seven years until December 31, 2014, under state law – go to...*

18.35.410 Effect of an approved final long plat – Valid land use.

(1) Any lots in a final long plat filed for record on or after January 1, 2005, regardless of where located shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing. A long subdivision shall be governed by the terms of approval of the final long plat, and the statutes, ordinances and regulations in effect on the date of preliminary long plat approval for a period of five years after final long plat approval unless the board of county commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the subdivision. [Ord. 8-06 § 1]

(2) Any lots in a final long plat filed for record before January 1, 2015, including those approved before January 1, 2008 and within the shoreline jurisdiction shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing.

(3) Any lots in a final long plat filed for record before January 1, 2008 and not within the shoreline jurisdiction shall be a valid land use notwithstanding any change in zoning laws for a period of ten years from the date of filing.

(4) A long subdivision shall be governed by the terms of approval of the final long plat, and the statutes, ordinances and regulations in effect on the date of preliminary long plat approval for a period of five years after final long plat approval as provided in (1), (2), and (3) of this section unless the board of county commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the subdivision. [Ord. 8-06 § 1]
TO: Planning Commission  
FROM: Carl Smith, DCD Director  
        Colleen Zmolek, Associate Planner  
RE: Land Use Regulations for Recreational Marijuana (I-502)  
DATE: November 5, 2014

Background

On August 11, 2014, the Board of County Commissioners (Board) adopted Ordinance # 07-0811-14, (attached) establishing a six month moratorium on accepting or processing applications for recreational marijuana businesses in certain land use zones. A public hearing was held on Monday, October 6, 2014 at 10:30 a.m. in the Cotton Building, 607 Water Street Port Townsend. Approximately 40 people attended and many gave oral or written comments.

The moratorium prevents new applications for marijuana producing or processing in areas zoned rural residential, rural commercial, public, and UGA. Other zones are not affected. Marijuana retailing is not affected, pursuant to existing regulations. The rationale for the moratorium are well stated in Ordinance #07-0911-14. To briefly summarize, the moratorium provides the County the opportunity to review and amend its regulations that would apply to marijuana growing and production, so that potential impacts can be avoided, reduced or mitigated. Evidence of potential impacts include the following facts and findings:

- At the time of the moratorium, there were a total of 36 primary applications for Washington State Liquor Control Board (WSLCB) licenses in Jefferson County. Of those, 17 propose locating in rural residential lands, with 13 of those proposed in Rural Residential 1:5; the County’s smallest residential zone and one typically used for residential uses.
- One application in a RR 1:10 zone proposed 40,000 square feet of buildings, 30 parking spaces and a septic system sized for 50 people.
- The WSLCB has confirmed that they will not screen license applicants for local and other state requirements. Only WSLCB requirements will need to be met for license issuance.
- The unprecedented interest in this form of agriculture in residually zoned land gives rise to concerns over the potential scale and intensity of marijuana operations, and potential impacts to other land uses.

Ordinance #07-0811-14 includes a workplan to prepare and approve regulations for the control of recreational marijuana in Jefferson County.

Pursuant to JCC 18.05.050(2), amendments to the Unified Development Code are subject to review and recommendation to the BOCC by the Planning Commission.

Analysis

There are two fundamental approaches to regulation of recreational marijuana (MJ).
1. Treat MJ as a non-agricultural land use. With this approach, the regulation of MJ can be tailored to address issues particular to MJ, without affecting other agricultural uses.

2. Treat MJ as an agricultural land use just like any other agricultural land use. With this approach, any regulation intended to address MJ will also apply to all other agricultural uses.

DCD staff leans toward the first approach, finding that MJ is significantly different from other forms of agriculture and therefore warrants regulations tailored to its particular issues. Ways in which MJ is different from other agriculture include:

- MJ has resulted in a demand for residentially zoned land in the County that has not historically occurred for other types of agriculture. This gives rise to concerns for compatibility of MJ uses with residential uses. Evidence of this is that out of 36 primary applications for MJ licenses, 17 propose locating in rural residential lands, with 13 of those proposed in Rural Residential 1:5; the County's smallest residential zone and one typically used for residential uses.

- MJ licensing requirements by the State Liquor Control Board are stringent and unlike anything required for other forms of agriculture. These requirements include:
  - Criminal background checks of applicants.
  - Notice to local jurisdictions of pending licensees.
  - Stringent requirements for record keeping, tracing, handling, labeling, transporting of MJ and destruction of waste products.
  - 25% excise tax paid to the state at each stage of producing, processing and retailing.
  - MJ operations cannot be located within another business or a residence.
  - 24 hour video surveillance and alarm systems of premises and operations.
  - All employees must wear I.D. badges.
  - Outdoor growing must be surrounded by 8' high sight obscuring fence.
  - Prohibition of anyone under the age of 21 on site.
  - Law enforcement inspection of premises prior to opening and at random times thereafter.
  - 1,000 exclusion zone between MJ land uses and certain other land uses, including primary and secondary schools, public parks and playgrounds, recreation centers, game arcades not restricted to those over age 21, daycare facilities, libraries, transit facilities.

- MJ is still a “class 1 controlled substance”, illegal under federal law.

- In 2014, the State Legislature passed SB #6505 (commonly called the Hargrove bill for its sponsor) declaring that MJ is not agriculture for purposes of property tax assessment or tax exemption under the open space act.

Recommendation

For these reasons, staff proposes to regulate MJ as a separate land use, so that regulations can be specific to the issues of MJ, and avoid impacting other traditional agriculture. The matrix provided with this staff report presents staff’s initial ideas on regulations for MJ.
I-502 Recreational Marijuana Matrix Summary

At a staff level a matrix was prepared that described existing zoning districts and intent of the district in our regulations. Outlining the pros and cons, a brief analysis, and potential recommendations.

The summary below provides an overview of staff’s initial recommendation in:

**Retail** (Currently the State I-502 law does not allow Retail and Producing/Processing on same site).

Allow in:
- Rural Village Center (RVC)
- General Crossroads (GC)
- Neighborhood Crossroads (NC)
- UGA Urban Commercial
- MPR Village Commercial
- Industrial Zones (All)
- Public lands

Allow but consider adding limits:
- Resource lands (ag, forest)
- Rural Residential (RR)
- Inholding Forest (IF)

Prohibit in:
- Convenience Crossroads (CC)
- Mineral Resource Lands (MRL)
- MPR all residential zones.
- UGA Visitor-Oriented Commercial (VOC), Public (P)
- UGA all residential zones (ULDR), (UMDR), (UHDR)

**Producing and Processing**

Allow in:
- All Industrial Zones
- Resource lands except Mineral Resource land Overlay (MRLO) And Forest Transition Overlay (FTR)

Allow with limits:
- Rural Residential Lands RR1:20, RR1:10 RR1:5

Prohibit in:
- All Rural Commercial: Rural Village Center (RVC), General Crossroads (GC), Neighborhood Crossroads (NC)
- All MPR & UGA residential zones.
### Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

<table>
<thead>
<tr>
<th>Zoning</th>
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<tbody>
<tr>
<td><strong>Rural Industrial</strong></td>
<td><strong>Retail</strong></td>
<td>Retail sales and services as a standalone use are not allowed in this zone. Only incidental retail sales of product processed on site is allowed per JCC 18.20.220(1)(c).</td>
<td><em>Retail not consistent with district purpose or with state law when coupled with JCC regulations.</em></td>
<td>JCC18.20.220(1) (c) Retail sales and services incidental to a principally permitted use are allowable, provided: (i) The operations are contained within the main structure which houses the primary use; (ii) Retail sales occupy no more than 15 percent of the total building square footage; (iii) No retail sales or display of merchandise occurs outside the structure; and (iv) All products offered for retail sales on the site are manufactured, warehoused, or assembled on the premises (except for products sold at colleges or technical schools).</td>
<td>No changes to JCC in LI/M</td>
</tr>
<tr>
<td><strong>Light Industrial/Manufacturing LI/M)</strong> – Quilcene &amp; Eastview</td>
<td><strong>Producing/ Processing</strong></td>
<td>Consistent with Intensity Level/Purpose. Economic</td>
<td>Potentially displaces other Industrial Uses. No state approved public water supply currently exists in this zone.</td>
<td>This zone doesn’t have full build out, empty lots and buildings exist to accommodate this use. Growing/Processing could be done at</td>
<td>Allow Producing and Processing in LI/M</td>
</tr>
</tbody>
</table>

*State Law does not allow retail sales on the same site where producing/processing is occurring or approved.*
*State Law does not allow retail sales on the same site where producing/processing is occurring or approved.

### Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tr>
<td></td>
<td></td>
<td>Development opportunity</td>
<td></td>
<td>industrial scale and level of intensity. Increased setbacks exist when abutting a residential district</td>
<td></td>
</tr>
<tr>
<td>Light Industrial/Commercial (LI/C) – Glen Cove</td>
<td>Retail</td>
<td>Public water supply available.</td>
<td>Retail sales and services as a standalone use are not allowed in this zone. Only incidental retail sales of product processed on site is allowed per JCC 18.20.220(1)(c).</td>
<td>*Retail not consistent with district purpose or with state law when coupled with JCC regulations. JCC18.20.220(1) (c) Retail sales and services incidental to a principally permitted use are allowable, provided: (i) The operations are contained within the main structure which houses the primary use; (ii) Retail sales occupy no more than 15 percent of the total building square footage; (iii) No retail sales or display of merchandise occurs outside the structure; and (iv) All products offered for retail sales on the site are manufactured, warehoused, or assembled on the premises (except for products sold at colleges or technical schools).</td>
<td>No changes to JCC in LI/C</td>
</tr>
</tbody>
</table>

The intent of this district is to facilitate economic development and provide for a broader range of light industrial and associated commercial activities in the Glen Cove area. Associated commercial activities are intended to directly serve the needs of the land use activities existing within this district.
### Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<th>Analysis</th>
<th>Potential Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Producing/Processing</td>
<td>Consistent with Intensity Level/Purpose. Economic Development potential</td>
<td>Potentially displaces other Uses.</td>
<td>This zone doesn't have full build out, empty lots and buildings exist to accommodate this use. Growing/Processing could be done at industrial scale and level of intensity. Increased setbacks exist when abutting a residential district</td>
<td>Allow producing and processing in LI/C</td>
<td></td>
</tr>
<tr>
<td>Glen Cove Light Industrial (LI) – Glen Cove</td>
<td>Retail</td>
<td>Retail sales and services as a standalone use are not allowed in this zone. Only incidental retail sales of product processed on site is allowed per JCC 18.20.220(1)(c).</td>
<td>*Retail not consistent with district purpose or with state law when coupled with JCC regulations. JCC18.20.220(1) (c) Retail sales and services incidental to a principally permitted use are allowable, provided: (i) The operations are contained within the main structure which houses the primary use; (ii) Retail sales occupy no more than 15 percent of the total building square footage; (iii) No retail sales or display of merchandise occurs outside the structure; and (iv) All products offered for retail</td>
<td>No changes to JCC in LI</td>
<td></td>
</tr>
</tbody>
</table>

*State Law does not allow retail sales on the same site where producing/processing is occurring or approved.*

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October 29, 2014
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Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tbody>
<tr>
<td></td>
<td>Producing/ Processing</td>
<td>Public water supply available.</td>
<td>Potentially displaces other Uses.</td>
<td>sales on the site are manufactured, warehoused, or assembled on the premises (except for products sold at colleges or technical schools).</td>
<td>Allow producing and processing in LI</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Consistent with Intensity Level/Purpose.</td>
<td></td>
<td>This zone doesn’t have full build out, empty lots and buildings exist to accommodate this use.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td>Growing/Processing could be done at industrial scale and level of intensity.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Increased setbacks exist when abutting a residential district JCC18.30.050 table 6-1 Note 3 &amp; 4</td>
<td></td>
</tr>
<tr>
<td>Heavy Industrial (HI)</td>
<td>Retail</td>
<td></td>
<td></td>
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<tr>
<td>Port Townsend Paper Mill</td>
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</tbody>
</table>

The intent of this district is to facilitate economic development and regulate development of more intensive heavy industrial and manufacturing activities, including and associated with the Port Townsend Paper Mill.

Retail

Not Consistent with purpose of land use district.

JCC18.20.220(1) (c) Retail sales and services incidental to a principally permitted use are allowable, provided:
(i) The operations are contained within the main structure which houses the primary use;
(ii) Retail sales occupy no more than 15 percent of the total building square footage;
(iii) No retail sales or display of

No changes to JCC in HI
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<td>Producing/Processing</td>
<td>Public water supply available.</td>
<td></td>
<td></td>
<td>merchandise occurs outside the structure; and (iv) All products offered for retail sales on the site are manufactured, warehoused, or assembled on the premises (except for products sold at colleges or technical schools).</td>
<td>Allow producing and processing in HI</td>
</tr>
<tr>
<td>Resource Based Industrial (RBI) – Gardiner, Center Valley and the West End.</td>
<td>Retail</td>
<td></td>
<td>Retail sales and services as a standalone use are not allowed in this zone. Only incidental retail sales of product processed on site is allowed per JCC 18.20.220(1)(c).</td>
<td>Not Consistent with purpose of land use district. *Retail not consistent with district purpose or with state law when coupled with JCC regulations. No Commercial use allowed in JCC18.15.040 USE TABLE</td>
<td>No changes to JCC in RBI</td>
</tr>
<tr>
<td>Producing/Processing</td>
<td>Economic Development potential Established Industrial structures under-</td>
<td></td>
<td></td>
<td>Increased setbacks exist for industrial uses when abutting a residential district JCC18.30.050 table 6-1 Note 3 &amp; 4</td>
<td>Allow producing and processing in RBI</td>
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</thead>
<tbody>
<tr>
<td>Forest Transition Overlay 1 Unit/5 Acres</td>
<td>Retail</td>
<td>This zoning district’s purpose is primarily residential</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban retail in FTO</td>
<td></td>
</tr>
<tr>
<td>(FTO 1:5)</td>
<td>Producing/</td>
<td>This zoning district’s purpose is primarily residential.</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in FTO</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Processing</td>
<td>Currently no land is designated FTO.</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Retail</td>
<td>Retail sales and services as a standalone use are not allowed in this zone.</td>
<td>Not Consistent with purpose of land use district.</td>
<td>No Change to JCC in PPR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Producing/</td>
<td>These uses cannot be located near public parks</td>
<td>No Commercial use allowed in JCC18.15.040 USE TABLE</td>
<td>Ban producing and processing in PPR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Processing</td>
<td>These uses cannot be located near public parks</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public

| Park, Preserves and Recreation (PPR)         | Retail      | Retail sales and services as a standalone use are not allowed in this zone. | Not Consistent with purpose of land use district. | No Change to JCC in PPR                      |                            |
|                                             | Producing/  | These uses cannot be located near public parks | Not Consistent with purpose of land use district. | Ban producing and processing in PPR           |                            |
|                                             | Processing  | These uses cannot be located near public parks |                                          |                                               |                            |

October 29, 2014
**State Law does not allow retail sales on the same site where producing/processing is occurring or approved.**

### Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tbody>
<tr>
<td>County Waste Management Essential Public Facility (CWMEPF)</td>
<td>Retail</td>
<td></td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>No Change to JCC in CWMEPF</td>
</tr>
<tr>
<td>Producing/Processing</td>
<td>Public Land</td>
<td>Can’t use Federal dollars and cannot be located near public parks</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in CWMEPF</td>
</tr>
<tr>
<td>Airport Essential Public Facility (AEPF)</td>
<td>Retail</td>
<td></td>
<td></td>
<td></td>
<td>Obtain Port of Port Townsend input</td>
</tr>
<tr>
<td>Producing/Processing</td>
<td>Ask Port their opinion</td>
<td></td>
<td></td>
<td></td>
<td>Obtain Port of Port Townsend input</td>
</tr>
</tbody>
</table>

Airport Essential Public Facility (AEPF): This land use district consists of land owned by the Port of Port Townsend that directly and indirectly supports operations of the Jefferson County International Airport as an essential public facility. It is intended to promote compatible land uses and the long-term economic viability of the JCIA consistent with county goals regarding essential public facilities, the preservation of rural character, and economic development.

### Resource Lands

#### Agricultural Resource Lands (AG)

<table>
<thead>
<tr>
<th>Agricultural Lands (AP-20)</th>
<th>Retail</th>
<th>Produce/Growing</th>
<th>Analysis</th>
<th>Potential Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of the prime agricultural lands district is to protect and preserve areas of prime agricultural soils for the continued production of</td>
<td>Retail</td>
<td>Growing on larger</td>
<td>Retail of agricultural products grown on site is allowed as an accessory use per JCC 18.20.030.</td>
<td>*Retail not consistent with state law when coupled with JCC regulations.</td>
</tr>
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October 29, 2014
**State Law does not allow retail sales on the same site where producing/processing is occurring or approved.**

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<tr>
<td>commercial crops, livestock, or other agricultural products requiring relatively large tracts of agricultural land. It is intended to preserve and protect the land environment, economy and lifestyle of agriculture in Jefferson County. These lands must be protected as “agricultural lands of long-term commercial significance.”</td>
<td>Processing</td>
<td>parcels allow reduced impact to neighbors.</td>
<td>agricultural soils whereas indoor growing could be done on lands not characterized by prime agricultural soils.</td>
<td>district.</td>
<td>processing in AP-20 with limits through development standards.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If done on small portion of land, may be accessory/complementary to preserving our resource lands.</td>
<td>State based program for tax reduction “Open Space Act” does not allow I-502 recreational marijuana production to participate in the tax reduction program. A minimum of 1 acre or if greater the area participating in I-502 would be removed from the program. The Assessor would need to be notified and compensating taxes would have to be paid.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Keeping AG lands for AG use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural Lands of Local Importance (AL-20)</td>
<td>Retail</td>
<td>Retail of agricultural products grown on site is allowed as an accessory use per JCC 18.20.030.</td>
<td></td>
<td>*Retail not consistent with state law when coupled with JCC regulations.</td>
<td>Allow retail with limits in AL-20</td>
</tr>
<tr>
<td>The purpose of the agricultural lands of local importance district is to protect and preserve parcels of land which, while not necessarily consisting of prime agriculture soil or relatively large acreage, are still considered important to the local agricultural economy, lifestyle and environment. As such they deserve protection as “agricultural lands of long-term commercial significance.”</td>
<td>Producing/Processing</td>
<td>Growing on larger parcels allow reduced impact to neighbors.</td>
<td>Outdoor grow operations may need agricultural soils whereas indoor growing could be done on lands not characterized by prime agricultural soils.</td>
<td>Consistent with purpose of land use district.</td>
<td>Allow producing and processing on AL-20 with limits through development standards.</td>
</tr>
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<td><strong>Forest Lands</strong></td>
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<td><strong>Pro</strong></td>
<td><strong>Con</strong></td>
<td><strong>Analysis</strong></td>
<td><strong>Potential Recommendation</strong></td>
</tr>
<tr>
<td><strong>Commercial Forest (CF-80)</strong></td>
<td><strong>Retail</strong></td>
<td><strong>Pro</strong></td>
<td><strong>Con</strong></td>
<td><strong>Analysis</strong></td>
<td><strong>Potential Recommendation</strong></td>
</tr>
<tr>
<td>The purpose of the commercial forest district is to ensure large tracts of forest lands of long-term significance are protected from incompatible uses thereby sustaining the ability of forest resource extraction activities to be maintained as a viable commercial activity.</td>
<td><strong>Retail</strong></td>
<td><strong>Pro</strong></td>
<td><strong>Con</strong></td>
<td><strong>Analysis</strong></td>
<td><strong>Potential Recommendation</strong></td>
</tr>
<tr>
<td><strong>Producing/Processing</strong></td>
<td><strong>Retail</strong></td>
<td><strong>Pro</strong></td>
<td><strong>Con</strong></td>
<td><strong>Analysis</strong></td>
<td><strong>Potential Recommendation</strong></td>
</tr>
<tr>
<td>Can be accommodated on small portion of property and keep rest of parcel in timber production. Timber buffers from other adjacent proprieties/uses. Economic Development</td>
<td><strong>Retail</strong></td>
<td><strong>Pro</strong></td>
<td><strong>Con</strong></td>
<td><strong>Analysis</strong></td>
<td><strong>Potential Recommendation</strong></td>
</tr>
</tbody>
</table>

- **Pro**: for AG use.
- **Con**: removed from the program. The Assessor would need to be notified and compensating taxes would have to be paid.
- **Analysis**: Not Consistent with purpose of land use district.
- **Potential Recommendation**: Allow retail with limits in CF-80

- **Pro**: Potential for conversion of entire parcel. Water Supply could be an issue in some areas. Day to day employees, traffic, noise, light, glare greater than would occur with timber harvest. Timber harvest occurs once in many years. State based program for tax reduction “Designated Forest Act” does not allow 1-502 recreational marijuana production to participate in the tax reduction program. A minimum of 1 acre or if greater the area participating in I-502 would be removed from the program. Timber lands a minimum of 5 acres are allowed in the program. If the acreage participating in the program is smaller than 5 acres all acreage will be removed
- **Analysis**: Could have area limit on conversion. Consider increased setbacks from property lines. Consider indoor vs outdoor grow operations. Maximum allowed impervious surface 10% JCC18.30.050 table 6-1. Impervious surface include roads, structures, parking and impermeable surface.
- **Potential Recommendation**: Allow producing and processing in CF-80 with limits through development regulations

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*State Law does not allow retail sales on the same site where producing/processing is occurring or approved.

## Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tr>
<th>Zoning</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Rural Forest (RF-40)</td>
<td>Retail</td>
<td>Retail sales and services as a standalone use are not allowed in this zone.</td>
<td>Not Consistent with purpose of land use district.</td>
<td></td>
<td>Allow retail with limits in RF-40</td>
</tr>
<tr>
<td></td>
<td>Producing/</td>
<td>Can be on 2 or less acres and keep rest of parcel in timber production.</td>
<td>Potential for conversion of entire parcel.</td>
<td></td>
<td>Allow producing and processing in RF-40 with limits through development regulations</td>
</tr>
<tr>
<td></td>
<td>Processing</td>
<td>Economic Development</td>
<td>Water Supply could be an issue in some areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Day to day employees, traffic, noise, light, glare greater than would occur with timber harvest. Timber harvest occurs once in many years.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>State based program for tax reduction “Designated Forest Act” does not allow 1-502 recreational marijuana production to participate in the tax reduction program. A minimum of 1 acre or if greater the area participating in I-502 would be removed from the program. Timber lands a minimum of 5 acres are allowed in the program. If the acreage participating in the program is smaller</td>
<td></td>
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<tbody>
<tr>
<td><strong>Inholding Forest (IF)</strong>&lt;br&gt;This district encompasses parcels at least 20 acres in size that are entirely surrounded by designated forest resource lands and that are not vested for development under Washington State law.</td>
<td><strong>Retail</strong>&lt;br&gt;Retail sales and services as a standalone use are not allowed in this zone.</td>
<td><em>Retail not consistent per state law. Not Consistent with purpose of land use district.</em></td>
<td><em>Than 5 acres all acreage will be removed from the program. The Assessor would need to be notified and compensating taxes would have to be paid. The state based program is not restricted by zoning districts. Participation in the tax reduction can be in any zoning district.</em></td>
<td>Allow retail with limits in IF</td>
<td></td>
</tr>
<tr>
<td><strong>Producing/Processing</strong>&lt;br&gt;Can be on 2 or less acres and keep rest of parcel in timber production. Economic Development</td>
<td><strong>Potential for conversion of entire parcel. Water Supply could be an issue in some areas.</strong>&lt;br&gt;<strong>Day to day employees, traffic, noise, light, glare greater than would occur with timber harvest. Timber harvest occurs once in many years.</strong>&lt;br&gt;State based program for tax reduction “Designated Forest Act” does not allow 1-502 recreational marijuana production to participate in the tax reduction program. A minimum of 1 acre or if greater the area participating in I-502 would be removed from the program.</td>
<td><em>Could have area limit on conversion. Consider increased setbacks from property lines. Consider indoor vs outdoor grow operations. Maximum allowed impervious surface 10% JCC18.30.050 table 6-1. Impervious surface include roads, structures, parking and impermeable surface.</em></td>
<td></td>
<td>Allow producing and processing in IF with limits through development regulations</td>
<td></td>
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<tbody>
<tr>
<td>Mineral Resource Lands (MRL)</td>
<td>Retail</td>
<td>The Assessor would need to be notified and compensating taxes would have to be paid.</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban retail in MRL</td>
<td></td>
</tr>
<tr>
<td>Mineral Resource Lands Overlay District (MRL). The mineral resource land district is to provide for the conservation of mineral lands of long-term commercial significance (Article VI-C of this chapter). The intent of this district is to aid in sustaining and enhancing mineral extraction and processing activities of long-term commercial significance by protecting designated lands from incompatible development and to allow for the continued contribution of mineral lands to the Jefferson County economy.</td>
<td>Producing/Processing</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in MRL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural Commercial</td>
<td>Retail</td>
<td>Large portions of these LAMIRDs are within the state exclusion zone for proximity to schools and public parks.</td>
<td>Consistent with purpose of land use district. Increased setbacks when abutting a residential district JCC18.30.050 table 6-1 Note 3 &amp; 4</td>
<td>Allow retail in RVC</td>
<td></td>
</tr>
<tr>
<td>Rural Centers (Rural Village Center) (RVC) Quilcene/Brinnon Rural village centers provide for most of the essential needs of the surrounding rural population and the traveling public. These areas supply a variety of basic goods and day-to-day services, while also providing a limited range of professional, public and social services. They are</td>
<td>Producing/</td>
<td>Large portions of these LAMIRDs are</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in MRL</td>
<td></td>
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<tr>
<td>Typically small, unincorporated commercial and residential community centers that provide rural levels of service and serve as a focal point for the local population. The boundaries of the rural village centers are predominantly defined by the contained, built environment as it existed in 1990 or before, as required by RCW 36.70A.070(5)(d). Designated rural village centers include: Quilcene and Brinnon.</td>
<td>Processing</td>
<td>within the state exclusion zone for proximity to schools and public parks. Potentially displaces other retail/services uses.</td>
<td>Use district.</td>
<td>Processing in RVC</td>
<td></td>
</tr>
<tr>
<td>General Crossroads</td>
<td>Retail</td>
<td>Not an exclusion zone due to proximity to public parks or schools</td>
<td>Consistent with purpose of land use district. Increased setbacks when abutting a residential district JCC18.30.050 table 6-1 Note 3 &amp; 4</td>
<td>Allow retail in GC</td>
<td></td>
</tr>
<tr>
<td>SR 19/20 intersection “U-Haul” General crossroads are existing historic commercial areas that provide a broad range of commercial goods and services for a larger population base in the northeastern part of Jefferson County. There is one general crossroads designation identified in Jefferson County: SR 19/20 Intersection.</td>
<td>Producing/Processing</td>
<td>Potentially displaces retail/services uses</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in GC</td>
<td></td>
</tr>
<tr>
<td>Neighborhood/Visitor Crossroads (NC) Neighborhood/visitor crossroad districts serve the nearby rural neighborhood and the commuting or traveling public. These historic areas typically provide an extended range of goods and services by establishment of restaurants, taverns/bars, auto part stores, hotel/motels and a limited range of specialty and professional services. There are five neighborhood crossroads identified in Jefferson County:</td>
<td>Retail</td>
<td>Consistent with existing marijuana retail shop open in Discovery Bay</td>
<td>Consistent with purpose of land use district. Increased setbacks when abutting a residential district JCC18.30.050 table 6-1 Note 3 &amp; 4</td>
<td>Allow retail in NC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Producing/Processing</td>
<td>Displaces retail &amp; services uses</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in NC</td>
<td></td>
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### Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tr>
<th>County: Mats Mats, Discovery Bay, Four Corners, Chimacum and Gardiner</th>
<th>Zoning</th>
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<th>Con</th>
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<th>Potential Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Crossroads (CC)</td>
<td></td>
<td>Retail</td>
<td></td>
<td></td>
<td>Liquor Stores are prohibited in this district.</td>
<td>Not Consistent with purpose of land use district.</td>
</tr>
<tr>
<td>Convenience crossroads consist of a single commercial property at a historical crossroads. Typically, the existing commercial use is a convenience or general store with associated uses that provide a limited selection of basic retail goods and services for the local population and the commuting or traveling public. Land uses are not oriented to markets beyond the local rural population. There are three convenience crossroad designations in Jefferson County: Nordland, Beaver Valley and Wawa Point. Nordland, Beaver Valley, WA WA point (Hjelvik), Shine/104 property</td>
<td></td>
<td>Producing/Processing</td>
<td>Small Properties so won’t be near other retail uses or services</td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in CC</td>
<td></td>
</tr>
</tbody>
</table>

Rural Residential

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**Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail**

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<th>Analysis</th>
<th>Potential Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Residential 1 Unit/20 acres (RR1:20)</td>
<td>Retail</td>
<td>Producer Processing site not consistent with Cottage Industry</td>
<td>Per JCC Home Business or Cottage Industry require retail sales to be of product made on site. JCC 18.20.170 I-502 State Law doesn’t allow retail sales to be on the same site as producing and processing.</td>
<td>Allow with Cottage Industry standards for retail in RR1:20. Consider additional limits on retail sales.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Would need limits to ensure intensity and scale are appropriate; buffers and setbacks Water supply concerns</td>
<td>Consider including square footage of all indoor and outdoor grow operation in maximum allowed standards for a cottage industry of 5,000 square feet of total building area. JCC 18.20.170.(3)(o) Minimum parcel size for cottage industry is 1 acre JCC 18.20.170(3)(r) Cottage Industry standard for Auto repair identify a 50 buffer from structure to property lines. JCC 18.20.170(5) add language for 1-502</td>
<td>Allow producing and processing in RR1:20 with limits.</td>
<td></td>
</tr>
<tr>
<td>Rural Residential 1 Unit/10 Acres (RR1:10)</td>
<td>Retail</td>
<td>Producer Processing site not consistent with Cottage Industry.</td>
<td>Per JCC Home Business or Cottage Industry require retail sales to be of product made on site. JCC 18.20.170</td>
<td>Allow with Cottage Industry standards for retail in RR1:10</td>
<td></td>
</tr>
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## Initial ideas for regulating Recreational Marijuana - Producing, Processing and Retail

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<tbody>
<tr>
<td>Rural residential one per five-acre district and the rural residential one unit per 20-acre district. Its intent is to preserve open space, protect critical areas, provide for the continuation of small-scale agricultural and forestry, and preserve and retain the rural landscape and character indigenous to Jefferson County.</td>
<td>Producing/Processing</td>
<td>Med Sized Parcel.</td>
<td>Would need limits to ensure intensity and scale are appropriate; buffers and setbacks. Water supply concerns</td>
<td>State Law doesn’t allow retail sales to be on the same site as producing and processing.</td>
<td>Allow producing and processing in RR1:10 with limits.</td>
</tr>
<tr>
<td>Rural Residential 1 Unit/5 Acres (RR1:5) The purpose of this district is to allow for continued residential development in areas of Jefferson County consisting of relatively high density pre-existing patterns of development, along the county’s coastal areas, and within</td>
<td>Retail</td>
<td>Producer Processing site not consistent with Cottage Industry.</td>
<td>Per JCC Home Business or Cottage Industry require retail sales to be of product made on site. JCC 18.20.170</td>
<td>Allow with Cottage Industry standards for retail in RR1:5</td>
<td>October 29, 2014</td>
</tr>
</tbody>
</table>

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<tr>
<td>areas within or adjacent to rural centers and rural crossroads. In addition, this district seeks to support and foster Jefferson County’s existing rural residential landscape and character by restricting new land divisions to a base density of one unit per five acres.</td>
<td>Producing/Processing</td>
<td>Parcels and residential development is typically denser than in other RR Zones. Many nonconforming parcels that are less than 5 acres in size.</td>
<td>Consider including square footage of all indoor and outdoor grow operation in maximum allowed standards for a cottage industry of 5,000 square feet of total building area. JCC 18.20.170.(3)(o)</td>
<td>Allow producing and processing in RR1:S with limits.</td>
<td></td>
</tr>
</tbody>
</table>

### Port Ludlow Master Plan Resort (MPR) consist of:

- **Single-Family tract Zone (MP-SFT)**
  - This zone recognizes, maintains and promotes single-family residential areas within the MPR, and provides opportunities for reasonably priced housing.
  - **Single-Family Tract Zone (MPR-SFT)**

<table>
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<tr>
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<th>Potential Recommendation</th>
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<tbody>
<tr>
<td>Retail</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban Retail in all residential zones.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>May require amendment to agreement and a meeting with the village council.</td>
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<tr>
<td>This zone recognizes, maintains and promotes larger, single-family residential tracts within the MPR.</td>
<td></td>
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<tr>
<td><strong>Multi Family Zone (MPR-MF)</strong></td>
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</tr>
<tr>
<td>This zone recognizes, maintains and promotes multifamily housing opportunities within the MPR, in part to provide lower-cost housing units.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Resort Complex/Community Facilities Zone (MPR-RC/CF)</strong></td>
<td>The MPR-RC/CF zone provides amenities and services associated with a resort and the surrounding community, and supports existing residential uses. Uses allowed in the RC/CF zone recognize the recreational nature of the resort and include the existing and planned resort complex, as well as limited permanent residential uses, and non-resort community facilities including a beach club and Kehele Park. Kehele Park is located north of the actual resort area and serves as a community park</td>
<td></td>
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</tr>
<tr>
<td><strong>Recreation Area Zone (MPR-RA)</strong></td>
<td>The MPR-RA zone recognizes, maintains, and promotes the existing and future active</td>
<td></td>
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<td>recreation activities and areas within the Port Ludlow Master Planned Resort.</td>
<td>Producing/Processing</td>
<td></td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in all residential zones.</td>
</tr>
<tr>
<td><strong>Open Space Reserve Zone (MPR-OSR)</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>The MPR-OSR zone preserves in perpetuity and enhances the natural amenities around Ludlow Bay, the Twin Islands and other natural areas within the MPR. Uses within the open space reserve shall be low impact and serve to promote or enhance the aesthetic qualities of the Master Planned Resort. No residential or commercial development shall be permitted in the MPR-OSR zone.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Commercial Center Zone (MPR-VC)</td>
<td>Retail</td>
<td></td>
<td>Liquor store is allowed in this zone</td>
<td>Consistent with purpose of land use district.</td>
<td>Allow retail in MPR-VC.</td>
</tr>
<tr>
<td>The MPR-VC zone provides retail and commercial uses and other services to meet the needs of resort visitors and community residents. In addition to retail and commercial uses or services, other uses such as government or community offices and facilities, long-term care facilities, residential uses, and visitor services are permitted within this zone.</td>
<td>Producing/Processing</td>
<td></td>
<td>Would this be a considered a Major or Minor change to the development agreement?</td>
<td></td>
<td>Ban producing and processing in all MPR-VC zones.</td>
</tr>
</tbody>
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<tr>
<td>Urban Growth Area Irondale and Port Hadlock</td>
<td>Retail</td>
<td>Economic Development</td>
<td></td>
<td>Consistent with purpose of land use district.</td>
<td>Allow retail in UC.</td>
</tr>
<tr>
<td></td>
<td>Producing/Processing</td>
<td>Displaces retail/services uses</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in all UC zones.</td>
</tr>
<tr>
<td>Visitor-Oriented Commercial (VOC)</td>
<td>Retail</td>
<td>Not supplemental to the historical and tourism-related character of this area</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban retail in VOC</td>
</tr>
<tr>
<td></td>
<td>Producing/Processing</td>
<td>Not a supplement the historical and tourism-related character of this area</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in all VOC zones.</td>
</tr>
<tr>
<td>Urban Low Density Residential (ULDR)</td>
<td>Retail</td>
<td></td>
<td><em>Retail not consistent per state law.</em></td>
<td></td>
<td>Ban retail in residential zones.</td>
</tr>
<tr>
<td>Urban Moderate Density Residential (UMDR)</td>
<td>Producing/Processing</td>
<td>Small parcels</td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and processing in all residential zones.</td>
</tr>
<tr>
<td>Urban High Density Residential UHDR)</td>
<td></td>
<td></td>
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<td></td>
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<tbody>
<tr>
<td>Urban High Density Residential (UHDR)</td>
<td></td>
<td></td>
<td>Processing retail sales and services must be incidental to industrial use.</td>
<td>*Retail not consistent with district purpose or with state law when coupled with JCC regulations.</td>
<td>No changes to JCC in ULI</td>
</tr>
<tr>
<td>Urban Light Industrial (ULI)</td>
<td>Retail</td>
<td></td>
<td></td>
<td>JCC18.20.220(1) (c) Retail sales and services incidental to a principally permitted use are allowable, provided:</td>
<td>Allow producing and processing in ULI</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(i) The operations are contained within the main structure which houses the primary use;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(ii) Retail sales occupy no more than 15 percent of the total building square footage;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(iii) No retail sales or display of merchandise occurs outside the structure; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(iv) All products offered for retail sales on the site are manufactured, warehoused, or assembled on the premises (except for products sold at colleges or technical schools).</td>
<td></td>
</tr>
<tr>
<td>Producing/Processing</td>
<td>Consistent with Intensity</td>
<td>Consistent with purpose of land use district.</td>
<td></td>
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</tr>
</thead>
<tbody>
<tr>
<td>UGA Public (P)</td>
<td>Retail</td>
<td></td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban retail in UGA P</td>
</tr>
<tr>
<td></td>
<td>Producing/</td>
<td></td>
<td></td>
<td>Not Consistent with purpose of land use district.</td>
<td>Ban producing and</td>
</tr>
<tr>
<td></td>
<td>Processing</td>
<td></td>
<td></td>
<td></td>
<td>processing in UGA P</td>
</tr>
</tbody>
</table>

The purpose of the P designation is to provide for the siting of important public facilities and services compatible.