



JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
 621 Sheridan Street • Port Townsend • Washington 98368
 360/379-4450 • 360/379-4451 Fax
 www.co.jefferson.wa.us/commdevelopment

Master Permit Application

MLA: 08-00475

Project Description (include separate sheets as necessary): Proposed Comprehensive Plan & UDC Amendment - Shoreline Master Program (SMP) Comprehensive Update

Tax Parcel Number: COUNTY Property Size: _____ (acres/square feet)

Site Address and/or Directions to Property: _____

Property Owner(s) of Record: _____

Telephone: _____ Fax: _____ email: _____

Mailing Address: _____

Applicant/Agent (if different from owner): DCD

Telephone: 360/379-4450 Fax: _____ email: _____

Mailing Address: 621 Sheridan St. Port Townsend, WA 98368

What kind of Permit? (Check each box that applies)

- | | |
|--|--|
| <input type="checkbox"/> Building | <input type="checkbox"/> Critical Areas Stewardship Plan |
| <input type="checkbox"/> Demolition Permit | <input type="checkbox"/> Variance (Minor, Major or Reasonable Economic Use) |
| <input type="checkbox"/> Single Family | <input type="checkbox"/> Conditional Use [C(a), C(d), or C] ** |
| <input type="checkbox"/> Manufactured Home | <input type="checkbox"/> Discretionary "D" or Unnamed Use Classification |
| <input type="checkbox"/> Commercial * | <input type="checkbox"/> Special Use (Essential Public Facilities) ** |
| <input type="checkbox"/> Change of Use | <input type="checkbox"/> Boundary Line Adjustment |
| <input type="checkbox"/> Address _____ | <input type="checkbox"/> Short Plat ** |
| <input type="checkbox"/> Road Approach _____ | <input type="checkbox"/> Binding Site Plan ** |
| <input type="checkbox"/> Home Business | <input type="checkbox"/> Long Plat ** |
| <input type="checkbox"/> Cottage Industry | <input type="checkbox"/> Planned Rural Residential Development (PRRD)/Amendments ** |
| <input type="checkbox"/> Propane | <input type="checkbox"/> Plat Vacation/Alteration ** |
| <input type="checkbox"/> Sign | <input type="checkbox"/> Shoreline Master Program Exemption/Permit Revisions ** |
| <input type="checkbox"/> Allowed "Yes" Use Consistency Analysis | <input type="checkbox"/> Shoreline Management Substantial Development ** |
| <input type="checkbox"/> Stormwater Management | <input type="checkbox"/> Shoreline Management Variance |
| <input type="checkbox"/> Site Plan Approval Advance Determination (SPAAD) * | <input checked="" type="checkbox"/> Comprehensive Plan/UDC/Land Use District Map Amendment |
| <input type="checkbox"/> Temporary Use | <input checked="" type="checkbox"/> Jefferson County Shoreline Master Program Amendment |
| <input type="checkbox"/> Wireless Telecommunication * | <input type="checkbox"/> Tree Vegetation Request |
| <input type="checkbox"/> Forest Practices Act/Release of Six-Year Moratorium | |
- * May require a Pre-Application Conference
 **Requires a Pre-Application Conference

Please identify any other local, state or federal permits required for this proposal, if known:

DESIGNATION OF AGENT

I hereby designate _____ to act as my agent in matters relating to this application for permit(s).

OWNER SIGNATURE _____ Date: _____

By signing this application form, the owner/agent attests that the information provided herein, and in any attachments, is true and correct to the best of his, her or its knowledge. Any material falsehood or any omission of a material fact made by the owner/agent with respect to this application packet may result in this permit being null and void.

I further agree to save, indemnify and hold harmless Jefferson County against all liabilities, judgments, court costs, reasonable attorney's fees and expenses which may in any way accrue against Jefferson County as a result of or in consequence of the granting of this permit.

I further agree to provide access and right of entry to Jefferson County and its employees, representatives or agents for the sole purpose of application review and any required later inspections. Staff's access and right of entry will be assumed unless the applicant informs the County in writing at the time of the application that he or she wants prior notice.

Signature: [Signature] Date: 12/3/08

The action or actions Applicant will undertake as a result of the issuance of this permit may negatively impact upon one or more threatened or endangered species and could lead to a potential "take" of an endangered species as those terms are defined in the federal law known as the "Endangered Species Act" or "ESA." Jefferson County makes no assurances to the applicant that the actions that will be undertaken because this permit has been issued will not violate the ESA. Any individual, group or agency can file a lawsuit on behalf of an endangered species regarding your action(s) even if you are in compliance with the Jefferson County development code. The Applicant acknowledges that he, she or it holds individual and non-transferable responsibility for adhering to and complying with the ESA. The Applicant has read this disclaimer and signs and dates it below.

Signature: [Signature] Date: 12/3/08

BUILDER STATEMENT

The signer of this statement does hereby certify that they are the Owners of the parcel referenced herein, that they are not licensed contractors and that they will be assuming the responsibility of the General Contractor for the proposed project.

Signature: _____ Date: _____

GENERAL CONTRACTOR OR MANUFACTURED HOME INSTALLER: _____ PHONE: _____ FAX: _____
() ()

MAILING ADDRESS: _____ EMAIL: _____
CONTRACTOR'S LICENSE NUMBER: _____ WAINS NUMBER _____
ARCHITECT/ENGINEER: _____ PHONE () FAX: ()
MAILING ADDRESS: _____ EMAIL _____

| | | | | |
|---|---|---|---|--|
| Project Type: <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration/Remodel <input type="checkbox"/> Repair <input type="checkbox"/> Demolition Type of Heat: _____ | Frame Type: <input type="checkbox"/> Wood <input type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> Masonry <input type="checkbox"/> Other: _____ | Bathrooms: Existing: _____ Proposed: _____ Total: _____ Bedrooms: Existing: _____ Proposed: _____ Total: _____ | Shoreline: Bank Height: _____ Setback: _____ | Type of Sewage Disposal: <input type="checkbox"/> Sewer <input type="checkbox"/> Community System <input type="checkbox"/> Individual System SEP Permit # _____ Water Supply: <input type="checkbox"/> Private well <input type="checkbox"/> Two Party <input type="checkbox"/> Public Name of System: _____ |
|---|---|---|---|--|

If this is a Commercial Project you must answer the following:
 Number of Parking Spaces: **Current:** _____ **Proposed:** _____ Number of ADA Parking Spaces: _____
 Number of occupants (includes owners, tenants, employees, etc) **Current** _____ **Proposed** _____
 IBC Occupancy: _____ IBC Type of construction: _____ Will you have Food Service? **Yes / No**
If this is a Propane Tank and/or Appliance Installation permit, mark all items below that apply:
 Underground Tank Above ground Tank Size of Propane Tank: _____
 Heat Stove Cook Stove Woodstove Fireplace Insert Hot Water Tank Pellet Stove Other _____
Is this appliance being installed in a Manufactured / Mobile Home? Yes / No
When applying for a permit to install a propane tank you must also submit a site plan showing all of the buildings, all property lines, tank location and size, distances from the propane tank to all property lines, buildings and septic system components, including the reserve area.

| Square Footage | Current | Proposed | For Office Use Only | Amount | Revision |
|--|---------|----------|---------------------------|--------|----------|
| Main Floor Heated | | | EH Bld App Review: | | |
| 2 nd Floor Heated | | | Consistency Review: | | |
| Other Heated | | | Base fee: | | |
| Mezzanine | | | Additional Section: | | |
| Heated Basement | | | Plan Check fee: | | |
| Unheated Basement | | | State Surcharge fee: | | |
| Other Unheated | | | Pot Water Review fee: | | |
| Garage/Carport | | | SUBTOTAL | | |
| Decks | | | 911/Rd Approach fee: | | |
| Other | | | TOTAL: | \$ | |
| | | | Receipt Number: | | |
| | | | Cash/Check Number: | | |
| ESTIMATED COST (REQUIRED) *Fair market value of all labor and materials foundation to finish | | | Date: | | |
| | | | Initials: | | |



JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

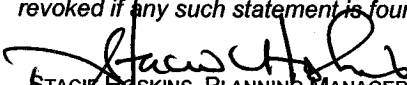
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Application for Suggested Comprehensive Plan / UDC Amendment

| | |
|-----------------------|--|
| MLA # <u>08-00475</u> | PROJECT/APPLICANT NAME: <u>JEFFERSON COUNTY DEPT. OF COMMUNITY DEVELOPMENT</u> |
|-----------------------|--|

Submittal Requirements

1. A completed Master Land Use Application. Representative authorization is required if application is not signed by applicant.
2. Any additional information reasonably deemed necessary by the Administrator to evaluate the proposed amendment.
3. Please prepare and label as "Exhibit A," a description of the proposed Plan/UDC amendment and any associated development proposal(s) if applicable. Applications for projected-related amendments must include plans and information or studies accurately depicting existing and proposed uses and improvements. Applications for such amendments that do not specify proposed uses and potential impacts are assumed to have maximum impact to the environment and public facilities and services.
4. Please provide an explanation of why the amendment is being proposed. (Attach additional sheets, if necessary.)
Shorelines of the State are described by the 1971 Washington State Shoreline Management Act (SMA) and include lake, river/stream and marine shorelines and shorelines of statewide significance, adjacent shorelands (up to 200') and associated features as defined (RCW 90.58.030). The purpose of these proposed amendments to the Comprehensive Plan (CP) and the Unified Development Code (UDC)—Title 18 of the Jefferson County Code (JCC)— is to achieve compliance with the SMA and the 2003 SMP Guidelines found in Chapter 173-26 of the Washington Administrative Code (WAC). All jurisdictions in the state must update their SMPs by 2014.
5. Please prepare and label as "Exhibit B," proposed amendatory language (i.e., to affected text of both the Comprehensive Plan and UDC) shown in "bill" format, with text to be added indicated with underlining (e.g., underlining), and text to be deleted indicated with strikeouts (e.g., ~~strikeouts~~).
6. Please prepare and label as "Exhibit C," a thorough explanation of how the proposed amendment, meets, conflicts with, or relates to the following inquiries (NOTE: Simple "yes" or "no" responses are unacceptable.)
 - a. Have the circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the Jefferson County Comprehensive Plan?
 - b. Are the assumptions that form the basis for the Jefferson County Comprehensive Plan no longer valid, or has new information become available that was not considered during the process of adoption of the Jefferson County Comprehensive Plan or any subsequent amendment?
 - c. Does the proposed amendment reflect current widely held values of the residents of Jefferson County?
7. *The applicant hereby certifies that the statements contained in this application are true and provide an accurate representation of the proposed amendment; and the applicant(s) hereby acknowledges that any approval issued on this application may be revoked if any such statement is found to be false.*


 STACIE HOSKINS, PLANNING MANAGER, DEPT. OF COMMUNITY DEVELOPMENT
 APPLICANT'S SIGNATURE


 DECEMBER 3, 2008
 DATE

Description of the Proposed Comp Plan and UDC Amendments

Issue

Shorelines of the State include lake, stream/river and marine shorelines, Shorelines of Statewide Significance, 200' of adjacent shorelands, and other associated features (e.g. estuaries, river deltas, channel migration zones, wetlands) as per the Washington State Shoreline Management Act of 1971 (SMA; RCW 90.58). The purpose of these proposed amendments to the Jefferson County Comprehensive Plan and Unified Development Code (UDC)—Title 18 of the Jefferson County Code (JCC)—is to achieve compliance with the SMA, its administrative SMP Guidelines (WAC 173-26) and to incorporate available and pertinent scientific/technical information as applied to the regulatory protection of Shorelines of the State under SMA, including critical areas within shoreline jurisdiction. As per legislative mandate, all jurisdictions in the state are required to update their SMPs by 2014. The legislative due date for Jefferson County is December 2011.

Background and supporting information on Shoreline planning can be accessed from this webpage:
<http://www.co.jefferson.wa.us/commdevelopment/ShorelinePlanning.htm>

Board of County Commissioners Concern

On May 22, 2006, the BoCC approved a grant contract with Washington Department of Ecology (Ecology) to receive funding for a comprehensive update to the Jefferson County Shoreline Master Program (SMP; Title 18.25 JCC). By doing so and approving a contract amendment on October 22, 2007 the BoCC directed staff to prepare a proposal for public review that complies with the SMA and SMP Guidelines.

Previous related actions include

- BoCC approval on February 23, 1998 of federal National Oceanic & Atmospheric Administration (NOAA) Coastal Zone Management (CZM) grant funding to begin an update to the SMP, which resulted in a July 2000 Draft SMP that did not receive public review since Ecology was issuing new SMP Guidelines; and
- BoCC approval on August 23, 2004 of additional NOAA-CZM funds for initial shoreline inventory & analysis work that supports the current SMP update effort, including preparation the required *Final Shoreline Inventory & Characterization Report* (Revised November 2008).

Department of Community Development Recommendation

Extensive opportunities for early & frequent public participation have been provided by DCD staff and consultants including more than 20 open public meetings with two (2) advisory committees and more than 20 public outreach events held across the County. This informal public involvement to date has assisted staff & consultants in developing the *Preliminary Draft SMP* (PDSMP) stand-alone proposal for both Comprehensive Plan and UDC amendments.

After review and consideration of informal public input and scientific/technical information related to protection, use, development and restoration of shorelines, DCD proposes the code language outlined in this amendment application. DCD will work with the Planning Commission and the BoCC, with input from the public and State agencies, to develop a *Final Draft SMP* proposal worthy of legislative action by the BoCC. BoCC approval via resolution is anticipated by June 2009 prior to submittal for Ecology review. After Ecology approval, BoCC adoption via ordinance is anticipated.

Affected Comp Plan and UDC Sections

Jefferson County Comprehensive Plan and UDC Section 5, codified as Jefferson County Code (JCC) Chapter 18.25 Shoreline Master Program, are proposed for amendment in the following subsections:

Land Use & Rural Element – Natural Resource Lands and Environment goals and policies as they relate to aquaculture and shoreline processes.

Natural Resource Conservation Element – Classification and designation, regulatory framework for and goals and policies for Aquaculture Resources.

Open Space, Parks and Recreation, and Historic Preservation Element – Strategies, goals and policies as they relate to shoreline resources.

Environment Element – Strategies, goals and policies for water resources, watershed management and habitat recovery, shorelines, natural heritage vegetation, environmentally critical areas and view and noise conditions.

JCC Chapter 18.25 Shoreline Master Program – This chapter will be replaced in its entirety including:

- Article I. Recitals;
- Article II. Definitions;
- Article III. Scope;
- Article IV. Shoreline Designations and Project Classifications;
- Article V. Policies and Performance Standards;
- Article VI. Administration;
- Article VII. Variances;
- Article VIII. Program Revisions; and
- Article IX. Legal Provisions

[End]

Proposed Line-In/Line-Out Development Code Language

The Preliminary Draft SMP is a stand-alone proposal containing both Comp Plan and UDC amendments. Ultimately, the policies, regulations and administrative provisions may reside in separate documents including the Comp Plan and UDC. The proposed amendatory language is not shown in 'bill format' as JCC 18.25 will be replaced in its entirety. Any proposed language revisions to the PDSMP will be shown using underlining and ~~strikeout~~.

Note: JCC Table of Contents to be modified appropriately.

Preliminary Draft Shoreline Master Program – Provided under separate cover.

[END]

Submittal Requirement #6

Please prepare and label as "Exhibit C," a thorough explanation of how the proposed amendment, meets, conflicts with, or relates to the following inquiries. (NOTE: Simple "yes" or "no" responses are unacceptable.)

- a. Have the circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the Jefferson County *Comprehensive Plan*?

Prior to the 2004 Comprehensive Plan update, Ecology adopted new shoreline rules that were challenged in court then settled via adoption of new SMP Guidelines (WAC 173-26) in 2003. This legislative mandate requires Jefferson County to complete an SMP comprehensive update by December 2011 in order to achieve compliance with state law and administrative rules. Further, a July 2008 Supreme Court decision (*Futurewise*) prohibits implementation of Critical Areas Ordinance (CAO; JCC 18.22) protections within shoreline jurisdiction thereby currently leaving shoreline resources without equal protection as required by the SMA, the 2003 legislation called ESHB 1933, and the Growth Management Act (GMA; RCW 36.70A.060).

- b. Are the assumptions that form the basis for the Jefferson County *Comprehensive Plan* no longer valid, or has new information become available that was not considered during the process of adoption of the Jefferson County *Comprehensive Plan* or any subsequent amendment?

The existing SMP was prepared in 1989, with minor amendments made through 1998. New scientific/technical information has become available in the past 20 years that is pertinent to shoreline management and planning. As described in a. above, new legislative directives require such amendments to achieve compliance. Additionally, the use, development and degradation of shoreline resources have continued thereby further increasing the need to protect and restore ecological functions while allowing appropriate land use activities. Further, the Washington Department of Ecology released new SMP Guidelines in 2003 with a legislative mandate for all jurisdictions to update their SMPs by 2014. The legislative deadline for Jefferson County is December 2011.

- c. Does the proposed amendment reflect current widely held values of the residents of Jefferson County?

As part of the DCD staff and consultant development of the PDSMP, two advisory committees were formed to provide a sounding board for the required scientific analyses, goals, policies, shoreline designations and development regulations – the Shoreline Technical Advisory Committee (STAC) and the Shoreline Policy Advisory Committee (SPAC). A broad array of Jefferson County residents, resource management professionals and technical experts participated. Citizen representatives brought stakeholder perspectives from real estate, building industry, recreation, shoreline landowner, aquaculture, PT Paper Mill, environment, marine industry, and the 1998 – 2000 SMP update effort. Representatives from local government entities as well as state and tribal resource managers were also involved. In accordance with the SMP Guidelines and JCC 18.45, DCD staff and consultants have prepared the PDSMP proposal for public review. Input from the public will be sought and considered during the legislative process associated with this set of proposed Comp Plan and UDC amendments.

[END]