

STATE OF WASHINGTON
County of Jefferson

**AN ORDINANCE APPROVING FOUR }
COMPREHENSIVE PLAN AMENDMENTS, } **ORDINANCE NO. 09-1208-03**
SPECIFICALLY MLA03-182 [Boat School], }
MLA03-189 [ANE Forests], MLA03-209 [Ag }
Lands], and MLA03-210 [Seawater Intrusion] }**

WHEREAS, the Board of Jefferson County Commissioners (“the Board”) has, as required by the Growth Management Act or “GMA”, as codified at RCW 36.70A.010 et seq., set in motion and now completed the proper professional review and public notice and comment with respect to amendments to the County’s Comprehensive Plan [a Plan originally adopted by Resolution No. 72-98 on August 28, 1998 and subsequently amended] proposed as part of the 2003 Comprehensive Plan amendment cycle; and

WHEREAS, as mandated by the Growth Management Act, the Board has reviewed and voted upon the proposed amendments to the County’s Comprehensive Plan or “CP”, and;

WHEREAS, four proposed CP amendments known as MLA03-182 [Boat School], MLA03-189 [ANE Forests], MLA03-209 [Ag Lands], and MLA03-210 [Seawater Intrusion] do not at present have a specific Ordinance written for them and will not have a specific Ordinance written for them by the deadline established in the Unified Development Code (“UDC”);

The Board makes the following Findings of Fact with respect to these four amendments:

1. The County adopted its Comprehensive Plan in August 1998 and its development regulations or UDC in December 2000.
2. The Growth Management Act, which mandates that Jefferson County generate and adopt a Comprehensive Plan, also requires that there be in place a process to amend the Comprehensive Plan.

Ordinance No. 09-1208-03: Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

3. The amendment process for the Comprehensive Plan must be available to the citizens of this County [including corporations and other business entities] on a regular basis. In accordance with RCW 36.70A.130, CP amendments can generally be considered “no more frequently than once per year.”
4. This particular amendment “cycle” began on or before May 1, 2002, the deadline for submission of a proposed Comprehensive Plan amendment.
5. These amendments were all timely submitted.
6. MLA03-182 is submitted by the Northwest School of Wooden Boatbuilding (“Boat School”) and seeks to amend the County Land Use Map such that the entirety of Parcel Number 901013016 located in lower Port Hadlock is designated in its entirety as part of the Hadlock Rural Village Center, a rural commercial mixed-use area, whereas at the time of application only approximately half of said parcel was under such designation.
7. With respect to MLA03-182 [Boat School], the Board adopts as its own findings and conclusions those portions of the Department of Community Development (“DCD”) Staff Report and SEPA Addendum for Site Specific Applications dated August 6, 2003 that discuss this CP amendment, its potential cumulative impacts and its environmental impacts, if any, specifically pages 2-10 through 2-14.
8. Adoption of MLA03-182 will ease the way, at least in part, for the Northwest School of Wooden Boatbuilding to design and construct a larger campus with access to salt water down the hill at the Lower Port Hadlock marina area.
9. MLA03-189 is submitted by ANE Forests of Puget Sound, Inc. (“ANE Forests”) and seeks to amend the County Land Use Map such that Parcel Numbers 901364012 and 013 located on Beaver Valley Road immediately north of Egg and I Road are designated as Rural Residential (“RR”) 1:10 (one dwelling unit per 10 acres) rather than their current RR 1:20.
10. The applicants for MLA03-189 expressed in the application the desire to develop residential home sites on the portion of the subject area east of State Route (“SR”) 19 (Beaver Valley Road) and to leave the portion of the subject area west of SR 19

Ordinance No. 09-1208-03: Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

as protected “open space,” principally because of its preferred value as wetlands and riparian area for Chimacum Creek.

11. With respect to MLA03-189 [ANE Forests], the Board adopts as its own findings conclusions those portions of the DCD Staff Report and SEPA Addendum for Site Specific Applications dated August 6, 2003 that discuss this CP amendment, its potential cumulative impacts and its environmental impacts, if any, specifically p. 2-6 through 2-9 of that August 6, 2003 document.
12. MLA03-209 is a County-sponsored proposal that addresses County CP designation categories, designation criteria, and policy language with respect to Agricultural Lands (“Ag Lands”), a resource land category under the GMA. The proposal is intended to simplify, update, and re-package existing Ag Lands designations and policy.
13. With respect to MLA03-209 [Ag Lands], the Board adopts as its own findings and conclusions those portions of the DCD Staff Report and SEPA Addendum for Suggested Amendments dated September 17, 2003 that discuss this CP amendment, its potential cumulative impacts and its environmental impacts, if any, specifically p. 2-5 through and including p. 2-20 of that September 17, 2003 document.
14. MLA03-210 is a County-sponsored proposal that seeks to add policy language to the CP that reflects recent decision-making by the Board of County Commissioners with regard to protection of aquifers from the phenomenon of seawater intrusion. The proposal is part of a response to the Second Compliance Order issued by the Western Washington Growth Management Hearings Board (“WWGMHB”) on December 5, 2002 as part of a Petition For Review (#01-2-0015) filed by the Olympic Environmental Council and the Shine Community Action Council against the County after adoption of the UDC.
15. With respect to MLA03-210 [Seawater Intrusion], the Board adopts as its own findings and conclusions those portions of the DCD Staff Report and SEPA Addendum for Suggested Amendments (dated September 17, 2003) that discuss

Ordinance No. 09-1208-03: Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

- this CP amendment, its potential cumulative impacts and its environmental impacts, if any, specifically p. 2-21 to and including p. 2-35.
16. With respect to MLA03-210 [Seawater Intrusion], the Board finds that adoption of the proposed Environment Element policy language meets the Second Compliance Order (issued on October 31, 2003 during the 2003 CP amendment cycle) published by the Western Board with respect to WWGMHB Cause No. 01-2-0015.
 17. These amendments constitute four of the five proposed amendments that worked their way through the entire process laid out in state statutes for such amendments.
 18. Those proposed amendments went through professional review at the County and State level.
 19. These four amendments were the subject of public hearings before the County's Planning Commission ("PC") during the 2003 CP amendment cycle. The PC public hearing for the site-specific amendments (MLA03-182 and MLA03-189) occurred on August 20, 2003. The PC public hearing for the suggested amendments (MLA03-209 and MLA03-210) occurred on October 1, 2003.
 20. The Planning Commission recommended to the Board of County Commissioners that each of these four amendment proposals be adopted as described and conditioned in the two respective DCD Staff Reports and SEPA Addenda.
 21. The Planning Commission recommendation for site-specific Comprehensive Plan amendments on the 2003 Docket is dated October 16, 2003 and part of the record for the legislative decision. These two site-specific applications (MLA03-182 and -189) are addressed in that report, along with a third site-specific application (MLA03-231, Phillips/Maki Mineral Resource Lands Overlay) that has been adopted by the County Commission via a separate ordinance.
 22. The Planning Commission recommendation for two suggested amendments (MLA03-209 and MLA 03-210) is dated November 10, 2003 and part of the record for the legislative decision.
 23. Each of these amendments was also the subject of a public hearing before the Board of County Commissioners ("BoCC") on November 24, 2003.

Ordinance No. 09-1208-03: Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

24. The only amendment among these four proposals to receive public comment at either the PC or County Commission hearings was MLA03-182 [Boat School].
25. The comments heard on November 24, 2003 by the County Commissioners regarding MLA 03-182 were favorable to the proposal.
26. All of these amendments have been subject to a State Environmental Policy Act (“SEPA”)-driven analysis through the two respective DCD Staff Reports and SEPA Addenda.
27. These amendments further the goals and policies set forth in the GMA, the County-Wide Planning Policies and the County’s CP.
28. All procedural and substantive requirements of the GMA have been satisfied.
29. Adoption of these amendments will serve to benefit the health, welfare and lifestyle of the residents of Jefferson County.

NOW, THEREFORE, BE IT ORDAINED, by the Jefferson County Board of Commissioners as follows:

Section 1 Amendment for MLA03-182

Under MLA03-182 [Boat School], the Comprehensive Plan Land Use Map is amended to reflect that Parcel Number 901013016 located in lower Port Hadlock is and shall be given in its entirety an underlying zoning designation of Hadlock Rural Village Center, whereas only approximately half of said parcel was under such designation previously.

Section 2 Amendments for MLA03-189

Under MLA03-189 [ANE Forests], the Comprehensive Plan Land Use Map is amended to reflect that Parcel Numbers 901364012 and 013 located on Beaver Valley Road immediately north of Egg and I Road are and shall be given an underlying zoning designation of Rural Residential 1:10 (one dwelling unit per 10 acres), subject to the following two conditions:

Ordinance No. 09-1208-03: Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

1. Land division must occur through the Planned Rural Residential Development (PRRD) process per Section 3.6.13 of the Unified Development Code (UDC), including the provision that 75% of the 40 acres be reserved in open space [UDC 3.6.13.4.a(2)].
2. As part of fulfilling the open space requirement in the PRRD land division process, the entire portion of the area west of State Route 19 will be reserved as open space.

Section 3 Amendments for MLA03-209

Under MLA03-209 [Ag Lands], that portions of the Natural Resources Element of the Comprehensive Plan are amended in a manner consistent with the line-in, line-out found between pages 2-6 and 2-12 of the DCD Staff Report and SEPA Addendum for Suggested Amendments (dated September 17, 2003), and the County Land Use Map is hereby amended to reflect the new Agricultural Lands categories described in the line-in, line-out language, these new categories being Prime Agricultural Lands (AP-20 or “Prime Ag”) and Agricultural Lands of Local Importance (AL-20 or “Local Ag”), which collectively replace the following categories from the 1998 CP and corresponding Land Use Map that are effectively eliminated through adoption of this ordinance: Agricultural Production Districts (AG-PD), Commercial Agriculture (AG-20), and Agricultural Lands of Local Significance.

Section 4 Amendments for MLA03-210

Under MLA03-210 [Seawater Intrusion], that portions of the Environment Element of the Comprehensive Plan are amended in a manner consistent with the line-in, line-out found at pages 2-23 and 2-24 of the DCD Staff Report and SEPA Addendum for Suggested Amendments (September 17, 2003).

Section 5 Severability

If any section, subsection, sentence, clause, phrase or section of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or its application to other persons or circumstances shall be fully valid and shall not be affected.

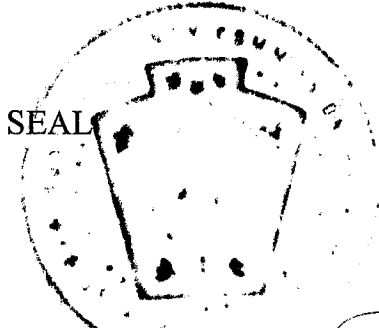
Ordinance No. 09-1208-03 : Approving 4 Comprehensive Plan Amendments Specifically MLA03-182, MLA03-189, MLA03-209 and MLA03-210

Section 6 Effective Date

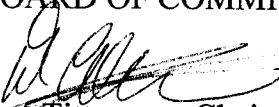
This Ordinance becomes effective upon adoption by the Board of County Commissioners.

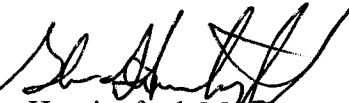
Approved and adopted this 8th day of November, 2003.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS




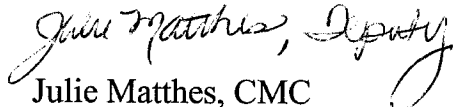
SEAL


Dan Titterness, Chair


Glen Huntingford, Member

ATTEST


Patrick M. Rodgers, Member


Julie Matthes, CMC
Deputy Clerk of the Board