



JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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Memorandum

To: Jefferson County Planning Commission
From: Staff
CC: County Administrator
Date: November 6, 2002
Re: Revised staff recommendations for MLA02-232 (J. Frank Schmidt and Sons – Forest Lands), MLA02-239 (Jefferson County – Comprehensive Plan Chapter 2), MLA02-241 (Jefferson County – Glen Cove), and MLA02-242 (Jefferson County – Tri-Area UGA)

Attachments: Exhibit A: Glen Cove boundary as proposed through the March 7, 2002 *Glen Cove Boundary Analysis*
Exhibit B: Glen Cove boundary taking into account the recommendations of the Nielsen Report, as proposed through the June 10, 2002 *Glen Cove Boundary Revision: Proposed Implementation Strategy*
Exhibit C: Glen Cove boundary as proposed through the current November 6, 2002 Staff Recommendation
Exhibit D: Proposed UDC Table 6-1 changes related to Glen Cove consistent with August 21, 2002 Staff Report
Exhibit E: November 6, 2002 Revised Recommendation for Tri-Area UGA boundary

Introduction

The Department of Community (DCD) published a Staff Report and Draft Environmental Impact Statement (DSEIS) on the 2002 Comprehensive Plan Amendment Docket (Docket). Citizens, organizations, and agencies submitted comments. DCD will issue a Final SEIS (FSEIS) on the Docket in conjunction with transmittal of the Planning Commission (PC) recommendation to the Board of County Commissioners (BOCC) in late November. The FSEIS will include additional analysis based on comments received and information gathered since the release of the Staff Report and DSEIS on August 21. The information in this memorandum supplements the August 21 Staff Report and DSEIS and offers revised recommendations based on public comment as well as issues raised during PC review.

DCD is suggesting the changes to our August 21, 2002 staff recommendations on the following four amendments:

- **MLA02-232: Regarding the establishment of a “Forest Transition Overlay” district to address potential conflict between commercial forest land and abutting pre-platted high density (one acre or less) residential parcels**

- **MLA02-239:** Regarding narrative changes to Chapter 2 (Implementation) and UDC Section 9 (Comprehensive Plan and GMA Implementing Regulations Amendment Process). CP changes are related to the elimination of an outdated Comprehensive Plan amendment submission deadline as well as “housekeeping” changes based on amendment to the GMA and UDC adoption. UDC changes are related to extending the review time for CP amendments.
- **MLA02-241 and associated UDC amendment application MLA02-329:** Regarding revisions to the Glen Cove boundary (MLA02-241) and accompanying UDC changes (MLA02-329) to the development standards within the proposed Glen Cove Light Industrial/Associated Commercial area and existing Light Industrial areas.
- **MLA02-242:** Regarding the establishment of a Tri-Area Urban Growth Area

MLA02-232: Regarding the establishment of a “Forest Transition Overlay” district to address potential conflict between commercial forest land and abutting pre-platted high density residential parcels

Introduction

As proposed in the August 21, 2002 staff report, this amendment suggested Unified Development Code (UDC) changes only. This suggested revision would amend CP narrative and policy language to provide consistency with the proposed UDC changes. In addition, this revision would add clarifying language to proposed UDC Section 3.6.14(3) further defining the criteria for designation as “Forest Transition Overlay” district.

This amendment is intended to be limited in scope. The establishment of forest land designation criteria occurred in 1997 and was highly controversial. Further, it was the result of a negotiated settlement between a number of parties including forest land owners, the state of Washington, and representatives of environmental groups. Based on this fact, staff was reluctant to take an approach that redefined the criteria for designation. The approach proposed establishes a process for applying an overlay designation. This amendment would not automatically attach the “Forest Transition Overlay” district to any parcels. Rather it would establish a process by which commercial forest parcels meeting specific criteria could apply for the overlay designation and develop at a density of one dwelling unit per five acres.

Approximately 88,500 acres are currently designated as forest lands in eastern Jefferson County (Commercial Forest, Rural Forest or Inholding Forest). Based on DCD analysis, this amendment has the potential to allow 120 acres currently designated as forest land to be developed at a density of one dwelling unit per five acres. The proposal requires that applicants for the “Forest Transition Overlay” utilize the Planned Rural Residential Development (PRRD) provisions of the UDC in order to design subdivisions that accomplish effective separation between residential development and adjacent forest land.

Proposed UDC Changes

- The following change is suggested: Rename the district as “Forest Transition Overlay” in place of “Forest Resource Protection.”

- The following change is suggested to Table 1-1 (Comprehensive Plan Land Use District Designations) on page 1-6 of the UDC:

Include “Forest Transition Overlay” District in the table under “Overlay Designations”

- The following change is suggested to the language proposed in the August 21, 2002 Staff Report (on page 2-109) at Section 3.16.14(3):

3. Criteria For Designation. Only those Forest Resource Lands that meet the following criteria are eligible for FTO designation:

- a. The parcel must be designated Commercial Forest or (CF-80) or Rural Forest (RF-40).
- b. The parcel, as it existed at the time of Comprehensive Plan adoption on August 28, 1998, must abut land characterized by pre-platted lots of a density greater than or equal to one dwelling unit per acre on 25% of the total perimeter of the parcel boundary lines. Forest Land parcels separated from lots by a public right-of-way shall not be considered abutting.
- c. The minimum parcel size shall be ten (10) gross acres; and
- d. The maximum parcel size shall be two hundred and twenty-five (225) gross acres.

Proposed Comprehensive Plan Language

Staff is proposing that the following language be included in the Comprehensive Plan in order to provide a policy basis for the proposed UDC changes. Proposed language is shown in line in/line out format.

Chapter 3 (Land Use and Rural) Page 3-32

Jefferson County is proposing three *residential* land use densities ranging from five (5) acres to ten (10) acres, to twenty (20) acres in size. *Agricultural Resource* lands have a designated twenty (20) acre minimum density. *Forest Resource* lands have a forty (40) acre and eighty (80) acre minimum parcel size (see Natural Resources Element). In 2002, a Forest Transition Overlay district was established to address potential conflict between forest resource lands and pre-platted high density residential parcels of one acre or less in size. This overlay district has a density of one dwelling unit per five acres (1:5) and requires utilization of the Planned Rural Residential Development provisions contained in the county’s development regulations.

Regulations will be developed to encourage residential “clustering” in the rural areas of Jefferson County (see LNG 23.0). Residential clustering may occur in agriculture production districts if several criteria are met (see Natural Resources Element). Subdivision of large parcels for residential purposes in designated commercial forest lands is not permitted except in the Forest Transition Overlay district. The criteria for designation of rural densities are provided in Table 3-8 below. Table 3-8 includes various land use and zoning designations, criteria used for such designation, and the principal land uses:

- LNP 3.3.1** A residential land use designation of one dwelling unit per 5 acres (RR 1:5) shall be assigned to those areas throughout the County with:
- a. an established pattern of the same or similar sized parcels (i.e., 5 acres) or smaller sized existing lots of record;
 - b. parcels of similar size (i.e., 5 acres) or pre-existing smaller parcels along the coastal areas;
 - c. parcels immediately adjacent to the boundaries of the Rural Village Centers; and
 - d. as an overlay to pre-existing developed “suburban” platted subdivisions.
 - e. parcels designated as Forest Transition Overlay.

Chapter 4 (Natural Resources) Page 4-5:

Since the adoption of the Interim Forest Lands Ordinance in January, 1997, the County has heard from both timber owners and adjacent landowners regarding conflicts over forest lands activities adjacent to residential lots that were previously platted in sizes too small to provide an adequate buffer from effects of activities such as noise and the spraying of herbicides. In 2002, a Forest Transition Overlay district was established to address potential conflict between forest resource lands and pre-platted high density residential parcels of one acre or less in size. However, this Forest Transition Overlay was limited in scope and does not preclude the necessity of convening a task force to explore potential incompatibility issues. These issues regarding limited and distinct areas raised in the public planning process will be addressed by reconvening the parties that negotiated the Interim Forest Lands Ordinance, including timber owners, environmental groups, landowners, and other interested parties to discuss measures to mitigate these effects. This public process is intended to result in recommendations that may include mitigative measures the timber owners can implement, as well as site-specific solutions. Any change in the Forest Lands Ordinance or Forest Lands designations would require full public review and should be based on agreement of the parties involved. Policy NRP 4.8 provides for convening the group of parties to initiate discussions.

Chapter 4 (Natural Resources) Page 4-33:

- NRP 4.1 Prohibit the subdivision of designated Forest Lands for residential purposes except for lands that have been designated as Forest Transition Overlay. Allow one dwelling unit on each legal lot of record in accordance with State law.
- NRP 4.6 Prohibit the extension of service areas of utility local improvement districts, fire districts, or sewer, water, or public utility districts into designated Forest Lands except for lands that have been designated as Forest Transition Overlay.

Page G-13 (Glossary)

Forest Transition Overlay (FTO): An overlay district designation that creates a transitional area between Forest Lands and pre-existing high density residential land uses in order to minimize the potential for conflict and incompatibility.

[END]

MLA02-239: Regarding narrative changes to Chapter 2 (Implementation) and UDC Section 9 (CP and GMA Implementing Regulations Amendment Process). CP changes are related to the elimination of reference to a Comprehensive Plan amendment submission deadline as well as “housekeeping” changes based on amendment to the GMA and UDC adoption. UDC changes are related to extending the review time for CP amendments.

Introduction

This amendment involves changes to Chapter 2 (Implementation) of the CP. The initial intent was to provide “housekeeping” changes limited to elimination of an outdated CP reference to an amendment submission deadline (the last business day of January) in light of adoption of the UDC and the specific deadline contained therein (May 1). Additional changes were proposed in order to provide consistency with the GMA and UDC. As review of the 2001 and 2002 CP amendment processes indicates, the Planning Commission has had limited time to address amendments based on both the amount of amendments and the UDC established timeframe (May – December). The GMA requires that CP amendments occur no more frequently than once every year (with certain specific exceptions). Other than this requirement, amendment process timelines may be established at the discretion of the Board of Commissioners. With this in mind, and consistent with the Planning Commission recommendation, staff is proposing the following changes to the UDC to provide additional time for Planning Commission and public review:

- (1) Change the UDC deadline for application submission from May 1 of each year to February 1 of each year beginning in 2004.
- (2) Based on this change, revise process timelines within the UDC to reflect the February 1 amendment application deadline.

All other amendment components, as proposed in the August 21, 2002 staff report, would remain the same.

Substantively, beginning in 2004, this change would provide the Planning Commission with seven months rather than four to review the final docket once it has been established. This amount of review time is consistent with that provided in other jurisdictions and would result in more time for meaningful consideration of amendments. This change is not intended to suggest that a CP amendment final docket in excess of the 2002 docket, for example, is now possible.

Proposed Unified Development Code line in/line out

UDC Section 9.4(2)(a)

1. Application Deadline — Form.

Deadline. All applications for formal site-specific and suggested amendments shall be submitted to DCD by May 1st of the current calendar year in order to be considered during that

year's amendment process; except that county-sponsored proposals to amend the capital facilities element of the *Comprehensive Plan* may be accepted later than other proposed amendments because of their relationship to the county's annual budget process. Beginning in 2004, all applications for formal site-specific and suggested amendments shall be submitted to DCD by February 1st of the current calendar year in order to be considered during that year's amendment process; except that county-sponsored proposals to amend the capital facilities element of the *Comprehensive Plan* may be accepted later than other proposed amendments because of their relationship to the county's annual budget process.

UDC Section 9.5(2)

List of Suggested Amendments. Each year, the Administrator shall maintain for public review the annual list of suggested amendments made by citizens, the Board of County Commissioners or members of the Board of County Commissioners, county staff, county departments or other agencies. By the end of the second full business week of June of each year, this list of suggested amendments shall be compiled into a preliminary docket. Beginning in 2004, by the end of the second full business week of March of each year, this list of suggested amendments shall be compiled into a preliminary docket. Section 9.6, below, sets forth the process for selecting which suggested amendments will be placed on the final docket to be formally reviewed during the annual review process.

UDC Section 9.6(4)

1. Board of Commissioner's Decision – Adoption of Final Docket.

- a. **Review and Decision Process.** By the second regular Board of County Commissioners meeting in July of each year, the Board of County Commissioners shall review and consider the Planning Commission's report and recommended final docket at a regularly scheduled commissioner's meeting. Beginning in 2004, by the second regular Board of County Commissioners meeting in April of each year, the Board of County Commissioners shall review and consider the Planning Commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The Board of County Commissioners may adopt the Planning Commission's recommended final docket without a public hearing; however, in the event that a majority of the Board of County Commissioners decides to add or subtract suggested amendments, it shall first hold a public hearing, noticed as set forth in Section 9.6.3, above, which shall be held by the first Board of County Commissioners meeting in August.

[END]

MLA02-241 and associated Unified Development Code amendment application MLA02-329: Regarding revisions to the Glen Cove boundary (MLA02-241) and accompanying Unified Development Code changes (MLA02-329) related to development standards within the proposed Glen Cove Light Industrial/Associated Commercial area and existing Light Industrial areas.

Introduction

This revised recommendation attempts to reconcile the requirements of the GMA, the April 8, 2002 Memorandum of Understanding between Jefferson County and the City of Port Townsend, and public input from citizens, the city, and property and business owners in the Glen Cove area.

Background

Jefferson County was one of the first jurisdictions to utilize the LAMIRD provisions contained at RCW 36.70A.070(5)(d) during the adoption of their 1998 CP and, as such, had little to rely on in terms of case law or agency guidance related to the establishment of rural commercial and industrial areas. With this in mind, the county took a conservative approach to designating these areas and further identified these boundaries as “interim” with the stated intent to revisit the boundaries upon completion of the *Tri-Area/Glen Cove Special Study* (see, for example, page 3-28 of the CP). That Special Study was completed and then accepted by the elected County Commissioners in December 2001.

As the record established through CP adoption demonstrates, when the County adopted its interim “tightline” LAMIRD boundary at Glen Cove it utilized above ground *structures* (i.e. buildings) as the key determinant comprising the “built environment.” Recent clarification by the Western Board has expanded this definition. According to the Western Board, the “built environment” as it relates to RCW 36.70A.070(5)(d):

“ . . . means only those facilities which are ‘manmade,’ whether they are above or below ground.” Durland et al. V. San Juan County (Case No. 00-2-0062c, Final Decision and Order issued 5-7-01)

The Durland definition of “built environment” is quite similar to the definition of “built environment” found in the State Environmental Protection Act, or SEPA, codified at Title 43.21C RCW. This report will examine and analyze existing infrastructure in the Glen Cove area based on this expanded definition of “built environment.”

The Jefferson County CP provides a glossary definition for “built environment” (at page G-3) that is consistent with the Hearings Board interpretation, although there is no explicit reference to below ground facilities beyond reference to “infrastructure:”

Built Environment: A combination of buildings and related activities along with associated impervious surfaces, infrastructure, parking and landscaping.

As proposed, the revised Glen Cove boundary is defined by a combination of the factors referenced in this definition.

Existing Conditions

Glen Cove is a non-urban area of predominantly light industrial development located in close proximity to the Port Townsend Paper Mill—the only area designated as Heavy Industrial in the unincorporated County. It is provided with vehicular access via Highway 20 and with non-motorized access via the Larry Scott Trail – a pedestrian, biking, and equestrian trail that runs from the city of Port Townsend to Mill Road. The pre-GMA light industrial/commercial designation for Glen Cove covered 295 acres but was “tightlined” (decreased) to 69 acres when the “interim” boundaries were established and the GMA-consistent CP was adopted in 1998. It is currently designated as *Light Industrial/Commercial* (LI/C) in the CP with uses and development standards consistent with this designation now contained in the Unified Development Code (UDC), which became effective in January 2001. The principal uses allowed are light industrial “with an allowance for commercial and retail uses that are directly associated with a light industrial use.” These commercial uses are envisioned as those serving the industrial employees of Glen Cove and are not intended for urban or regional commercial uses that serve a broader range of the County’s residents or the traveling public.

The “interim” boundary of the LI/C area was conservatively drawn in accordance with the criteria for LAMIRDs under RCW 36.70A.070(5)(d) in order to preserve planning options pending final designation. It includes primarily businesses that were in existence in 1990. Approximately two-thirds of the “tightline” LI/C area is already developed and there is limited potential for new industrial uses to locate in the area due to its limited size. The remaining undeveloped land in the area that was formerly zoned industrial prior to adoption of the current CP is now designated as rural residential. As a consequence of the “tightline” boundary, there are a significant number of existing businesses now located outside the boundary (in the RR-5 zone) that are governed as non-conforming uses. Many of these projects were vested prior to adoption of the CP. These uses have very limited expansion potential. Much of the area has already been platted for development, including roads and road rights-of-way. The area is served by a public water system (formerly by PUD No. 1 and now by the City of Port Townsend) but relies on on-site septic systems and rural roads and stormwater drainage facilities.

According to the Jefferson County CP (at page. 3-31), *“it is anticipated that the Glen Cove area will be determined to be the appropriate location for the majority of the County’s future industrial development.”* Coincidentally, the Port Townsend CP identifies the Glen Cove area as a conceptual Final Urban Growth Area (FUGA) in recognition of a possible expansion of the City’s UGA although city staff has indicated a desire to remove these provisions from the Port Townsend CP.

Local and Historic Context

The Glen Cove Industrial area is the logical outgrowth of comprehensive planning that began well before the establishment of the GMA. The County’s 1979 Comprehensive Plan provided direction for industrial development through the following somewhat broad goal:

Provide for industrial expansion in Jefferson County for the net benefit of County residents (see page 56).

The first policy intended to implement this goal states:

New industry should be located either adjacent to existing industrial development, or in planned industrial parks which afford neighboring properties protection from noise, vibration, drainage, dust, excessive traffic, view blockage, etc (see Policy #1, page 56).

Consistent with this policy direction, the Glen Cove Industrial area was located immediately west of Port Townsend Paper Mill, an established heavy industrial use in Jefferson County since the 1920s. Glen Cove is heavily influenced by the impacts associated with this established industrial use. Most notably the area is characterized by increased traffic flow due to paper mill activity and odors related to the processing of paper products (locally referred to as the mill plume). These conditions affect the entrance to the city and the Glen Cove Industrial area.

The first discussion of the Glen Cove area as a formal industrial area appeared in County draft documents related to the establishment of policies to guide development along Highway 20. A May 1986 draft of this policy document makes reference to the *Glen Cove Industrial area*. This reference was carried forward to the final version of the *Highway 20 Corridor Policies* which were adopted by the Board of County Commissioners in 1988. These policies established a regulatory framework for development along Highway 20 between the Port Townsend city limits and Old Fort Townsend Road. Policy direction contained in this document addressed setback and buffer requirements, road access, outside storage, drainage, signs, and parking. Narrative language within the document explicitly discusses the Glen Cove Industrial area.

Efforts have been made to accommodate commercial and industrial activities within the corridor over the past several years. The Glen Cove Industrial area with its frontage road (Otto Street), dedicated buffer, controlled access, and water utility provisions is the primary example (Highway 20 Corridor Policies, 1988, 1).

Establishment of the Glen Cove Industrial area followed a deliberative planning process that was consistent with the existing Comprehensive Plan and policy direction provided through the *Highway 20 Corridor Policies*. This pre-1990 process resulted in a discrete and concentrated area characterized by controlled access points off of Highway 20, a frontage road that provides interior access, and adequate infrastructure to support light industrial/manufacturing uses. [The terms “Pre July 1, 1990” and “Pre-1990” are used interchangeably – both refer to the statutory requirement contained at RCW 36.70A.070(5)(d)(v)(A)].

Glen Cove’s Regulatory History

The first distinct regulatory boundary for the Glen Cove area was established through the *Highway 20 Corridor Policies* adopted by the Board of County Commissioners on June 21, 1988. This same boundary was further refined as a regulatory tool and was adopted as a distinct “light industrial” zone on January 27, 1992. The Board of Commissioners adopted a similar boundary, with minor refinements, on August 22, 1994 as the *Highway 20 Corridor Light Industrial/Commercial* zone. The 1994 boundary continued to be in effect until the adoption of the Comprehensive Plan on August 28, 1998. At the time of Comprehensive Plan adoption an “interim” boundary was established that significantly reduced the Glen Cove light industrial area in order to achieve compliance with the GMA pending the outcome of the Special Study. This boundary reduced the size of the Glen Cove zone from 295 acres to 69 acres. All areas proposed for revision through this analysis were within the 1994 boundary and were zoned light industrial/commercial until CP adoption in 1998. In making this observation, it is understood that previous commercial zoning is just one factor for consideration in establishing LAMIRDs and cannot stand alone as the sole reason to include or exclude a particular parcel or area.

Glen Cove Boundary Revision Chronology

The proposed boundary and accompanying UDC changes in this revised staff recommendation build on previous analysis and position papers including:

- *July 22, 2002 Department of Community Development letter to Board of Commissioners Regarding Glen Cove LAMIRD*
- *Glen Cove Boundary Revision: Proposed Implementation Strategy Version 1.1* dated June 10, 2002
- *The Nielsen Report* prepared by William H. Nielsen and dated April 24, 2002
- *Glen Cove Boundary Analysis* dated March 7, 2002
- *Glen Cove Land Use Options: A Strategic Analysis* dated September 2001
- *Task VI: Tri-Area & Glen Cove Special Study Implementation Plan* dated November 28, 2001
- *Glen Cove/Tri-Area Special Study: Final Decision Document* dated June 11, 2001

This recommendation is intended to provide further information to the Board of County Commissioners regarding the *Glen Cove Light Industrial/Commercial (LI/C)* district consistent with policy language in the CP contained at Land Use Policy 11.3.2:

Designate the Glen Cove area as Light Industrial/Commercial as shown on the Land Use Map, as an interim designation and boundary that shall be revisited upon completion of the Tri-Area/Glen Cove Study through an amendment to the Comprehensive Plan, consistent with [Land Use Policy] 1.4 (CP, p. 3-83).

On December 3, 2001 the final tasks related to the *Tri-Area/Glen Cove Special Study* were delivered to the Board of County Commissioners and the *Special Study* was deemed complete. On this date, through formal motion (3-0 vote), the Board made clear their intent to re-examine the scope of the Glen Cove area through revisitation of the existing "limited area of more intensive rural development" (LAMIRD) boundary rather than through Urban Growth Area (UGA) designation. This decision represented a policy change for the Board and was facilitated by a consultant prepared "White Paper" analysis in September of 2001 that discussed options for final land use designations in Glen Cove. This analysis is also contained in the document titled *Task VI: Tri-Area & Glen Cove Special Study Implementation Plan* dated November 28, 2001 and it recommended pursuing a revised LAMIRD in Glen Cove rather than undertaking UGA planning at this time. This shift in policy direction by the Board is based on a number of factors including City of Port Townsend policy regarding UGA expansion and 2001 Growth Management Hearings Board decisions related to the scope and applicability of the GMA's LAMIRD provisions. With this in mind, the goal of the revisitation is to more accurately utilize the provisions of RCW 36.70A.070(5) as they have been clarified and expanded upon through recent Growth Management Hearings Board decisions (see, for example, Western Washington Growth Management Hearings Board, Durland et al. v. San Juan County, Case No. 00-2-0062c and City of Anacortes, et al. v. Skagit County, Case No. 00-2-0049c).

The Glen Cove boundary revisitation process was initiated through the *Glen Cove Boundary Analysis* (March 7, 2002) prepared by Jefferson County. The attachments to that March 7th document best provide a visual image of any and all infrastructure that was extant below and above ground as of July 1, 1990. As a result of this document, the city and county entered into an Interlocal Agreement dated April 8, 2002. The main component of this agreement was to mutually retain an expert in GMA issues to review and provide conclusions related to the County proposed boundary. William H. Nielsen, former member of the Western Washington Growth Management Hearings Board, was retained for this analysis and submitted a report with his conclusions on April 24, 2002. Based, in large part, on his analysis and taking into account his recommendations, Jefferson County proposed a further revised boundary along with accompanying UDC changes related to bulk and dimensional requirements in Glen Cove. These changes were submitted to the Planning Commission as a component of the Comprehensive Plan amendment process (File Number MLA02-329) and are also contained in the document entitled *Glen Cove Boundary Revision: Proposed Implementation Strategy Version 1.1* dated June 10, 2002. The city submitted specific comment on this newly proposed boundary and the accompanying UDC changes through a July 9, 2002 comment letter. Based on city comment contained in their July 9, 2002 letter, Jefferson County staff proposed further changes to the UDC standards related to development within Glen Cove. These recommendations were proposed through a July 22, 2002 letter from the Department of Community Development to the Board of Commissioners. The changes proposed through this letter are entirely contained within the August 21, 2002 Staff Report/Supplemental Environmental Impact Statement prepared for the 2002 Comprehensive Plan amendment cycle. On September 4, 2002, the city submitted a comment letter making specific recommendations related to the development standards in Glen Cove. This revised recommendation takes into consideration these comments submitted by the city in addition to the public testimony and comment received prior the October 1, 2002 Comprehensive Plan amendment comment deadline. Most substantively, this revised recommendation proposes a

new Glen Cove boundary that takes into account all comment received to date. This boundary continues to take into account all GMA requirements related to establishing LAMIRDs as detailed below.

Establishing the Glen Cove Logical Outer Boundary

Pursuant to the GMA [see RCW 36.70A.070(5)(d)(iv)] Jefferson County must adopt measures to minimize and contain existing areas or uses within LAMIRDs and those areas shall not extend beyond the logical outer boundary (LOB) of LAMIRDs. While LAMIRDs must be delineated predominantly by the pre-July 1, 1990 built environment they may also include undeveloped lands if limited in order to prevent further low-density sprawl. The GMA sets out four issues that must be addressed in establishing the LOB in addition to respecting the predominance of the pre-1990 built environment:

- Preserving the character of existing natural neighborhoods and communities;
- Respecting and considering physical boundaries such as bodies of water, streets and highways, and land forms and contours;
- Preventing abnormally irregular boundaries; and
- Maintaining the ability to provide public facilities and services in a manner that does not permit low-density sprawl.

In establishing the LOB for the Glen Cove boundary revision based upon the newly issued definition of “built environment,” Jefferson County is attempting to reexamine the predominantly pre-1990 built environment and development in order to establish final LAMIRD boundaries for Glen Cove.

Proposed Glen Cove Boundary Changes

This final staff recommendation on the Glen Cove boundary attempts to synthesize the requirements of the GMA, citizen input, and city concerns related to the Glen Cove area. As proposed, the boundary continues to take into account the recommendations made by former Western Washington Hearings Board member William Nielsen as part of his April 24, 2002 report. These changes substantially address public input related to the boundary including specific City of Port Townsend concerns expressed in their July 9, 2002 comment letter related to two existing businesses located outside of the proposed Glen Cove boundary revision:

We encourage the County to review the situation of several local businesses, such as Frederickson Electric and Timbercraft Homes, to see if their unique needs can be met. One option might be to alter the Eastern “Logical Outer Boundary” of the LAMIRD, but dropping equivalent acreage at the corner of Highway 20 and Old Fort Townsend Road. Depending on how that corner property is protected, this might help promote the goal of preserving the highway 20 buffer.

Similar comments related to addressing the unique needs of these existing and operating businesses were received during the Comprehensive Plan amendment comment period. The unique nature of these properties stems from the fact that, in the case of Frederickson Electric, the land was purchased from the county as light industrially zoned property and the price at time of purchase reflected that industrial designation. In the case of Timbercraft Homes, a one acre parcel in contiguous ownership with an existing pre-1990 industrial use – Timbercraft Homes (currently within the existing Glen Cove LI/C boundary) – was excluded from the proposed

boundary. Based on submitted comment and testimony, this parcel is intended for potential expansion of the Timbercraft Homes manufacturing facility.

While the boundary itself has changed, staff believes that the revisions continue to meet the spirit and intent of the Nielsen Report and the requirements of the GMA. Especially in light of the fact that the discrete amount of acreage proposed to be added in Glen Cove is nominally equivalent to the acreage amount (49 acres excluding roads, rights-of-way, water) endorsed through the Nielsen Report. Further context for these recommended changes comes from the broad mandate of the Board of Commissioners to preserve and provide industrial employment opportunities to the maximum extent possible given the requirements of the GMA. It is the opinion of staff that these changes are within the range of discretion provided in the GMA and are consistent with RCW 36.70A.070 as applied in Glen Cove. In addition, city and county agreement on a proposed boundary would likely result in a higher level of deference before the Western Washington Hearings Board.

The three iterations of the revised Glen Cove boundary are included for your review and comparison.

- Exhibit A shows the Glen Cove boundary as proposed through the March 7, 2002 *Glen Cove Boundary Analysis*
- Exhibit B shows the Glen Cove boundary taking into account the recommendations of the Nielsen Report as proposed through the June 10, 2002 *Glen Cove Boundary Revision: Proposed Implementation Strategy*
- Exhibit C shows the Glen Cove boundary as proposed through the current November 6, 2002 Staff Recommendation

A narrative providing the rationale for the each of the proposed changes shown in Exhibit C is given below.

DCD Proposed Boundary Change

The change proposed by staff has three discrete components. The first component involves alteration to the southern extent of the boundary by removing two parcels, Assessor Parcel Numbers 001212011 and 001212010. These two southern most parcels, together totaling approximately 12 acres, are located between Otto Street and State Route 20 directly across from the Elks Lodge and campground area. These parcels currently contain no site improvements and were initially included in the boundary to take advantage of the logical outer boundary provided by Old Fort Townsend Road. This change further serves to address concerns related to the overall length of the proposed light industrial zone and the inherent potential for strip development. While staff feels that the road setbacks and buffers contained in the UDC provide adequate protection along this corridor, a more compact boundary nonetheless provides for further protection. This change would essentially move potential light industrial growth away from State Route 20 thereby minimizing the potential for visual impact to this important corridor and contributing to the overall protection of rural character. Specifically this change would reduce the total length of the proposed light industrial district along State Route 20 by 750 linear feet. Additionally, this change is intended to comply with the spirit and intent of both the Nielsen Report and the Memorandum of Understanding between the city and county by attempting to stay as consistent as possible with the amount of acreage recommended in the Nielsen Report (49 acres excluding roads, public right-of-ways).

The second component of the proposed change involves the addition of an approximately one acre parcel located on the east side of Otto Street. Circumstances indicate that this parcel was

purchased at the same time as the parcel housing Timbercraft Homes for the express purpose of future expansion. At the time of purchase both parcels were designated light industrial. Based on these specific circumstances, this parcel was reviewed by staff for potential inclusion within the revised Glen Cove boundary. This one acre parcel is located directly south of the existing Timbercraft Homes manufacturing facility and north of the Elks Lodge parking lot. The Assessor Parcel Number is 001212021. As reference to air photos and existing land use patterns indicates, this property is located between two non-residential land uses and an additional non-residential use (Fountain Fitness Health Club) is located to the west across Otto Street. Staff notes that while the eastern most boundary of this parcel is located adjacent to a residential use, that residence is located approximately 400 feet away and actual physical separation occurs based on the existence of a 100 foot wide utility corridor between the parcel boundary and the actual residential structure. These physical features serve to minimize the potential for future use conflict. In assessing this parcel for inclusion in the revised boundary staff notes the specific requirements of RCW 36.70A.070(5)(d)(iv). Inclusion of this parcel serves to preserve the character of the existing Glen Cove area which is predominantly light industrial. In addition, the southern extent of this parcel provides a logical boundary that exists on the ground in the form of roadway access to the residential parcel located to the east. Prior to the inclusion of this parcel, the southern extent of the boundary in this area was defined by a property line which did not provide a visual or physical separation on the ground. This parcel lies within the Port Townsend water service area and would be served by an on-site septic system which provides a situation in which public facilities and services can be provided without further permitting low-density sprawl. In this manner, inclusion of this parcel preserves the integrity of the Glen Cove boundary while remaining consistent with the intent of the GMA.

The third component of the proposed change involves the addition of approximately 16 acres (excluding roads and rights-of-way) immediately south of Glen Cove Road and east of the power line easement owned by the Port Townsend Paper Mill. This area was reviewed by staff for inclusion in this revised boundary based on circumstances related to parcels purchased from the county as light industrially zoned land prior to the downzone in 1998. The parcels in question are located immediately east of the powerline easement and immediately south of Glen Cove Road. The northern most of these parcels (Assessor Parcel Number 001163001 houses Frederickson Electric, an existing and operating business.

This area includes the Frederickson property as well as multiple parcels located to the south and west. It should be noted that 16 acres is a gross amount which includes the utility corridor owned by the Port Townsend Paper Mill. This utility corridor contains the City of Port Townsend Gravity Water line as well as Puget Sound Energy and Clallam County PUD electrical lines and is currently not available for development. Taking into account these factors, the inclusion of this area reflects a net addition of 13 acres. Most importantly, this change will provide a situation in which potential light industrial development is located away from the Route 20 corridor, an important visual corridor leading into Port Townsend. In assessing this parcel for inclusion in the revised boundary staff notes the specific requirements of RCW 36.70A.070(5)(d)(iv). Inclusion of these parcels serves to preserve the character of the existing Glen Cove area which is predominantly light industrial. In addition, the northern extent of the Frederickson parcel (Assessor Parcel Number 001163001) provides a logical boundary that exists on the ground in the form of Glen Cove Road. This boundary provides a physical separation between residential uses located to the north and the industrial are located to the south. The parcel located to the south of the Frederickson parcel (Assessor Parcel Number 001164017) is included within the revised zone in order to preclude a situation in which residentially zoned land is surrounded on three sides by light industrially zoned land. In this way, including parcel number 001164017 as a component of the logical outer boundary serves

to prevent the creation of an an abnormally irregular boundary. The parcels included within this area are within the Port Townsend water service area and would be served by individual on-site septic systems, providing a situation in which public facilities and services can be provided without further permitting low-density sprawl. In this manner, inclusion of this parcel preserves the integrity of the Glen Cove boundary while remaining consistent with the intent of the GMA.

As proposed, this boundary change would remove approximately 12 acres from the boundary while adding approximately 14 net acres – for an overall boundary revision of 51 acres rather than the 49 acres identified through the Nielsen Report.

In summary, the changes proposed by staff through this revised boundary serve to effectively address the concerns expressed through public comment, specifically the spirit and intent of the Interlocal Agreement between the city and county and the conclusions of the Nielsen Report. Further, the revisions proposed through this revised recommendation effectively implement the provisions of RCW 36.70A.070(5) in a manner that preserves the character of the Glen Cove Industrial area as it existed prior to July 1, 1990 and as it exists today while remaining consistent with the requirements and intent of GMA.

Proposed UDC changes related to the development standards within the proposed Glen Cove Light Industrial/Associated Commercial and Glen Cove Light Industrial area

In addition to the proposed boundary changes, consistent with the August 21, 2002 staff report, a revised Table 6-1 is provided as Exhibit D. This revised Table 6-1 provides the line in/line out text that would implement the individual components detailed in the August 21, 2002 staff report.

[END]

MLA02-242: Regarding the establishment of a Tri-Area Urban Growth Area

Introduction

The proposal is to adopt an Urban Growth Area (UGA) boundary in the Tri-Area and include that boundary on the official Jefferson County Land Use Map. This amendment is a component of the Tri-Area/Glen Cove Special Study and the designation of a UGA represents the area in which final capital facilities planning will be conducted. Current rural or interim development standards and densities and intensities of use will continue to apply in the UGA until all final urban capital facility level of service requirements related to the establishment of an Urban Growth Area have been met. The establishment of final urban levels of service in the Tri-Area UGA means, for practical purposes, the implementation of a community sanitary sewer system.

The changes proposed to the August 21, 2002 Staff Report involve two components. The first is a revised DCD recommendation for the Tri-Area UGA boundary. This item is shown as Exhibit E.

As reference to the revised boundary in Exhibit E indicates, it is largely consistent with the Provisional Urban Growth Area boundary endorsed by the Board of Commissioners on October 5, 1999. Two general areas are affected by the proposed change. The first area is on the western portion of the boundary in the vicinity of Ness' Corner and involves the addition of approximately seven acres comprised of three portions of parcels (Assessor Parcel Numbers 942902201, 942902202 and 942903414). The second area is located on the southern portion of the boundary immediately south of Lopeman Road and west of Chimacum Road and reflects the addition of approximately 26 acres comprised of four parcels (Assessor Parcel Numbers

901112002, 901111019, 901112012 and 90111005). These parcels are located directly west of the Jefferson County Corrections facility and the Seagull baseball fields. This impacted area is proposed for addition in order to provide opportunity for light industrial land uses within the proposed UGA. Together these two areas would add an additional 33 acres to the proposed Tri-Area UGA.

In the area located on the western section of the boundary, these portions of parcels are added in order to eliminate situations where the proposed UGA boundary splits existing parcels and where current use creates the potential for non-conforming uses. Each of these parcel are discussed below.

- Parcel number 942902201 is located immediately south of the Sparling Well facility owned by Public Utility District #1 (at the intersection with Kennedy Road) and immediately north of Circle and Square Automotive Repair. It is an approximately five acre vacant parcel that is split in half by the Provisional Urban Growth Area boundary. In order to remedy this situation, DCD is recommending that the entire parcel be included within the proposed UGA.
- Parcel number 942902202 houses Circle and Square Automotive Repair. It is an approximately two acre parcel that is split in half by the Provisional Urban Growth Area boundary. The eastern half of the parcel houses the actual Circle and Square building and the western portion of the parcel houses the on-site septic system for the business. In order to remedy this situation, DCD is recommending that the entire parcel be included within the proposed UGA.
- Parcel number 942903414 is an approximately three acre parcel located directly behind Carl's Building Supply. The area is currently vacant but has been entirely fenced off for eventual use as a product storage space. It order to provide potential for future expansion and storage needs and to prevent the creation of a potentially non-conforming situation, DCD is recommending inclusion of the parcel within the proposed UGA.

The area located on the southern section of the proposed UGA boundary is proposed for addition in order to provide opportunity for light industrial uses within the proposed UGA. As reference to air photos and site visits indicate, this area has been used in the past for gravel extraction and can be described as "impacted." Based on these site-specific conditions it was identified as a potential site for light industrial designation.

August 21, 2002 Staff Report line in/line out changes

The second component of the proposed Tri-Area UGA changes involves minor modification of the August 21, 2002 Staff Report language in order to address the proposed boundary change. For the most part, these changes involve the removal of reference to community facilities located within the initially proposed southern boundary extension to Chimacum High School.

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Under the heading "Urban Growth Area Designation Criteria"

URBAN GROWTH AREA DESIGNATION CRITERIA

The GMA specifies certain minimum requirements for UGA formation. These include the following provisions of RCW 36.70A.110:

An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth. (RCW 36.70A.110(1))

The vast majority of the Tri-Area UGA is *already characterized by urban growth* as stated in CWPP 1.4. In addition, the boundary for the UGA was delineated based on the criteria in CWPP 1.3 with guidance from the Tri-Area Community Plan and public input from local residents, as required by CWPP 1.3 and 1.4. ~~Portions of the UGA, such as the southern boundary, were drawn to include existing essential public facilities (i.e., Chimacum High School and H. J. Carroll Park) important to the community but that do not allow for significant new urban development.~~ Only limited areas *adjacent to territory already characterized by urban growth* are included in the UGA to: 1) interconnect areas characterized by existing urban growth; 2) incorporate sufficient developable land to sustain the urban growth projected to occur during the 20-year planning period; or 3) provide for a reasonable land market supply factor to discourage adverse land and housing price increases. The Tri-Area UGA is significantly smaller and more compact than originally proposed in the *Special Study*.

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Under the heading “Tri-Area UGA Land Use Analysis”

Existing Conditions

The UGA encompasses approximately 1,245 gross acres. Based on the year 2000 census, the resident population is estimated to be approximately 3,200 persons. The UGA is estimated to contain approximately 1,400 existing housing units. The existing land use pattern is characterized by commercial development concentrated along the major highway corridors (Rhody Drive, Ness’ Corner Road, and Chimacum Road) and existing developed single-family neighborhoods in Irondale and Port Hadlock in the northern part of the UGA. There are scattered multi-family apartment complexes mostly located at the fringe of the Port Hadlock commercial core area.

The predominant land use type in the UGA is single-family residential development. It accounts for close to one-half of the existing land uses. Most of the residential neighborhoods south of Irondale Road are largely built-out, although there are a significant number of pre-existing platted lots (from early in the century) that remain undeveloped. In fact, vacant lands constitute about one-third of the UGA—most of which are concentrated north of Irondale Road and south of Chimacum Creek. Many of these lots are “substandard”—meaning that they cannot meet minimum lot size requirements for on-site septic systems—and therefore must be consolidated in order to build upon. Under current regulations, the County may authorize single-family home development on pre-existing platted lots provided they meet Jefferson County Environmental Health Department standards for on-site septic systems and drainfields—usually requiring a minimum 12,500 square foot lot (if served by a public water system). Current developed single-family residential lots in the UGA range from 4,000 to 20,000 square feet in size and average about 13,000 square feet. Undeveloped “pre-existing” platted lots may be found as small as 2,000 square feet and typically average 5,000 square feet or less.

The remaining existing land use distribution in the UGA includes public and quasi-public facilities such as churches, the Library and Chimacum Creek Elementary School, ~~Chimacum High School~~, the Jefferson County Sheriff’s Office and Jail, Jefferson County Public Works

Department Maintenance Yard, and the City of Port Townsend's Sparling Well facility along Rhody Drive. In addition there are several neighborhood parks and open space areas.

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Under the heading "**Public Facilities**"

Public Facilities. Public facilities comprise 87 acres, including the Library and Chimacum Creek Elementary School, ~~Chimacum High School~~, the Jefferson County Sheriff's Office and Jail, Jefferson County Public Works Department Maintenance Yard, and the City of Port Townsend's Sparling Well facility along Rhody Drive.

[END OF MEMORANDUM]