

**JEFFERSON COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA REQUEST**

**TO:** Board of County Commissioners  
Philip Morley, County Administrator

**FROM:** Stacie Hoskins, Planning Manager/Shoreline Administrator *SHA*  
Michelle McConnell, Associate Planner *MM*

**DATE:** March 21, 2011

**SUBJECT:** Continued Discussion - Draft Jefferson County Response to Ecology on Changes to the *Locally Approved Shoreline Master Program* and Additional Public Input (MLA08-475)

**ATTACHED:** Draft legal notice for 4/4/11 public hearing

---

**STATEMENT OF ISSUE:** Last week, the Board of County Commissioners reviewed the *DRAFT Jefferson County Response to Ecology on Changes to the Locally Approved SMP* ('Draft County Response'). While the Board has provided direction on most of the 61 possible changes to the *Locally Approved SMP*, additional discussion is needed on provisions for finfish/net pen aquaculture.

Further, to continue the tradition of citizen involvement, staff recommends the Board accept additional public input on the Draft County Response and has prepared a draft legal notice to hold a public hearing on the Draft County Response on Monday, April 4, 2011.

**ANALYSIS/STRATEGIC GOALS/PROS and CONS:**

Ecology's approval is regarding the December 7, 2009 *Locally Approved SMP*, submitted to Ecology on March 1, 2010 as Exhibit A of Jefferson County Resolution 77-09 (erroneously referenced in Ecology documents as 'Ordinance Number 77-09') as the proposed amendments to the Jefferson County Comprehensive Plan and Jefferson County Code. This SMP Comprehensive Update (MLA08-475) is required by law and must be completed by December 2011.

In March 2010, the County submitted a *Locally Approved Shoreline Master Program* (SMP) to the Washington Department of Ecology (Ecology) for final review and approval, per RCW 90.58 and WAC 173-26. After a public review process, Ecology reviewed the County's proposed SMP update for consistency with state statutory and rule requirements.

On January 26, 2011 Ecology determined that the County has met the procedural and policy requirements of the Shoreline Management Act and the SMP Guidelines, pending some required changes. A letter from Ecology's director with three attachments outlines their conditioned approval, findings and conclusions, required and recommended changes. The County needs to consider the required changes and respond as to whether to accept or propose alternatives to those changes as part of the process for final adoption by the state and by local ordinance.

Staff reviewed the required and recommended changes and provided guidance to the Board on whether to agree, further study, decline or propose alternative changes, including numerous revisions proposed for clarification to correct various errors in the document prior to final adoption. The Board discussed the DCD Recommendation on February 22, February 28 and March 7, 2011 providing feedback to staff on each item for the County's response to Ecology. The Board reviewed and discussed the Draft County Response on March 14, but additional discussion is needed on the topic of finfish aquaculture.

Today, staff seeks final Board review of and feedback on the Draft County Response prior to releasing the document for public review and comment. After considering the additional public input, the County will finalize its position on the changes, adopt the new SMP by local ordinance, and submit a response to Ecology. The new SMP will become effective upon Ecology's final approval.

**FISCAL IMPACT/COST-BENEFIT ANALYSIS:**

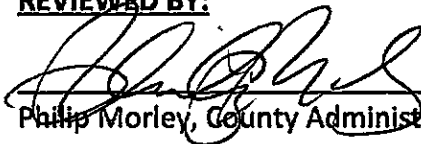
Grant funding for the SMP Update ended in June 2009. Department of Community Development staff work is covered by the department's annual budget.


**RECOMMENDATION:**

Staff recommends the Board:

1. Review the *DRAFT Jefferson County Response to Ecology on Changes to the Locally Approved SMP*, including provisions for finfish aquaculture provided under separate cover;
2. Affirm staff has been provided any final feedback on the Draft County Response;
3. Direct staff to make final revisions as discussed and release the Draft County Response for public review and comment; and
4. Approve publication of the legal notice for an April 4, 2011 public hearing on the Draft County Response to start at 6:00 pm in the Jefferson County Superior Court room.

**REVIEWED BY:**

  
Philip Morley, County Administrator

  
\_\_\_\_\_  
Date

**TO:** Port Townsend & Jefferson County Leader

**LEGAL NOTICE**

**Please publish one (1) time: Wednesday, March 23, 2011 in 7-point font**

**BILL:** Jefferson County Department of Community Development  
621 Sheridan Street  
Port Townsend WA 98368  
Attn: Michelle McConnell  
Tel: 360-379-4450  
Account# 17385

**DATE:** Monday, March 21, 2011

---

**NOTICE OF PUBLIC HEARING  
ON PROPOSED AMENDMENTS TO COMPREHENSIVE  
PLAN AND UNIFIED DEVELOPMENT CODE -  
SHORELINE MASTER PROGRAM UPDATE (MLA08-475)**

**NOTICE IS HEREBY GIVEN** that the Jefferson County Board of County Commissioners will hold a public hearing on **Monday, April 4, 2011 at 6:00 p.m.** at the County Courthouse Superior Court Room, 1820 Jefferson St., Port Townsend, Washington, on the proposed amendments to the Comprehensive Plan and the Unified Development Code, Title 18 of the Jefferson County Code (JCC), to update the Shoreline Master Program per state requirements.

Written comments will be accepted by the Board of County Commissioners (BoCC) from March 23, 2011 until the close of the public hearing on April 4, 2011. Written comments should be sent to: **BoCC - SMP Comments, PO Box 1220, Port Townsend, WA 98368** or to [jeffbocc@co.jefferson.wa.us](mailto:jeffbocc@co.jefferson.wa.us).

The BoCC is considering changes to the *Locally Approved Shoreline Master Program* (LA-SMP) prior to final adoption by the state and the County. The specific changes under consideration are proposed as the *DRAFT Jefferson County Response to Ecology on Changes to the Locally Approved Shoreline Master Program (SMP)*. Public input is sought on the 61 possible changes listed therein including, but not limited to, topics such as common line buffer, tribal issues, residential dock length, in-water and upland finfish aquaculture, non-water oriented shoreline use/development, forest practices, boathouses, and vegetation trimming.

Below is a summary of the proposed Comprehensive Plan and Development Code amendments for a Shoreline Master Program Comprehensive Update (MLA08-475):

Comprehensive Plan – The amendment is proposed as an appendix of updated goals and policies that will supplement the following sections:

Element 3. Land Use & Rural;

Element 4. Natural Resource Conservation;

Element 6. Open Space, Parks and Recreation, and Historic Preservation; and

Element 8. Environment.

JCC Chapter 18.25 Shoreline Master Program – The amendment is proposed as a stand-alone document that will replace this chapter 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

This proposal will supplement existing goals and policies in the Comprehensive Plan and replace the existing Shoreline Master Program (JCC 18.25) in entirety.

**Availability of Documents:** The full text of the *DRAFT Jefferson County Response to Ecology on Changes to the Locally Approved SMP* and the *Locally Approved SMP* proposed amendment can be found at the DCD Front Desk in Port Townsend or online at [http://www.co.jefferson.wa.us/commdevelopment/Shoreline\\_StateApproval.htm](http://www.co.jefferson.wa.us/commdevelopment/Shoreline_StateApproval.htm). For further information, please contact Department of Community Development (DCD), 621 Sheridan Street, Port Townsend, WA 98368, (360) 379-4450 or [mmcconnell@co.jefferson.wa.us](mailto:mmcconnell@co.jefferson.wa.us).

Date: March 21, 2011

---

John Austin, Chair  
Jefferson County Board of County Commissioners